

(8) to settle and compromise claims by or against it;

(9) to exercise, in the name of the United States, the right of eminent domain for the furtherance of its official purposes; and to have the priority of the United States with respect to the payment of debts out of bankrupt, insolvent, and decedents' estates; and

(10) to have all other powers incidental, necessary, or appropriate to the carrying on of its functions or the exercise of its specific powers.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 722; Pub. L. 109-435, title IV, § 403(b)(1), title V, § 504, Dec. 20, 2006, 120 Stat. 3227, 3235.)

Editorial Notes

AMENDMENTS

2006—Pub. L. 109-435, § 403(b)(1), substituted “Subject to the provisions of section 404a, the” for “The” in introductory provisions.

Par. (2). Pub. L. 109-435, § 504, amended par. (2) generally. Prior to amendment, par. (2) read as follows: “to adopt, amend, and repeal such rules and regulations as it deems necessary to accomplish the objectives of this title;”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Pars. (1) and (3) to (10) effective July 1, 1971, pursuant to Resolution No. 71-9 of the Board of Governors and par. (2) effective Aug. 12, 1970. See section 15(a) of Pub. L. 91-375, set out as a note preceding section 101 of this title.

Executive Documents

EMERGENCY PREPAREDNESS FUNCTIONS

For assignment of certain emergency preparedness functions to the Postmaster General, see Parts 1, 2, and 26 of Ex. Ord. No. 12656, Nov. 18, 1988, 53 F.R. 47491, set out as a note under section 5195 of Title 42, The Public Health and Welfare.

EXECUTIVE ORDER NO. 13975

Ex. Ord. No. 13975, Jan. 14, 2021, 86 F.R. 6547, which encouraged Buy American policies for the United States Postal Service, was revoked by Ex. Ord. No. 14005, § 14(a), Jan. 25, 2021, 86 F.R. 7478, set out as a note under section 8301 of Title 41, Public Contracts.

§ 402. Delegation of authority

Except for those powers, duties, or obligations specifically vested in the Governors, as distinguished from the Board of Governors, the Board may delegate the authority vested in it to the Postmaster General under such terms, conditions, and limitations, including the power of re-delegation, as it deems desirable. The Board may establish such committees of the Board, and delegate such powers to any committee, as the Board determines appropriate to carry out its functions and duties. Delegations to the Postmaster General or committees shall be consistent with other provisions of this title, shall not relieve the Board of full responsibility for the carrying out of its duties and functions, and shall be revocable by the Governors in their exclusive judgment.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 723.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Jan. 16, 1971, pursuant to Resolution No. 71-5 of the Board of Governors. See section 15(a) of Pub. L. 91-375, set out as a note preceding section 101 of this title.

§ 403. General duties

(a) The Postal Service shall plan, develop, promote, and provide adequate and efficient postal services at fair and reasonable rates and fees. The Postal Service shall receive, transmit, and deliver throughout the United States, its territories and possessions, and, pursuant to arrangements entered into under sections 406 and 411 of this title, throughout the world, written and printed matter, parcels, and like materials and provide such other services incidental thereto as it finds appropriate to its functions and in the public interest. The Postal Service shall serve as nearly as practicable the entire population of the United States.

(b) It shall be the responsibility of the Postal Service—

(1) to maintain an efficient system of collection, sorting, and delivery of the mail nationwide;

(2) to provide types of mail service to meet the needs of different categories of mail and mail users; and

(3) to establish and maintain postal facilities of such character and in such locations, that postal patrons throughout the Nation will, consistent with reasonable economies of postal operations, have ready access to essential postal services.

(c) In providing services and in establishing classifications, rates, and fees under this title, the Postal Service shall not, except as specifically authorized in this title, make any undue or unreasonable discrimination among users of the mails, nor shall it grant any undue or unreasonable preferences to any such user.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 723; Pub. L. 96-70, title I, § 1331(e)(1), Sept. 27, 1979, 93 Stat. 482.)

Editorial Notes

AMENDMENTS

1979—Subsec. (a). Pub. L. 96-70 substituted “The Postal Service” for “Except as provided in the Canal Zone Code, the Postal Service”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-70 effective Oct. 1, 1979, see section 3304 of Pub. L. 96-70, set out as an Effective Date note under section 3601 of Title 22, Foreign Relations and Intercourse.

EFFECTIVE DATE

Section effective Jan. 20, 1971, pursuant to Resolution No. 71-10 of the Board of Governors. See section 15(a) of Pub. L. 91-375, set out as a note preceding section 101 of this title.

CONTINUATION OF MAIL DELIVERY SERVICES

Provisions requiring continuation of six-day delivery and rural delivery of mail at not less than the 1983 level

were contained in the Transportation, Treasury, Housing and Urban Development, the Judiciary, and Independent Agencies Appropriations Act, 2006, Pub. L. 109-115, div. A, title VI, Nov. 30, 2005, 119 Stat. 2490, and were repeated in provisions of subsequent appropriations acts which are not set out in the Code. Similar provisions were also contained in the following prior appropriations acts:

Pub. L. 108-447, div. H, title IV, Dec. 8, 2004, 118 Stat. 3264.

Pub. L. 108-199, div. F, title IV, Jan. 23, 2004, 118 Stat. 340.

Pub. L. 108-7, div. J, title II, Feb. 20, 2003, 117 Stat. 442.

Pub. L. 107-67, title II, Nov. 12, 2001, 115 Stat. 525.

Pub. L. 106-554, §1(a)(3) [title II], Dec. 21, 2000, 114 Stat. 2763, 2763A-135.

Pub. L. 106-58, title II, Sept. 29, 1999, 113 Stat. 444.

Pub. L. 105-277, div. A, §101(h) [title II], Oct. 21, 1998, 112 Stat. 2681-480, 2681-492.

Pub. L. 105-61, title II, Oct. 10, 1997, 111 Stat. 1290.

Pub. L. 104-208, div. A, title I, §101(f) [title II], Sept. 30, 1996, 110 Stat. 3009-314, 3009-326.

Pub. L. 104-52, title II, Nov. 19, 1995, 109 Stat. 476.

Pub. L. 103-329, title II, Sept. 30, 1994, 108 Stat. 2392.

Pub. L. 103-123, title II, Oct. 28, 1993, 107 Stat. 1234.

Pub. L. 102-393, title II, Oct. 6, 1992, 106 Stat. 1737.

Pub. L. 102-141, title II, Oct. 28, 1991, 105 Stat. 843.

Pub. L. 101-509, title II, Nov. 5, 1990, 104 Stat. 1396.

Pub. L. 101-136, title II, Nov. 3, 1989, 103 Stat. 790.

Pub. L. 100-440, title II, Sept. 22, 1988, 102 Stat. 1727.

Pub. L. 100-202, §§101(m) [title II], 102, Dec. 22, 1987, 101 Stat. 1329-390, 1329-397, 1329-433.

Pub. L. 99-500, §§101(m) [title II], 102, Oct. 18, 1986, 100 Stat. 1783-308, 1783-314, 1783-346, and Pub. L. 99-591, §§101(m) [title II], 102, Oct. 30, 1986, 100 Stat. 3341-308, 3341-314, 3341-346.

Pub. L. 99-190, §§101(h) [H.R. 3036, title II], 102, Dec. 19, 1985, 99 Stat. 1291, 1315.

Pub. L. 98-473, §§101(j) [H.R. 5798, title II], 102, Oct. 12, 1984, 98 Stat. 1963, 1964.

Pub. L. 98-151, §§102, 106, Nov. 14, 1983, 97 Stat. 975.

Pub. L. 98-107, §§102, 108, Oct. 1, 1983, 97 Stat. 740, 741.

Pub. L. 97-377, title I, §111B, Dec. 21, 1982, 96 Stat. 1912.

Pub. L. 97-35, title XVII, §1722, Aug. 13, 1981, 95 Stat. 759, as amended by Pub. L. 98-369, div. B, title II, §2209, July 18, 1984, 98 Stat. 1061.

Pub. L. 96-499, title IV, §412, Dec. 5, 1980, 94 Stat. 2607.

PROHIBITION OF 9-DIGIT ZIP CODE

Pub. L. 97-35, title XVII, §1726, Aug. 13, 1981, 95 Stat. 761, prohibited Postal Service from implementing ZIP code system using more than 5 digits before Oct. 1, 1983, and prohibited executive agencies from taking action to conform mailing procedures to ZIP code system using more than 5 digits during the period from Aug. 13, 1981 to Dec. 31, 1982.

§ 404. Specific powers

(a) Subject to the provisions of section 404a, but otherwise without limitation of the generality of its powers, the Postal Service shall have the following specific powers, among others:

(1) to provide for the collection, handling, transportation, delivery, forwarding, returning, and holding of mail, and for the disposition of undeliverable mail;

(2) to prescribe, in accordance with this title, the amount of postage and the manner in which it is to be paid;

(3) to determine the need for post offices, postal and training facilities and equipment, and to provide such offices, facilities, and equipment as it determines are needed;

(4) to provide and sell postage stamps and other stamped paper, cards, and envelopes and

to provide such other evidences of payment of postage and fees as may be necessary or desirable;

(5) to provide philatelic services;

(6) to investigate postal offenses and civil matters relating to the Postal Service;

(7) to offer and pay rewards for information and services in connection with violation of the postal laws, and, unless a different disposal is expressly prescribed, to pay one-half of all penalties and forfeitures imposed for violations of law affecting the Postal Service, its revenues, or property, to the person informing for the same, and to pay the other one-half into the Postal Service Fund; and

(8) to authorize the issuance of a substitute check for a lost, stolen, or destroyed check of the Postal Service.

(b) Except as otherwise provided, the Governors are authorized to establish reasonable and equitable classes of mail and reasonable and equitable rates of postage and fees for postal services in accordance with the provisions of chapter 36. Postal rates and fees shall be reasonable and equitable and sufficient to enable the Postal Service, under best practices of honest, efficient, and economical management, to maintain and continue the development of postal services of the kind and quality adapted to the needs of the United States.

(c) The Postal Service shall maintain one or more classes of mail for the transmission of letters sealed against inspection. The rate for each such class shall be uniform throughout the United States, its territories, and possessions. One such class shall provide for the most expeditious handling and transportation afforded mail matter by the Postal Service. No letter of such a class of domestic origin shall be opened except under authority of a search warrant authorized by law, or by an officer or employee of the Postal Service for the sole purpose of determining an address at which the letter can be delivered, or pursuant to the authorization of the addressee.

(d)(1) The Postal Service, prior to making a determination under subsection (a)(3) of this section as to the necessity for the closing or consolidation of any post office, shall provide adequate notice of its intention to close or consolidate such post office at least 60 days prior to the proposed date of such closing or consolidation to persons served by such post office to ensure that such persons will have an opportunity to present their views.

(2) The Postal Service, in making a determination whether or not to close or consolidate a post office—

(A) shall consider—

(i) the effect of such closing or consolidation on the community served by such post office;

(ii) the effect of such closing or consolidation on employees of the Postal Service employed at such office;

(iii) whether such closing or consolidation is consistent with the policy of the Government, as stated in section 101(b) of this title, that the Postal Service shall provide a maximum degree of effective and regular postal services to rural areas, communities, and small towns where post offices are not self-sustaining;