

Public Law 86-682

AN ACT

September 2, 1960
[H. R. 2339]

To revise, codify, and enact into law, title 39 of the United States Code, entitled "The Postal Service".

The Postal Service.
Enactment as Title 39, U. S. Code.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the general and permanent laws relating to the Post Office Department and the postal service are revised, codified and enacted as Title 39, United States Code—"The Postal Service", and may be cited as "39 U. S. Code, § —", as follows:

TITLE 39—THE POSTAL SERVICE

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PART I—GENERAL

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CHAPTER 1—DEFINITIONS AND APPLICATION

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§ 1. Definitions

As used in this title—

"Department" means the Post Office Department, continued by section 301 of this title, and the postal field service of the Post Office Department;

"postal field service" or "field postal service" includes all operations and organization units of the Department, other than the departmental operations and organization units in the headquarters offices of the Department at the seat of the Government, and includes postal inspectors assigned to the headquarters offices of the Department at the seat of the Government;

"departmental service" means the administrative headquarters of the Department and its branches as distinguished from the postal field service;

"revenue of the Department" means all funds of the United States, other than trust funds, received by the Department from any source in the exercise of any power or function vested in it, including, but not limited to—

- (i) unclaimed money in dead letters for which an owner cannot be found;
- (ii) unclaimed money taken from the mail by robbery, theft, or otherwise, which may come into the hands of an agent or employee of the United States or any other person;

(iii) fines, penalties, and forfeitures, imposed for a violation of the postal laws, except such part as may by law belong to the informer or party prosecuting for the same;

(iv) money derived from the sale of wastepaper or other public property of the Department.

§ 2. Application

This title has the same force and effect within Guam as within other possessions of the United States.

CHAPTER 3—ORGANIZATION

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- 301. Post Office Department.
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§ 301. Post Office Department

The executive department, known as the Post Office Department, is continued at the seat of the Government.

§ 302. Postmaster General

The head of the Department is a Postmaster General appointed by the President by and with the advice and consent of the Senate. The Postmaster General is vested with the functions of all subordinate officers and agencies of the Post Office Department. His term is for the term of the President by whom he is appointed, and for one month thereafter.

§ 303. Seal

The seal of the Department, filed by the Postmaster General in the office of the Secretary of State, which shall be judicially noticed, shall be affixed to all commissions of postmasters and other officers of the Department and used to authenticate records of the Department.

§ 304. Deputy Postmaster General

A Deputy Postmaster General, appointed by the President by and with the advice and consent of the Senate, shall perform such duties as the Postmaster General designates. He shall receive the compensation provided by law for undersecretaries of executive departments.

§ 305. Assistant Postmasters General

Five Assistant Postmasters General appointed by the President, by and with the advice and consent of the Senate, shall perform such duties as the Postmaster General designates. Each shall receive the compensation provided by law for the assistant secretaries of executive departments.

§ 306. Advisory board

The Advisory Board for the Department, of which the Postmaster General is chairman and the Deputy Postmaster General is vice chairman, is continued. The Board has seven additional members, representative of the public, appointed by the President by and with the advice and consent of the Senate. The members so appointed shall each receive compensation of \$50 per diem when engaged in duties as members of the Board, including travel time to and from their homes or regular places of business, and reasonable subsistence and travel expense as determined by the Postmaster General. The Board shall consider methods and policies for the improvement of the postal

service, and shall advise and make recommendations to the Postmaster General with respect to such methods and policies. It shall meet quarterly in the District of Columbia, or at such other time and place as the Postmaster General determines.

§ 307. General Counsel

The legal officer of the Department is the General Counsel, who shall be appointed by the President, by and with the advice and consent of the Senate.

§ 308. Chief Postal Inspector

The annual rate of basic compensation of the position of Chief Postal Inspector in the Post Office Department is \$19,000.

§ 309. Delegation of authority

The Postmaster General may delegate to any officer, employee, or agency of the Department such of the functions vested by law in him or in any other officer or employee of the Department as he deems appropriate.

CHAPTER 5—GENERAL PROVISIONS

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§ 501. General duties of the Postmaster General

In addition to his other duties the Postmaster General shall—

- (1) prescribe rules and regulations that he deems necessary to accomplish the objectives of this title;
- (2) instruct all persons in the Department with reference to their duties;
- (3) decide on the forms of all official papers of the Department, except as otherwise provided by law;
- (4) investigate postal offenses and civil matters relating to the Department;
- (5) superintend generally the business of the Department and execute all laws relating to the Department.

§ 502. Bonds

(a) The Postmaster General shall cause postmasters, acting postmasters, and other officers and employees designated by him, to be bonded in accordance with section 14 of title 6 in such sum as he prescribes.

(b) When a new bond is made covering a postmaster, acting postmaster, officer, or employee, payments thereafter made by him may be applied first to discharge balances due from him under the prior bond, if the Postmaster General deems it just.

§ 503. Mail equipment shops

The Postmaster General may maintain a mail equipment shop in the District of Columbia.

§ 504. Research and development program

(a) The Postmaster General shall maintain in the Department a research and development program, including investigations and studies, for the purpose of introducing or improving equipment, sup-

plies, methods, procedures, means, and devices used in the Department in order that its business may be more efficiently and economically operated.

(b) The Postmaster General, pursuant to section 686 of title 31, or other applicable law, may utilize the research and testing facilities of the National Bureau of Standards and procure advice and assistance from any department or independent establishment in the executive branch of the Government.

47 Stat. 417.

§ 505. International postal arrangements

(a) For the purpose of making better postal arrangements with other countries, or to counteract their adverse measures affecting our postal intercourse with them, the Postmaster General, by and with the advice and consent of the President, may negotiate and conclude postal treaties or conventions, and may reduce or increase the rates of postage or other charges on mail matter conveyed between the United States and other countries. The decisions of the Postmaster General construing or interpreting the provisions of any treaty or convention which has been or may be negotiated and concluded shall, if approved by the President, be final and conclusive upon all officers of the United States.

(b) The Postmaster General shall transmit a copy of each postal convention concluded with other governments to the Secretary of State, who shall furnish a copy of the same to the Public Printer for publication. The Department shall revise the printed proof sheets of all such conventions.

§ 506. International money-order exchanges

The Postmaster General may make arrangements with other governments, with which postal conventions are or may be concluded for the exchange of sums of money by means of postal orders. He shall fix the rates of exchange. A postal order may not exceed \$100 in amount.

§ 507. Fees for special services

The Postmaster General may prescribe from time to time the fees which shall be charged by the postal service, and the manner in which they shall be collected, for—

- (1) the registry of mail;
- (2) the insurance of mail, or other indemnification of senders thereof for articles damaged or lost;
- (3) securing a signed receipt upon the delivery of mail and returning such receipt to sender;
- (4) certified mail service;
- (5) collect-on-delivery service;
- (6) special-delivery service;
- (7) special-handling service;
- (8) receipt or certificate showing mailing of registered, insured, certified, collect-on-delivery, and ordinary mail;
- (9) the issue of money orders;
- (10) notice to publishers of undeliverable second class mail, for notice of change of address, and notice to addressee or sender of undeliverable third or fourth class mail, or of undeliverable second class mail mailed at the transient rate.
- (11) for returning undeliverable letters and parcels from the dead letter office to senders.

§ 508. Sale of maps, opinions of General Counsel, and transcripts of hearings

The Postmaster General may sell, at such rates as he determines to be fair and reasonable, but not exceeding the cost thereof—

- (1) post route and rural delivery maps;
- (2) opinions of the General Counsel; and
- (3) transcripts of hearings before the Department.

§ 509. Rewards

The Postmaster General may offer and pay rewards for information and services in connection with violations of the postal laws.

§ 510. Disposal of wastepaper

The Postmaster General, subject to the provisions of sections 366-380 of title 44, may sell as wastepaper or otherwise dispose of the files of papers that are not needed in the transaction of current business and have no permanent value or historical interest.

57 Stat. 380.

CHAPTER 7—POST OFFICES

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701. Establishment and discontinuance of post offices.
702. Classes of post offices.
703. Distributing offices; clerk hire.
704. Reimbursement for equipment on discontinuance of office.
705. Branch post offices and stations.
706. Postal agencies in other countries.
707. Hours of service.
708. Box rents to be prepaid.
709. Arrival and departure of mail.
710. Making up mail.
711. Method of determining gross receipts.
712. Armed Forces postal clerks.

§ 701. Establishment and discontinuance of post offices

- (a) The Postmaster General may—
 - (1) establish post offices as he deems expedient;
 - (2) discontinue post offices when the efficiency of the service requires or revenues are endangered from any cause; and
 - (3) consolidate post offices, except as provided in subsection (b) of this section.
- (b) The Postmaster General may not discontinue post offices at county seats as a result of a consolidation. This subsection does not apply to—
 - (1) Cambridge, Massachusetts; or
 - (2) Towson, Maryland; or
 - (3) Clayton, St. Louis County, Missouri.

§ 702. Classes of post offices

At the beginning of each fiscal year, the Postmaster General shall divide post offices into four classes on the basis of gross annual postal receipts for the preceding calendar year. He shall place in the first class those post offices at which those receipts are \$40,000 or more. He shall place in the second class those post offices at which those receipts are \$8,000 or more, but less than \$40,000. He shall place in the third class those post offices at which those receipts are \$1,500 or more, but less than \$8,000. He shall place in the fourth class those offices at which those receipts for each of two consecutive calendar years are less than \$1,500, or where in any calendar year those receipts are less than \$1,400.

§ 703. Distributing offices; clerk hire

When the Postmaster General designates an office of the fourth class as distributing or separating offices he may make allowances to the postmaster for the necessary cost of clerical services arising from the duties involved.

§ 704. Reimbursement for equipment on discontinuance of office

The Postmaster General shall reimburse, on a fair and equitable basis, the postmaster of any discontinued post office of the first, second or third class for equipment and fixtures that were—

- (1) furnished by the postmaster;
- (2) necessary to the efficient operation of the post office; and
- (3) in use in the post office at the time of discontinuance.

§ 705. Branch post offices and stations

(a) The Postmaster General may establish branch post offices within the delivery limits of a post office for the receipt and delivery of mail, and the performance of other postal functions.

(b) Except as otherwise provided in this section, the Postmaster General may not establish stations, substations, or branches of a post office beyond the corporate limits or boundaries of a village, town, or city in which the principal office is located.

(c) The Postmaster General may establish stations, substations, or branches of a post office within 10 miles of the outer boundary or limits of a village, town, or city having 1,500 or more inhabitants and in which the principal office is located.

(d) The Postmaster General may establish branch post offices at camps, posts or stations of the Armed Forces and at defense or other strategic installations.

(e) The Postmaster General may establish branch offices, non-accounting offices, or stations of the Honolulu, San Juan, and Charlotte Amalie post offices, respectively, in (1) Hawaii, (2) the Commonwealth of Puerto Rico, and (3) the Virgin Islands. Offices and stations so established shall be conducted under the name of the existing post office so as to maintain the identity of the office concerned.

(f) The Postmaster General may enter into contracts for the conduct of contract stations in accordance with section 2011 of this title.

(g) This section does not apply to rural stations established under authority of section 6005 of this title.

§ 706. Postal agencies in other countries

When in his judgment the efficiency of the international postal service will be thereby promoted, the Postmaster General may establish postal agencies at seaports or airports in other countries at which United States mail steamers or aircraft arrive and receive mails. He may pay the postal agents employed thereat a reasonable compensation for their services, in addition to the necessary expenses for office rent, office furniture, clerk hire, and incidental expenses.

§ 707. Hours of service

(a) The Postmaster General shall require at least one person to be on duty at each post office during such hours of each day as he directs, to perform the functions of the office.

(b) Post offices of the first and second classes shall not be open on Sundays for the purpose of delivering mail, other than special delivery mail.

§ 708. Box rents to be prepaid

(a) Patrons shall pay rent on post office boxes in advance on a quarterly basis.

(b) The Postmaster General may permit patrons to provide lock boxes or drawers for their own use and at their own expense, which shall become the property of the United States subject to the direction and control of the Department. The patrons shall pay the same rent as that charged for similar boxes provided by the Department.

§ 709. Arrival and departure of mail

The Postmaster General shall furnish to the postmasters at the terminals of each route—

(1) a schedule of arrivals and departures of mail at their offices; and

(2) notice of any change in the arrival and departure that may be ordered.

Postmasters shall post the schedules and notices in a conspicuous place in their offices.

§ 710. Making up mail

Letters brought for mailing to a post office half an hour before the time for the next forwarding mail shall be included therein unless, in the opinion of the Postmaster General, more time for making up the mail is required, they may be included in mail to be forwarded not more than one hour thereafter.

§ 711. Method of determining gross receipts

(a) In determining gross receipts at post offices of the fourth class, the Postmaster General shall allow credit only for the postage collected in addition to the regular rate on business reply cards and letters in business reply envelopes delivered at those offices.

(b) The gross receipts do not include money received for—

(1) setting meters for patrons beyond the area served by his office unless authorized by the Department;

(2) stamps, stamped envelopes and postal cards sold in large or unusual quantities to be used in mailing matter at other offices; and

(3) stamps, stamped envelopes and postal cards sold for mailing matter diverted from other offices, and mailings of matter so diverted without stamps affixed.

(c) The part of the gross postal receipts of a post office, that are determined in accordance with estimates of the Postmaster General to be attributable to the increases in postage rates provided by Public Law 85-426, may not be counted for the purpose of determining the classes of the respective post offices and the compensation and allowances of postmasters and other employees whose compensation or allowances are based on the annual gross receipts of such post offices. This section does not operate to relegate a post office to a class or receipts category below the class or receipts category to which it may be assigned on the basis of gross postal receipts accruing during the last complete calendar year prior to May 27, 1958, or, in the case of a post office which was in existence on that date but which was not in existence during the whole of that calendar year, on the basis of gross postal receipts accruing during the last quarter prior to May 27, 1958.

§ 712. Armed Forces postal clerks

(a) Upon selection by the Secretaries of the Departments concerned, the Postmaster General may designate Armed Forces postal clerks, and assistant Armed Forces postal clerks from enlisted personnel of the—

- (1) Army of the United States;
- (2) United States Navy;
- (3) Air Force of the United States;
- (4) United States Marine Corps; and
- (5) United States Coast Guard,

including their reserve components.

(b) Armed Forces postal clerks and assistant Armed Forces postal clerks designated under authority of subsection (a) of this section shall—

- (1) receive and open all pouches and sacks of mail addressed to the post offices, stations, vessels and installations of the organizations listed in subsection (a) of this section;
- (2) make delivery of the mail;
- (3) receive matter for transmission in the mail;
- (4) receipt for registered mail;
- (5) sell postage stamps;
- (6) make up and dispatch mail; and
- (7) perform any other postal duties that may be authorized by the Postmaster General in accordance with such regulations as may be prescribed by the appropriate authority of the organizations listed in subsection (a) of this section.

(c) Each clerk or assistant clerk appointed under authority of this section shall—

- (1) take the oath of office prescribed for members of the field postal service;
- (2) be covered by a bond in such penal sum as the Postmaster General deems sufficient for the faithful performance of his duties as postal clerk or assistant postal clerk, unless bonding is waived by the Secretary of the Department concerned; and
- (3) be amenable in all respects to the discipline of their respective services, except as provided in subsection (d) of this section.

(d) The commanding officer having jurisdiction over a post office, station, vessel, or installation where Armed Forces postal clerks or assistant Armed Forces postal clerks are stationed shall require them to be governed by the postal laws and the postal regulations. Whenever he deems it necessary a commanding officer may require any assistant Armed Forces postal clerk to perform the duties of an Armed Forces postal clerk.

(e) The Secretary of the Department concerned may terminate any bond covering any Armed Forces postal clerk or assistant Armed Forces postal clerk without affecting the liability of any person or surety thereunder for losses or shortages occurring prior to such termination.

(f) The Departments of the Army, Navy, Air Force, and Treasury shall reimburse the Post Office Department annually in an amount of money equal to—

- (1) funds and the value of other accountable postal stock embezzled by, or lost through the negligence, errors, or defalcations on the part of—

(A) unbonded Armed Forces postal clerks or assistant Armed Forces postal clerks or persons acting in that capacity; or

(B) commissioned or warrant officers of the Army, Navy, Air Force, Marine Corps, and Coast Guard who have been designated custodians of postal effects by the appropriate commanding officer.

(2) funds expended by the Post Office Department in payment of claims arising through negligence, errors, losses, or defalcations by persons listed in paragraph (1) of this subsection.

(g) The Secretaries of the Army, Navy, Air Force, and Treasury shall take action to recover from the persons responsible for the losses or shortages the amounts paid under the provisions of this section.

CHAPTER 9—PRIVATE CARRIAGE OF LETTERS

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901. Letters carried out of the mail.

902. Foreign letters out of the mails.

903. Searches authorized.

904. Seizing and detaining letters.

905. Searching vessels for letters.

906. Disposition of seized mail.

§ 901. Letters carried out of the mail

(a) A letter may be carried out of the mails when—

(1) it is enclosed in an envelope;

(2) the amount of postage which would have been charged on the letter if it had been sent by mail is paid by stamps, or postage meter stamps, on the envelope;

(3) the envelope is properly addressed;

(4) the envelope is so sealed that the letter cannot be taken from it without defacing the envelope;

(5) any stamps on the envelope are canceled in ink by the sender; and

(6) the date of the letter, of its transmission or receipt by the carrier is endorsed on the envelope in ink.

(b) The Postmaster General may suspend the operation of any part of this section upon any mail route where the public interest requires the suspension.

§ 902. Foreign letters out of the mails

(a) Except as provided in section 901 of this title the master of a vessel departing from the United States for foreign ports may not receive on board or transport any letter which originated in the United States that—

(1) has not been regularly received from a United States post office; or

(2) does not relate to the cargo of the vessel.

(b) The officer of the port empowered to grant clearances, shall require from the master of such a vessel, as a condition of clearance, an oath that he does not have under his care or control, and will not receive or transport, any letter contrary to the provisions of this section.

(c) Except as provided in section 1699 of title 18, the master of a vessel arriving at a port of the United States carrying letters not regularly in the mails shall deposit them in the Post Office at the port of arrival.

§ 903. Searches authorized

The Postmaster General, by letter of authority filed in the Department, may authorize any postal inspector or other officer of the Department to make searches for mailable matter transported in violation of law. When the authorized officer has reason to believe that mailable

matter transported contrary to law may be found therein, he may open and search any—

- (1) vehicle passing, or having lately passed, from a place at which there is a post office of the United States;
- (2) article being, or having lately been, in the vehicle;
- (3) store or office, other than a dwelling house, used or occupied by a common carrier or transportation company, in which an article may be contained.

§ 904. Seizing and detaining letters

A postal inspector, customs officer, or United States marshal or his deputy, may seize at any time, letters and bags, packets or parcels containing letters which are being carried contrary to law on board any vessel or on any post road. The officer who makes the seizure shall convey the articles seized to the nearest post office; or by direction of the Postmaster General or the Secretary of the Treasury, he may detain them until two months after the final determination of all suits and proceedings which may be brought within six months after the seizure against any person for sending or carrying the letters.

§ 905. Searching vessels for letters

A postal inspector when instructed by the Postmaster General to make examinations and seizures and any customs officer without special instructions shall search vessels for letters which may be on board, or which may have been conveyed contrary to law.

§ 906. Disposition of seized mail

Every package or parcel seized by a postal inspector, customs officer, or United States marshal or his deputies, in which a letter is unlawfully concealed, shall be forfeited to the United States. The same proceedings may be used to enforce forfeitures as are authorized in respect of goods, wares, and merchandise forfeited for violation of the revenue laws. Laws for the benefit and protection of customs officers making seizures for violating revenue laws apply to officers making seizures for violating the postal laws.

PART II—FISCAL ADMINISTRATION

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CHAPTER 21—CONTRACTS

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| 2009. | Contracts for delivery of special delivery mail. |
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| 2011. | Contracts for postal stations. |

§ 2001. Purchase or rental of equipment and supplies

The Postmaster General may provide by purchase, rental, or otherwise, necessary equipment and supplies to carry out the provisions of this title.

§ 2002. Bonds and contracts

Bonds taken and contracts entered into by the Department shall be in the name of the United States of America.

§ 2003. Purchase of supplies

(a) The Postmaster General, in making purchases for equipment and supplies necessary for the Department, shall advertise as provided by law and award contracts therefor to the lowest responsible bidder. He shall solicit separate proposals and make separate contracts for each class furnished.

(b) The Postmaster General shall record an abstract of all bids for furnishing supplies to the Department, stating the

- (1) name of the party bidding;
- (2) terms of the offer; and
- (3) sum to be paid.

He shall keep on file and preserve all bids until the end of the contract term to which they relate. These records shall be open at all times for inspection by Congress, and by those who are interested in the contracts.

(c) The Postmaster General shall permit each bidder to be present, either in person or by attorney, when the bids are opened, and to examine all bids.

§ 2004. Contracts for envelopes and other supplies

(a) The Postmaster General may contract, for a period not to exceed four years, for—

- (1) stamped envelopes for sale to the public;
- (2) envelopes for use by the executive departments and agencies, subject to applicable regulations under section 481 of title 40;
- (3) postal cards and stamps;
- (4) miscellaneous equipment and supplies for the Field Postal Service; and
- (5) printing of post-route maps.

(b) When the Postmaster General determines the interests of the Department require it, all adhesive stamps prescribed by him may be manufactured by the Department of the Treasury, in conformity with an agreement satisfactory to both the Postmaster General and the Secretary of the Treasury.

§ 2005. Contracts for money order supplies

Except when he procures them from the Government Printing Office, the Postmaster General shall obtain money order supplies in accordance with the provisions of section 5 of title 41. He shall solicit separate proposals for each item. He shall enter into contracts for a period of not more than four years containing such conditions as he may prescribe.

§ 2006. Contracts for rental of equipment and services

(a) The Postmaster General, after advertising, may enter into contracts for a period of not more than four years for—

- (1) the rental of canceling machines;
- (2) the hire of vehicles for the City Delivery Service;
- (3) collection service by means of boxes attached to street cars; and
- (4) the operation of the Detroit River Postal Service.

(b) The Postmaster General may not pay more than \$270 a year for the rental and repairs of each canceling machine.

§ 2007. Purchase of motor-truck parts

The Postmaster General may make agreements without advertising with motor vehicle manufacturers for the purchase of parts for non-passenger motor vehicles under such arrangement as he deems most advantageous to the Government at prices not in excess of the manufacturer's list price less regular discounts.

§ 2008. Hire of vehicles from employees.

The Postmaster General may hire, by contract or on an allowance basis, vehicles from postal employees, other than supervisors, for use in the city and village delivery, including special delivery services, and for the collection of mail.

§ 2009. Contracts for delivery of special delivery mail

The Postmaster General, when he deems it expedient, may contract for the immediate delivery of all special delivery mail from any post office at any price less than eight cents per piece.

§ 2010. No postal material or supplies manufactured by convict labor

Except as provided in chapter 307 of title 18, the Postmaster General may not make a contract for the purchase of equipment or supplies to be manufactured by convict labor.

62 Stat. 851.
18 USC 4121 et
seq.

§ 2011. Contracts for postal stations

The Postmaster General may enter into contracts for the conduct of contract stations for a term not exceeding three years. He may renew contracts at the same or lower contract price, for additional terms not exceeding three years unless

(1) he finds that the renewal is not in the interest of the United States, or

(2) not later than ninety days before the end of a contract term the Department receives a request in writing that the contract be opened for competitive bidding at the end of the term.

Upon such a finding by him, or upon receipt of such a request, the Postmaster General shall terminate the contract, with respect to which the finding has been made or the request has been received, at the end of the current term and shall advertise for bids thereon in accordance with the existing laws relating to the advertising of public contracts and the award thereof on the basis of competitive bidding.

CHAPTER 23—PROPERTY

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§ 2101. Gifts, donations of services and property

The Postmaster General may accept gifts and donations of services and property in aid of the activities of the Department.

§ 2102. Leases

(a) Notwithstanding any other provision of law the Postmaster General may lease, on such terms as he deems appropriate, real property necessary in the conduct of the affairs of the Department.

(b) The term of a lease may not exceed twenty years when made for quarters—

- (1) for post offices of the first, second and third classes;
- (2) for terminal railway post offices; and
- (3) at public airports.

(c) The Postmaster General may rent quarters for postal purposes without entering into a formal written contract where the amount of the rental does not exceed \$1,000 per annum.

(d) When a leased building or part thereof becomes unfit for use for the purpose rented, the Postmaster General may not pay rent until it is put in satisfactory condition by the lessor, or at his option he may cancel the lease.

§ 2103. Additional leasing authority

(a) In addition to the authority vested in him by section 2102 of this title the Postmaster General may—

(1) negotiate and enter into lease agreements which do not bind the Government for periods exceeding thirty years, on such terms as the Postmaster General deems to be in the best interests of the United States, for the erection by the lessor of the buildings and improvements for postal purposes as the Postmaster General deems appropriate, on lands sold, leased, or otherwise disposed of by the Postmaster General to, or otherwise acquired by, the lessor;

(2) for the purposes of paragraph (1) of this subsection, and without regard to sections 630-630h of title 5, sections 471-475, 481, 483-492, and 511-514 of title 40, sections 5, 153, and 251-255, 257-260 of title 41, sections 391-401 of title 44, and section 1622 of title 50, appendix—

(A) acquire by purchase, condemnation, lease, donation, or otherwise, and on such terms as he deems appropriate to the best interests of the United States, real property and interests therein, for use for postal purposes; and

(B) dispose of real property, and interests therein, acquired for use or used for postal purposes by sale, lease, or otherwise, on such terms as he deems appropriate to the best interests of the United States.

(b) The Postmaster General may not, for the purpose of this section, dispose of (1) any Government-owned property, or interests therein, acquired pursuant to section 352 of title 40 or (2) any Government-owned property, or interests therein, acquired pursuant to law prior to July 22, 1954, on which there has been constructed a building to be used for postal purposes and which is presently being used for those purposes.

(c) Funds available to the Department for the payment of rents may be utilized by the Postmaster General for the purposes of this section.

§ 2104. Space procurement by lease-purchase agreements

Whenever the Postmaster General determines that—

(1) there is a substantial need for space for postal purposes in any particular area which cannot be satisfied by utilization of any existing property suitable for the purpose then owned by the Government,

(2) the receipts of the post office serving the area exceed \$10,000 per year, and

63 Stat. 378; 60 Stat. 809; 64 Stat. 583; 58 Stat. 770.

63 Stat. 176; 73 Stat. 486.

(3) the best interests of the United States will be served by taking action hereunder, he may obtain and provide space for postal purposes in suitable structures of permanent-type construction in the several States, the District of Columbia, and the Territories and possessions of the United States by negotiating and entering into lease-purchase agreements, the terms of which may not be less than ten nor more than twenty-five years and which shall provide in each case that title to the property shall vest in the United States at or before the expiration of the leasehold term and upon fulfillment of the terms and conditions stipulated in each lease-purchase agreement. The terms and conditions shall provide for the application to the purchase price agreed upon therein of rental payments made thereunder. The payments under an agreement may include amounts for the amortization of the fair market value on the date of the agreement of the property described therein. The financial transactions of the Department with respect to lease-purchase agreements are subject to the accounting and auditing requirements of sections 2202, 2206-2208, and 2211 of this title.

§ 2105. Development of existing sites and property

(a) Except as provided in subsection (c) of this section, the Postmaster General may exercise the powers granted in section 2104 of this title with respect to existing properties, including those for which conversions, additions, extensions, or remodeling may be required, and properties upon which construction is to be subsequently effected in pursuance of the terms of applicable lease-purchase agreements.

(b) Except as provided in subsection (c) of this section, the Postmaster General may—

(1) enter into agreements to effectuate any of the purposes of this section, and

(2) bring about the development and improvement of any land purchased by the United States for postal purposes, including the demolition of obsolete and outmoded structures situate thereon, by providing for the construction thereon by others of such structures and facilities as are the subject of the applicable lease-purchase agreement.

(c) This section does not authorize the Postmaster General to enter into lease-purchase agreements with respect to any site owned by the Government which was acquired pursuant to law prior to July 22, 1954, on which there has been constructed a building to be used for postal purposes and which was being used for those purposes on July 22, 1954.

§ 2106. Use of rental funds

The Postmaster General may use funds available to the Department for the payment of rents to make payments becoming due from time to time from the United States in pursuance of lease-purchase agreements entered into under the authority of sections 2104 and 2105 of this title. He may not expend the funds for acquisition of title to the property covered by any lease-purchase agreement prior to the expiration of the leasehold term specified therein, whether by exercise of option to purchase or otherwise, in the absence of specific appropriation of funds for the acquisition.

Appropriations for acquisition purposes are hereby authorized.

§ 2107. Congressional approval

Appropriations may not be made for lease-purchase projects which have not been approved by resolutions adopted by the Committees on Public Works of the Senate and House of Representatives, respectively, before July 22, 1957. For the purpose of securing considera-

tion of the approval the Postmaster General shall transmit to those Committees a prospectus of the proposed project, including, but not limited to—

- (1) a brief description of the building located or to be erected at a given location;
- (2) an estimate of the maximum cost of site and building together with the term of years over which payments would run and the maximum rate of interest that would be acceptable for any deferred part of the cost;
- (3) a certificate of need for the space signed by the head of the agency which will use the facility;
- (4) a statement by the Postmaster General that suitable space owned by the Government is not available and that suitable rental space is not available at a price commensurate with that to be afforded through the contract proposed;
- (5) a statement of the managerial, custodial, heat and utility services to be provided by the contractor, or an estimate of their probable cost if to be supplied in any part by the Government;
- (6) a statement of the requirements for tax liability, upkeep and maintenance of the property by either the contractor or the Government during the period of the contract;
- (7) a statement of rents and other housing costs currently being paid by the Government for any agencies to be housed in the building to be erected; and
- (8) a statement in writing by the Director of the Bureau of the Budget that the project is necessary and in conformity with the policy of the President. The statement by the Director shall be based on budgetary and related considerations and does not constitute approval by the Director of the specific terms or provisions of any proposed agreement or of the selection of any particular contractor or lessor.

§ 2108. Lease-purchase agreement provisions

(a) Each lease-purchase agreement shall include such provisions as the Postmaster General deems to be in the best interest of the United States and appropriate to secure the performance of the obligations imposed upon the party that enters into an agreement with the United States. The agreement may not provide for any payment to be made by the United States in excess of the amount necessary, as determined by the Postmaster General, to—

- (1) amortize—
 - (A) the cost of improvements to be constructed plus the fair market value, on the date of the agreement, of the site, if owned or acquired by the contractor, or
 - (B) the fair market value, on the date of the agreement, of completed improvements together with the site thereof, or
 - (C) a combination of the foregoing in the case of existing improvements to be remodeled by the contractor; and
- (2) provide a reasonable rate of interest on the outstanding principal as determined under item (1) of this subsection, and
- (3) reimburse the contractor for the cost of any other obligations assumed by him under the contract, including, but not limited to, payment of taxes, costs of carrying appropriate insurance, and costs of repair and maintenance if assumed by the contractor.

(b) Each lease-purchase agreement entered into pursuant to sections 2104 and 2105 of this title shall provide for equal annual payments for the amortization of principal with interest thereon. The Postmaster General may not enter into the contract unless the amount of the annual payment required by it plus the aggregate of the an-

nual payments required by all other lease-purchase agreements entered into during the same fiscal year do not exceed the specific limitations on the payments which are provided in appropriation acts.

§ 2109. Time limitations on agreements

Agreements may not be entered into under sections 2103-2105 of this title after July 22, 1964.

§ 2110. Taxes and rental adjustments

(a) An interest in real property acquired under the provisions of sections 2104 and 2105 of this title, is subject to State and local taxes until title passes to the Government of the United States.

(b) The Postmaster General may, at the time he enters into a lease-purchase or lease agreement under authority of sections 2103-2105 of this title, include a provision for adjustment of the rental paid to a lessor to compensate for an increase or decrease in taxes on the leased property.

§ 2111. Property title

(a) The Postmaster General shall take title, on behalf of the United States, to all real property purchased by him under authority of sections 2103-2105 of this title.

(b) Section 175 of title 50 applies to the acquisition in fee simple of real property under sections 2103-2105 of this title, except that a lease-purchase agreement to acquire real property under sections 2104 and 2105 of this title may be entered into and placed in effect after request for but prior to receipt of an opinion of the Attorney General with respect to the validity of title to the real property described therein.

54 Stat. 1083.

§ 2112. Advertisement

Section 5 of title 41 applies—

(1) to the acquisition of real property by lease-purchase agreements, under authority of sections 2104 and 2105 of this title, and

(2) to the lease agreements entered into under authority of item (1) of section 2103 (a) of this title.

60 Stat. 809.

§ 2113. Receipts from disposal of property

(a) Amounts received by the Government from disposals of property acquired under authority of sections 2103-2116 of this title in the performance by the Postmaster General of the functions vested in him by sections 2103-2116 of this title shall be credited to the current applicable appropriation of the Department and shall be available for expenditure for the purposes of sections 2103-2116 of this title. Any amount received by the Postmaster General from the sale of such property, under authority of sections 2103-2116 of this title, which exceeds the amount paid therefor from the appropriations for the Department, shall be covered into the Treasury as miscellaneous receipts.

(b) Amounts received by the Postmaster General from the disposal of real property acquired by the Government under authority of the Public Buildings Act of May 25, 1926 (44 Stat. 630), as amended, and the Public Buildings Act of 1949 (63 Stat. 176), as amended, which may be transferred to the Postmaster General, shall be disposed of in accordance with the provisions of sections 303b, 345, or 485 of title 40, whichever section may be applicable.

73 Stat. 486.
40 USC 341-354
notes.47 Stat. 412; 63
Stat. 388; 68 Stat.
105 l.

§ 2114. Nonapplicability of statutes

Sections 34 and 259 of title 40, and sections 12 and 14 of title 41, and any other provision of law, except applicable labor standards provisions, relating to the acquisition or disposal of real property,

construction of buildings, or leasing of space, do not apply to any of the functions performed by the Postmaster General in effectuating the purposes of sections 2103-2116 of this title, except as provided by sections 2111 and 2112 of this title.

§ 2115. Purpose

Sections 2103-2116 of this title supplement other provisions of law for the leasing of space for postal purposes by providing authorization for the acquisition by the Postmaster General of space through the execution of lease-purchase and other agreements under which the United States will obtain immediate use of the space and will make periodic payments, and in the case of lease-purchase agreements will obtain title to the property described therein at or prior to the end of the term prescribed therein. Sections 2104-2108 of this title do not constitute a substitute for or a replacement of any program for the construction by the United States of such structures as may be required from time to time by the postal service.

§ 2116. Annual report

The Postmaster General shall include in his annual report an account of transactions conducted during the applicable year pursuant to the provisions of sections 2103-2105 of this title.

CHAPTER 25—FUNDS AND ACCOUNTING

GENERAL

Sec.

- 2201. Appropriation for the Department.
- 2202. Post Office Department fund.
- 2203. Reimbursement of appropriations.
- 2204. Charges against postal revenues.
- 2205. Date of orders, entries, contracts.
- 2206. Audit by General Accounting Office.
- 2207. Administrative accounting.
- 2208. System of accounting and control.
- 2209. Responsibility of postmasters.
- 2210. Withholding compensation of postmasters.
- 2211. Administrative examination of accounts.
- 2212. Continuance of disbursing officer's accounts and issuance of checks.

POSTAL MODERNIZATION FUND

- 2231. Establishment of fund.
- 2232. Appropriations to fund.
- 2233. Expenditures from fund.
- 2234. Management of fund.

§ 2201. Appropriation for the Department

Congress shall appropriate the revenue of the Department, not otherwise obligated by law, to the extent necessary for the operation of the Department.

§ 2202. Post Office Department fund

(a) The Secretary of the Treasury shall maintain a revolving fund, known as the Post Office Department fund. He shall deposit in the fund, subject to withdrawal by check by the Postmaster General—

(1) amounts requisitioned by the Postmaster General against appropriations available to the Department out of the general fund of the Treasury; and

(2) amounts from the revenue of the Department, including any excess of funds accrued because of money orders remaining unpaid, that the Postmaster General may pay into the fund.

(b) The Postmaster General may, within limits of appropriations and subject to provisions of appropriation or other laws limiting expenditures or authorizing appropriations, use the funds of the

Department, from whatever source derived, in the exercise of any power or function vested in him.

(c) The Postmaster General may use any appropriation of the Department for the payment of expenses for attendance at meetings of technical, scientific, professional, or similar organizations concerned with the function or activity for which the appropriation is made.

§ 2203. Reimbursement of appropriations

(a) Collections resulting from damage to Government-owned vehicles operated by the Department shall be credited by the Postmaster General to applicable appropriations and shall be available for meeting repair cost of damaged vehicles.

(b) Collections from the sale of leather, metal, canvas cuttings and old canvas resulting from the manufacture and repair of mail bags and locks shall be credited by the Postmaster General to applicable appropriations and shall be available for meeting the cost of the manufacture and repair.

§ 2204. Charges against postal revenues

(a) The Postmaster General shall pay indemnities for the loss of or damage to registered, insured and collect-on-delivery mail, and the expense of manufacturing embossed stamped envelopes, printed or unprinted, from postal revenue.

(b) The Postmaster General shall pay money orders from the receipts representing the face value of money orders issued.

§ 2205. Date of orders, entries, contracts

An officer or employee who—

(1) makes an order, entry or memorandum on which an action is to be based, allowance made, or money paid; or

(2) enters into a contract or other obligation on behalf of the Department; or

(3) files or receives on behalf of the Department any paper relating to contracts or allowances shall indicate thereon the date of the action.

§ 2206. Audit by General Accounting Office

The General Accounting Office shall audit the financial transactions of the Department in accordance with such principles and procedures and under such regulations as may be prescribed by the Comptroller General. To the fullest extent practicable, as determined by the Comptroller General, all accounts of accountable officers, contracts, vouchers, or other documents that are required by law to be submitted to the General Accounting Office shall be retained in the Department and the audit shall be conducted at the places where the accounts of the Department are normally kept in accordance with the determinations of the Postmaster General. The representatives of the General Accounting Office shall have access to all books, accounts, financial records, reports, files, and other papers, or property belonging to or in use by the Department and necessary to facilitate the audit, and shall have full facilities for verifying transactions with the balances or securities held by depositaries, fiscal agents, and custodians. In the determination of the auditing procedures to be followed and the extent of the examination of vouchers and other documents, the Comptroller General shall give due regard to the adequacy of the system of accounts and internal control maintained by the Department and to generally accepted principles of auditing.

§ 2207. Administrative accounting

(a) The Postmaster General shall perform all functions relating to the Department with respect to—

- (1) the maintenance of administrative appropriation and fund accounts;
- (2) accounts receivable and payable;
- (3) allotment controls;
- (4) the preparation of financial and statistical reports;
- (5) the preaudit of expenses; and
- (6) related administrative, accounting, and reporting functions.

(b) The Postmaster General shall provide for such preaudit of expenses as he deems necessary.

§ 2208. System of accounting and control

(a) The Postmaster General shall establish and maintain a system of accounting conforming to accounting principles and standards prescribed by the Comptroller General, and a system of internal control providing for—

- (1) adequate accounting and internal control, including appropriate provisions for internal audit over and accountability for all funds, property and other assets for which the Department is responsible;
- (2) assembling of financial information needed for management purposes; and
- (3) full disclosure of the financial results of the operations of the Department.

(b) Officers and employees of the Department shall render accounts required by the Postmaster General in such form and with such certificate as he prescribes.

(c) The Comptroller General shall cooperate with the Postmaster General in the establishment of the accounting system provided for by subsection (a) of this section and shall approve the system when he deems it to be in conformity with the accounting principles and standards prescribed by him under such subsection.

§ 2209. Responsibility of postmasters

(a) A postmaster is responsible for—

- (1) the due performance of the duties including the collection of the revenue of the post office; and
- (2) the safekeeping of all monies, accountable paper, and other property of the post office, or coming into the custody of the office.

(b) Postmasters shall keep all money collected at a post office, or which may come into the custody of a post office, without—

- (1) loaning;
- (2) using;
- (3) depositing in an unauthorized bank; or
- (4) exchanging for other funds;

until it is required, by order or regulation of the Postmaster General, to be transferred or paid out.

(c) A postmaster at an office in a city or town where there is no designated depository may make temporary deposits of money in his custody, in a national bank or State bank—

- (1) in the State where the postmaster resides; or
- (2) in the State in which the post office is located; or
- (3) within a reasonable radius of his post office in an adjacent State.

The postmaster shall make the deposits in his official capacity and at his own risk. Interest may not be paid or received on a deposit made in accordance with this subsection.

(d) Except when an acting postmaster has been appointed under section 3315 (c) of this title a postmaster shall be responsible for acts of—

- (1) persons acting in his place during his absence; and
- (2) assistants and other employees in the post office, its branches and stations.

§ 2210. Withholding compensation of postmasters

When the Postmaster General is satisfied that a postmaster has made a false statement of account, he may withhold compensation on the account and allow such compensation as he deems proper under the circumstances.

§ 2211. Administrative examination of accounts

The Postmaster General shall designate the places where the Department will conduct administrative examination of the accounts of its officers and employees. With the concurrence of the Comptroller General, the Postmaster General may waive administrative examination, in whole or in part, when it is determined that the other accounting and audit procedures of the Department adequately protect the interests of the United States.

§ 2212. Continuance of disbursing officer's accounts and issuance of checks

(a) In case of the death, resignation, or separation from office of the disbursing officer for the Post Office Department his accounts may be continued and payments made in his name by the assistant disbursing officers designated by the Postmaster General or designated by any official of the Post Office Department authorized by the Postmaster General to make such a designation, for a period of time not to extend beyond the last day of the second month following the month in which the death, resignation or separation occurs. The accounts and payments shall be allowed, audited, and settled and the checks signed in the name of the former disbursing officer for the Post Office Department shall be honored in the same manner as if the former disbursing officer for the Post Office Department had continued in office.

(b) A former disbursing officer for the Post Office Department, his estate, or the surety on his official bond, is not subject to legal liability or penalty for the official accounts and defaults of the assistant disbursing officers acting in the name or in the place of the former disbursing officer, but the assistant disbursing officers and their sureties are responsible therefor.

POSTAL MODERNIZATION FUND

§ 2231. Establishment of Fund

There is established in the Treasury of the United States a fund to be known as the "Postal Modernization Fund".

§ 2232. Appropriations to Fund

There are authorized to be appropriated and paid into the Fund such sums as may be necessary during each fiscal year, beginning with the fiscal year ending June 30, 1959 and ending with the fiscal year ending June 30, 1961, to carry out the purposes of section 2233 of this title.

§ 2233. Expenditure from Fund

Moneys paid into the Fund, together with any income thereof under section 2234 (b) of this title or otherwise, shall be available until expended for obligation by the Postmaster General for the purpose of conducting research, either directly or through private or other organizations, and for the purpose of developing, acquiring, and placing into operation improved equipment and facilities for the performance of the postal function.

§ 2234. Management of Fund

(a) The Secretary of the Treasury shall hold the Fund, and after consultation with the Postmaster General report to the Congress not later than the first day of January of each year on the financial condition of the Fund as of the end of the next preceding fiscal year.

(b) The Secretary of the Treasury shall invest such portion of the Fund as is not, in his judgment, after consultation with the Postmaster General, required to meet current withdrawals. Investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

CHAPTER 27—POSTAL POLICY AND FISCAL REPORTS

POSTAL POLICY

Sec.

- 2301. Findings of Congress.
- 2302. Declaration of policy.
- 2303. Identification of and appropriations for public services.
- 2304. Reviews, studies, surveys, and reports of Postmaster General.
- 2305. Effect on fourth class mail rates.
- 2306. Costs for establishing postal rates.

REPORTS

- 2331. Cost Ascertainment.
- 2332. Postal Modernization Fund.

§ 2301. Findings of the Congress

The Congress hereby finds that—

(1) the postal establishment was created to unite more closely the American people, to promote the general welfare, and to advance the national economy;

(2) the postal establishment has been extended and enlarged through the years into a nationwide network of services and facilities for the communication of intelligence, the dissemination of information, the advancement of education and culture, and the distribution of articles of commerce and industry. Furthermore, the Congress has encouraged the use of these broadening services and facilities through reasonable and, in many cases, special postal rates;

(3) the development and expansion of these several elements of postal service, under authorization by the Congress, have been the impelling force in the origin and growth of many and varied business, commercial, and industrial enterprises which contribute materially to the national economy and the public welfare and which depend upon the continuance of these elements of postal service;

(4) historically and as a matter of public policy there have evolved, in the operations of the postal establishment authorized by the Congress, certain recognized and accepted relationships among the several classes of mail. It is clear, from the continued expansion of the postal service and from the continued encouragement by the Congress of the most widespread use thereof, that the postal establishment performs many functions and offers its

facilities to many users on a basis which can only be justified as being in the interest of the national welfare;

(5) while the postal establishment, as all other Government agencies, should be operated in an efficient manner, it clearly is not a business enterprise conducted for profit or for raising general funds, and it would be an unfair burden upon any particular user or class of users of the mails to compel them to bear the expenses incurred by reason of special rate considerations granted or facilities provided to other users of the mails, or to underwrite those expenses incurred by the postal establishment for services of a nonpostal nature; and

(6) the public interest and the increasing complexity of the social and economic fabric of the Nation require an immediate, clear, and affirmative declaration of congressional policy with respect to the activities of the postal establishment including those of a public service nature as the basis for the creation and maintenance of a sound and equitable postal-rate structure which will assure efficient service, produce adequate postal revenues, and stand the test of time.

§ 2302. Declaration of policy

(a) The Congress hereby emphasizes, reaffirms, and restates its function under the Constitution of the United States of forming postal policy.

(b) It is hereby declared to be the policy of the Congress, as set forth in sections 2301-2305 of this title—

(1) that the post office is a public service;

(2) to provide a more stable basis for the postal-rate structure through the establishment of general principles, standards, and related requirements with respect to the determination and allocation of postal revenues and expenses; and

(3) in accordance with these general principles, standards, and related requirements, to provide a means by which the postal-rate structure may be fixed and adjusted by action of the Congress, from time to time, as the public interest may require, in the light of periodic reviews of the postal-rate structure, periodic studies and surveys of expenses and revenues, and periodic reports, required to be made by the Postmaster General as provided by section 2304 of this title.

(c) The general principles, standards, and related requirements referred to in subsection (b) of this section are as follows:

(1) In the determination and adjustment of the postal-rate structure, due consideration should be given to—

(A) the preservation of the inherent advantages of the postal service in the promotion of social, cultural, intellectual, and commercial intercourse among the people of the United States;

(B) the development and maintenance of a postal service adapted to the present needs, and adaptable to the future needs, of the people of the United States;

(C) the promotion of adequate, economical, and efficient postal service at reasonable and equitable rates and fees;

(D) the effect of postal services and the impact of postal rates and fees on users of the mails;

(E) the requirements of the postal establishment with respect to the manner and form of preparation and presentation of mailings by the users of the various classes of mail service;

(F) the value of mail;

(G) the value of time of delivery of mail; and

(H) the quality and character of the service rendered in terms of priority, secrecy, security, speed of transmission, use of facilities and manpower, and other pertinent service factors.

(2) The acceptance, transportation, and delivery of first class mail constitutes a preferred service of the postal establishment and, therefore, the postage for first class mail should be sufficient to cover (A) the entire amount of the expenses allocated to first class mail in accordance with sections 2301-2305 of this title and (B) an additional amount representing the fair value of all extraordinary and preferential services, facilities, and factors relating thereto.

(3) Those services, elements of service, and facilities rendered and provided by the postal establishment in accordance with law, including services having public service aspects, which, in whole or in part, are held and considered by the Congress from time to time to be public services for the purposes of sections 2301-2305 of this title shall be administered on the following basis:

(A) the sum of such public service items as determined by the Congress should be assumed directly by the Federal Government and paid directly out of the general fund of the Treasury and should not constitute direct charges in the form of rates and fees upon any user or class of users of such public services, or of the mails generally; and

(B) nothing contained in any provision of section 2301-2305 of this title should be construed as indicating any intention on the part of the Congress (i) that such public services, or any of them, should be limited or restricted or (ii) to derogate in any way from the need and desirability thereof in the public interest.

(4) Postal rates and fees shall be adjusted from time to time as may be required to produce the amount of revenue approximately equal to the total cost of operating the postal establishment less the amount deemed to be attributable to the performance of public services under section 2303 (b) of this title.

§ 2303. Identification of and appropriations for public services

(a) The following shall be considered to be public services for the purposes of sections 2301-2305 of this title—

(1) the total loss resulting from the transmission of matter in the mails free of postage or at reduced rates of postage as provided by statute, including the following:

(A) reduced rates for certain publications as provided by sections 4359 and 4360 of this title;

(B) penalty mailings of the Pan American Union and the Pan American Sanitary Bureau as provided by section 4152 (a) of this title;

(C) free-in-county mailing of publications as provided by section 4358 of this title;

(D) free postage and reduced postage rates on reading matter and other articles for the blind as provided by sections 4653 and 4654 of this title;

(E) free mailing privileges for members of the diplomatic corps of the countries of the Postal Union of the Americas and Spain as provided by section 4167 of this title;

(F) free mailing privileges granted to individuals by the Act of May 7, 1945 (59 Stat. 707) and other provisions of law;

(G) reduced third-class postage rates to certain organizations as provided by section 4452 of this title;

(H) section 302 of The Federal Voting Assistance Act of 1955 (5 U. S. C. 2192), granting free postage, including free airmail postage, to post cards, ballots, voting instructions, and envelopes transmitted in the mails under authority of that Act; and

69 Stat. 588.

(I) reduced postage rates on books, films, and similar educational material as provided by section 4554 of this title.

(2) the loss resulting from the operation of such prime and necessary public services as the star route system and third and fourth class post offices;

(3) the loss incurred in performing nonpostal services, such as the sale of documentary stamps for the Department of the Treasury;

(4) the loss incurred in performing special services such as cash on delivery, insured mail, special delivery, and money orders; and

(5) the additional cost of transporting United States mail by foreign air carriers at a Universal Postal Union rate in excess of the rate prescribed for United States carriers.

(b) There is hereby authorized to be appropriated to the revenues of the Post Office Department for each fiscal year from any money in the Treasury not otherwise appropriated an amount, which shall be deemed to be attributable to the public services enumerated under subsection (a) of this section, equal to the total estimated expenditures of the Post Office Department for the year for such public services as determined by the Congress in the appropriation Act based upon budget estimates submitted to the Congress. The appropriations shall be available to enable the Postmaster General to pay in to postal revenues at quarterly or other intervals such sums as may be necessary to reimburse the Post Office Department for the amount attributable to public services.

§ 2304. Reviews, studies, surveys, and reports of Postmaster General

(a) The Postmaster General shall initiate and conduct, through the facilities of the postal establishment, either on a continuing basis or from time to time, as he deems advisable, but not less often than every two years, a review of the postal-rate structure and a study and survey of the expenses incurred and the revenues received in connection with the several classes of mail, and the various classes and kinds of services and facilities provided by the postal establishment, in order to determine, on the basis of the review, study, and survey for each class and kind of service or facility provided by the postal establishment, the need for adjustment of postal rates and fees in accordance with the policy set forth in sections 2301-2305 of this title.

(b) The Postmaster General shall submit to the Senate and the House of Representatives not later than April 15 of each alternate fiscal year, beginning with the fiscal year ending June 30, 1960, a report of the results of the review, study, and survey conducted pursuant to subsection (a) of this section which includes—

(1) information with respect to expenses and revenues which is pertinent to the allocation of expenses and the determination and adjustment of postal rates and fees in accordance with the policy set forth in sections 2301-2305 of this title; and

(2) such other information as is necessary to enable the Congress, or as may be required by the Congress or an appropriate committee thereof, to carry out the purposes of sections 2301-2305 of this title.

§ 2305. Effect on fourth class mail rates

The provisions of sections 2301-2304 of this title do not require any downward adjustment in rates of postage on fourth class mail existing on May 27, 1958.

§ 2306. Costs for establishing postal rates

The amounts contributed by the Post Office Department to the civil service retirement and disability fund in compliance with section 2254 (a) of title 5 are considered as costs of providing postal service for the purpose of establishing postal rates.

70 Stat. 747.

REPORTS**§ 2331. Cost ascertainment**

(a) The Postmaster General shall ascertain and state annually the revenues derived from and the cost of—

- (1) carrying and handling the several classes of mail matter; and
- (2) performing special services.

(b) The appropriations of the Department, as determined by the Postmaster General, shall be available for cost of supervising or conducting the studies required by this section.

§ 2332. Postal Modernization Fund

The Postmaster General shall include in his annual report to the President for each year a detailed report of his activities during the year under sections 2231-2234 of this title.

CHAPTER 29—DEBTS AND COLLECTIONS**Sec.**

- 2401. Collection of debts.
- 2402. Transportation of international mail by air carriers of the United States.
- 2403. Adjustment of claims of postmasters and Armed Forces postal clerks.
- 2404. Penalty for failure to render accounts.
- 2405. Deficiency in accounts.
- 2406. Limitation of action against sureties.
- 2407. Penalties and forfeitures imposed for violations.
- 2408. Suits to recover wrongful or fraudulent payments.
- 2409. Settlement of claims for damages caused by Post Office Department and services.
- 2410. Delivery of stolen money to owner.
- 2411. Substitute checks.

§ 2401. Collection of debts

(a) The Postmaster General shall—

- (1) collect debts due the Department; and
- (2) collect and remit fines, penalties, and forfeitures arising out of matters affecting the Department.

He may refer any debt, which is uncollectible through administrative action, to the General Accounting Office for collection.

This subsection does not affect the authority of the Attorney General in cases in which judicial proceedings are instituted.

(b) In all cases of disability or alleged liability for any sum of money by way of damages or otherwise, under any provision of law in relation to the officers, employees, operations, or business of the Postal Service, the Postmaster General shall determine whether the interests of the Department probably require the exercise of his powers over the same. Upon the determination the Comptroller General, with the written consent of the Postmaster General and on such terms as the Postmaster General deems just and expedient, may—

- (1) remove the disability; or
- (2) compromise, release, or discharge the claim for such sum of money and damages.

(c) Subsection (b) applies to cases involving balances due the United States through accountability for public moneys under any provisions of law in relation to the officers, employees, operations, or business of the Postal Service, except cases cognizable under section 2403 of this title.

§ 2402. Transportation of international mail by air carriers of the United States

(a) The Postmaster General may offset against any balances due another country resulting from the transaction of international money order business, or otherwise, amounts due from that country to the United States, or to the United States for the account of air carriers of the United States transporting mail of that country, when—

(1) the Postmaster General puts into effect rates of compensation to be charged another country for transportation; and

(2) the United States is required to collect from another country the amounts owed for transportation for the account of the air carriers.

(b) When the Postmaster General has proceeded under authority of subsection (a), he shall—

(1) give appropriate credit to the country involved;

(2) pay to the air carrier the portion of the amount so credited which is owed to the air carrier for its services in transporting the mail of the other country; and

(3) deposit in the Department fund that portion of the amount so credited which is due the United States on its own account.

(c) The Postmaster General, from time to time may advance to an air carrier, out of funds available for payment of balances due other countries, the amounts determined by him to be due from another country to an air carrier for the transportation of its mails when—

(1) collections are to be made by the United States for the account of air carriers; and

(2) the Postmaster General determines that the balance of funds available is such that the advances may be made therefrom.

Collection from another country of the amount so advanced shall be made by offset, or otherwise, and the appropriation from which the advance is made shall be reimbursed by the collections made by the United States.

(d) If the United States is unable to collect from the debtor country an amount paid or advanced to an air carrier within twelve months after payment or advance has been made, the United States may deduct the uncollected amount from any sums owed by it to the air carrier.

(e) The Postmaster General shall adopt such accounting procedures as may be necessary to conform to and effect the purposes of this section.

§ 2403. Adjustment of claims of postmasters and Armed Forces postal clerks

(a) When the Postmaster General determines, after investigation, that any of the following losses has resulted without negligence of a postmaster, Armed Forces postal clerk, or assistant Armed Forces postal clerk, he may, subject to subsections (b)—(d) of this section, pay or credit the postmaster, Armed Forces postal clerk, or assistant Armed Forces postal clerk, the sum he ascertains to be the amount of—

(1) the loss of funds or valuable papers from their official custody resulting from burglary, fire, or unavoidable casualty;

(2) the loss of funds deposited in National or State banks;
 (3) the loss of funds remitted in accordance with instructions of the Department in the form of drafts or checks which have been returned unpaid or disallowed by reason of the closing of the bank issuing the drafts or checks;

(4) a remittance of funds or accountable papers, made in compliance with instructions of the Department, which are lost, stolen or destroyed—

(A) while in transit to a designated depository; or

(B) after arrival at the depository, and before the depository has become responsible therefor; and

(5) authorized sums of postage and other stamped stock or accountable paper lost while in transit by mail to or from—

(A) postmasters or employees; or

(B) the Department.

(b) Claims of postmasters, Armed Forces postal clerks and assistant Armed Forces postal clerks outside the continental United States for losses occurring while the United States is at war may be presented within two years from the time the loss occurred. All other claims under this section must be presented within six months from the time when the loss occurred.

(c) Claims in excess of \$10,000 for losses covered by this section may not be paid or credited until an appropriation has been made therefor.

(d) This section does not apply to claims for losses—

(1) cognizable under sections 134–134h of title 5;

(2) by Armed Forces postal clerks or assistant Armed Forces postal clerks for stamps, stamped envelopes, postal cards and other stamped paper supplied them by the Department of Defense and not by the Post Office Department, nor to funds received from the sale of the same.

50 Stat. 479.

§ 2404. Penalty for failure to render accounts

When a postmaster neglects to render his accounts for one month after the time and in the form and manner prescribed by law and the regulations of the Postmaster General, he and his sureties shall forfeit and pay double the amount of the gross receipts at his office for the period, estimated on the basis of any previous or subsequent equal period of time. If the postmaster or his sureties fail to pay the amount of the forfeiture, the Postmaster General shall request the Attorney General to bring an action on the bond of the postmaster. If, at the time of trial, no account has been rendered, the postmaster and his sureties shall be liable in double the amount estimated by the court or jury to be the gross postal receipts.

§ 2405. Deficiency in accounts

The Postmaster General shall mail a notice to the last known addresses of the sureties of a postmaster who fails to make good a deficiency discovered in his accounts. Failure to mail the notice to the sureties does not discharge them on the bond.

§ 2406. Limitation of action against sureties

Sureties on the bond of a postmaster may be sued for deficiencies in his account only within three years after settlement of the account.

§ 2407. Penalties and forfeitures imposed for violations

Unless a different disposal is expressly prescribed, one-half of all penalties and forfeitures imposed for violations of law affecting the Department, its revenues or property, shall be paid to the person informing and prosecuting for the same. The other one-half shall be paid into the postal revenues.

§ 2408. Suits to recover wrongful or fraudulent payments

The Postmaster General shall request the Attorney General to bring a suit to recover with interest any payment made from moneys of, or credit granted by, the Department or postal savings system as a result of—

- (1) mistake;
- (2) fraudulent representations;
- (3) collusion; or
- (4) misconduct of an officer or employee of the Department.

§ 2409. Settlement of claims for damages caused by Post Office Department and services

When the Postmaster General finds a claim for damage to persons or property resulting from the operation of the Department to be a proper charge against the United States, and it is not cognizable under section 2672 of title 28, he may adjust and settle it in an amount not exceeding \$500.

62 Stat. 983.

§ 2410. Delivery of stolen money to owner

When the Postmaster General is satisfied that money or property in the possession of the Department represents money or property stolen from the mails, or the proceeds thereof, he may deliver it to the person he finds to be the rightful owner.

§ 2411. Substitute checks

(a) The Postmaster General may authorize the issuance of a substitute check for a lost, stolen or destroyed check of the Department.

Substitute checks shall—

- (1) be marked "Duplicate";
- (2) show the number, date, and payee of the original.

(b) The Postmaster General may authorize the issuance of the substitute check (1) upon the execution of a bond agreeable to the Postmaster General by the owner, or (2) without bond, upon the affidavit of the payee or owner of the original check when the Postmaster General is satisfied that the loss, theft or destruction occurred without the fault of the owner or holder or while the check was in the custody or control of the Department or in the mails.

(c) Subsections (a), (b), (c) and (d) of section 528 of title 31 do not apply to checks of the Department.

CHAPTER 31—STAMPS AND STAMPED PAPER

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- 2501. Postage stamps.
- 2502. Double postal cards, letter-sheet envelopes, double-letter envelopes.
- 2503. Postal cards and stamped envelopes.
- 2504. Improvements in stamps and envelopes.
- 2505. Sale of postage due stamps.
- 2506. Printing of black-and-white illustrations of United States stamps.
- 2507. Stamps to be defaced.
- 2508. Permits for special canceling of postmarking dies.
- 2509. Special cancellation "Pray for peace".
- 2510. Printing on stamped envelopes.

§ 2501. Postage stamps

The Postmaster General may issue appropriate stamps in such denomination, form and design, and at such times as he deems necessary, for use in payment of postage or fees for special services. He shall issue postage due stamps of special design and in the denomination he deems necessary to be affixed to short paid mail. Postage due stamps shall be canceled as other postage stamps.

§ 2502. Double postal cards, letter-sheet envelopes, double-letter envelopes

(a) The Postmaster General may furnish for public use, with postage stamps printed or impressed thereon, double postal cards, letter-sheet envelopes, and double-letter envelopes.

(b) The Postmaster General may not make payments for royalty or patent right on any of the articles named in this section.

§ 2503. Postal cards and stamped envelopes

(a) The Postmaster General shall furnish for public use postal cards and envelopes with postage stamps printed or impressed thereon.

(b) Stamped envelopes shall be sold as nearly as possible at cost, but not less than cost. Cost includes the value of the postage stamps, salaries and clerk hire, and other expenses connected therewith.

§ 2504. Improvements in stamps and envelopes

The Postmaster General may adopt such improvements in postage stamps and stamped envelopes as he deems advisable. When an improvement is adopted it shall be subject to all the provisions of law respecting postage stamps or stamped envelopes.

§ 2505. Sale of postage due stamps

(a) Postage due stamps may not be sold by any postmaster nor received by him in prepayment of postage or fees for special services.

(b) The Postmaster General may designate agencies of the Department where postage due stamps may be sold for philatelic purposes only.

§ 2506. Printing of black-and-white illustrations of United States stamps

(a) When requested by the Postmaster General, the Public Printer shall print as a public document for sale by the Superintendent of Documents, illustrations in black and white of postage stamps of the United States, together with such descriptive, historical, and philatelic information with regard to the stamps as the Postmaster General deems suitable.

(b) Notwithstanding the provisions of section 58 of title 44, stereotype or electrotype plates, or duplicates thereof, used in the publications authorized to be printed by this section may not be sold or otherwise disposed of.

§ 2507. Stamps to be defaced

(a) The Postmaster General shall direct the manner in which postage stamps on mail matter shall be canceled and may furnish necessary equipment and supplies therefor.

(b) The Postmaster General may furnish to post offices postage stamps precanceled with the name of the post office at which they are to be used imprinted thereon.

(c) The Postmaster General may issue permits to persons using stamped envelope and postal cards to precancel the postage stamps thereon.

§ 2508. Permits for special canceling or postmarking dies

(a) In post offices of the first and second class the Postmaster General may permit, for a period of six months and the duration of the event to be advertised, the use of special canceling stamps or postmarking dies for advertising purposes when the event to be advertised—

(1) is for a national purpose for which Congress has made an appropriation; or

(2) is of general public interest and importance and is to endure for a definite period of time and is not to be conducted for private gain or profit.

(b) The permittee shall prepay all expenses for the purchase, adapting or installing special canceling stamps or postmarking dies.

(c) The Postmaster General may revoke permits granted under this section when he finds it expedient or necessary to use special canceling stamps or postmarking dies for governmental purposes.

§ 2509. Special cancellation "Pray for peace"

The Postmaster General may provide for the use in post offices of the first and second class of a special canceling stamp or postmarking die bearing the words "Pray for peace".

§ 2510. Printing on stamped envelopes

The Postmaster General may not sell stamped envelopes containing any lithographing or engraving, printing or advertising, other than the usual request for return of the envelope to the sender.

PART III—PERSONNEL

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CHAPTER 41—GENERAL PROVISIONS

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§ 3101. Definitions

As used in this part—

(1) "employee", unless the context otherwise indicates, includes postmasters, officers, supervisors, and all other persons employed in the postal field service, regardless of title, other than persons who provide services for the Department on a fee, contract, job, or piecework basis;

(2) "position" means the duties and responsibilities assigned to an employee, other than duties performed on a fee, contract, job, or piecework basis;

(3) "key position" means an existing position, described in sections 3511-3531 of this title;

(4) "salary level" means the numerical standing in the Postal Field Service Schedule assigned to a position in the postal field service;

(5) "basic salary" means the rate of annual or hourly compensation specified by law, exclusive of overtime, night differential, and longevity compensation; and

(6) "basic compensation" means basic salary plus longevity compensation.

(7) "assigned to road duty" as used in reference to employees in the Motor Vehicle Service means assignment to a Motor Vehicle Service route which is not less than fifty miles in length one way.

EMPLOYEES GENERALLY

§ 3103. Oath of office

Before entering upon their duties, and before receiving any salary, the Postmaster General, and all persons employed in the Department, in addition to any other oath or affirmation required by law, shall respectively take and subscribe the following oath or affirmation:

"I, do hereby solemnly swear (or affirm, as the case may be) that I will faithfully perform all the duties required of me and abstain from everything forbidden by the laws in relation to the establishment of post offices and post roads within the United States; and that I will honestly and truly account for and pay over any money belonging to the said United States which may come into my possession or control; and I also further swear (or affirm) that I will support the Constitution of the United States; so help me God."

A person authorized to administer oaths by the laws of the United States, including section 16a of title 5, or of a State or Territory, or an officer, civil or military, holding a commission under the United States may administer and certify the oath or affirmation.

57 Stat. 196.

§ 3104. Employees not to receive fees

An officer or employee of the Department may not receive any fee or perquisite from a patron of the Department on account of the duties performed by virtue of his appointment, except as authorized by law.

§ 3105. Detail of employees between field and department

With the consent of the employee, the Postmaster General may detail any employee, including an employee of the departmental service, between the postal field service and the departmental service to such extent as may be necessary to develop a more efficient working force and more effectively to perform the work of the Department. Each detail shall be made for a period of not more than one year and may be made without change in compensation of the employees so detailed.

SPECIAL CLASSES OF EMPLOYEES

§ 3111. Residence of postal transportation clerks

Clerks appointed to the Postal Transportation Service to perform duty on railway post offices shall reside at some point on the route to which they are assigned unless they are authorized by the Postmaster General to reside at some other convenient point.

§ 3112. Inspectors may administer oaths

Postal inspectors may administer oaths required or authorized by law or regulation with respect to any matter coming before them in the performance of their official duties.

§ 3113. Rural carriers to furnish equipment

Rural carriers shall furnish, for prompt handling of the mail, necessary vehicles and such other equipment as the Postmaster General requires.

§ 3114. Rural carriers not to carry merchandise

Rural carriers may not solicit business or receive orders for any person. The Postmaster General may permit them to carry merchandise for hire during their hours of duty for and at the request of patrons residing on their routes.

§ 3115. Special delivery messengers as employees or carriers

(a) A person temporarily employed to deliver special delivery mail is deemed an employee of the postal service, and is subject to the provisions of chapter 83 of title 18 to the same extent as other employees of the Department.

18 USC 1691 et
seq.

(b) Any person, when engaged in carrying special delivery mail under contract with the Department, or employed by the Department, is deemed a carrier or person entrusted with the mail and having custody thereof, within the meaning of sections 1701, 1708, and 2114 of title 18.

§ 3116. Uniforms and badges

(a) The Postmaster General may prescribe a uniform dress to be worn by letter carriers.

(b) The Postmaster General may not require employees in the Postal Transportation Service to wear any uniform other than cap or badge.

CHAPTER 43—APPOINTMENT AND ASSIGNMENT OF FIELD SERVICE EMPLOYEES

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3337. Promotions and assignment of rural carriers.

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ESTABLISHMENT OF POSITIONS

§ 3301. Personnel requirements

The Postmaster General shall determine the personnel requirements of the postal field service, and fix the number of supervisors and other employees in that service, except that there may not be at any one time more than—

- (1) one assistant postmaster employed at any post office;
- (2) 40 employees in positions assigned to salary level 17;
- (3) 12 employees in positions assigned to salary level 18;
- (4) four employees in positions assigned to salary level 19; or
- (5) 15 employees in positions assigned to salary level 20.

§ 3302. Substitute positions

(a) Except as otherwise provided in this section the Postmaster General shall prescribe the conditions under which substitutes may be appointed.

(b) The Postmaster General may appoint not more than one career substitute to five regular employees, or fraction thereof, in any of the following categories.

- (1) postal transportation clerks;
- (2) post office clerks;
- (3) city letter carriers;
- (4) village letter carriers;
- (5) mail handlers;
- (6) watchmen;
- (7) messengers;
- (8) employees of the Motor Vehicle Service.

(c) In post offices having fewer than five regular employees, the Postmaster General may appoint one career substitute clerk, carrier, and employee in the Motor Vehicle Service.

(d) The Postmaster General may not appoint additional career substitutes until the ratios prescribed by this section are established.

(e) The Postmaster General may not furlough or dismiss a career substitute in the categories covered by this section to meet requirements of this section.

POSTMASTERS

§ 3311. Method of appointment

(a) The President, by and with the advice and consent of the Senate, shall appoint postmasters at post offices of the first, second, and third classes in the competitive civil service without term. He shall make the appointments in accordance with the Civil Service Act and rules by—

- (1) competitive examinations; or
- (2) promotion from within the postal service.

(b) The Postmaster General shall appoint postmasters at post offices of the fourth class without term.

§ 3312. Residence requirements

(a) A person is not eligible for appointment as postmaster at a post office of the first, second, or third class unless he has actually resided within the delivery of that post office, or within the city or town where it is situated, for one year next preceding—

- (1) the date fixed for the close of receipt of applications for examination, if the appointment is made by competitive examination; or
- (2) the appointment, if the appointment is made without competitive examination.

(b) The residence requirements of subsection (a) of this section may be waived whenever the Civil Service Commission finds that peculiar local conditions preclude or render impossible the application of the requirement. In that case the Commission may examine and certify for appointment or promotion persons who reside in such areas adjacent to, or surrounding, the delivery zone of the post office as may be fixed by the Commission.

(c) Every postmaster shall reside within the delivery of the post office to which he is appointed, or within the town or city where it is situated, or in the area adjacent to or surrounding the delivery zone of the post office in which he lived at the time of appointment.

§ 3313. Appointment in fourth class offices in Alaska

Notwithstanding sections 58, 62, 69, and 70 of title 5, and any other provision of law, an officer, agent, or employee of the United States Government, who is a citizen of the United States, is eligible for appointment as, and to receive the compensation provided by section 3544 of this title for a postmaster of a fourth class post office in Alaska.

§ 3314. Status on change in class of office

A postmaster appointed in the competitive civil service at a post office of—

(1) the first, second, or third class whose post office is relegated to the fourth class; or

(2) the fourth class whose post office is advanced to a higher class,

shall continue to be the postmaster after the change in the class of office.

§ 3315. Filling vacancies

(a) When the office of a postmaster becomes vacant, the appointment of a regular postmaster shall be made without delay. In the interim the Postmaster General may—

(1) continue the post office, under the name of the former postmaster, by the assistant postmaster or other employee of the post office; or

(2) in the case of a third or fourth class post office, place the office under the charge of a suitable person, pending appointment of a regular or acting postmaster; or

(3) place the post office under the charge of a postal inspector or other special agent; or

(4) appoint an acting postmaster.

(b) Acting postmasters appointed under this section may not serve more than six months from the date of their designation, unless the Postmaster General extends the period of service with the permission of the Civil Service Commission.

(c) Acting postmasters may be appointed by the Postmaster General in accordance with the Civil Service act, rules, and regulations to serve during military leave of the regular postmaster granted pursuant to section 3317 of this title.

§ 3316. Designation of persons to act during absence

The Postmaster General may authorize postmasters to designate the assistant postmaster, or, if none, a clerk employed in the office to perform the functions of the office of postmaster during the absences of the postmaster. The person so designated shall, during the absences of the postmaster—

(1) discharge the duties required of the postmaster; and

(2) be subject to the liabilities and penalties prescribed by law for the official misconduct in like cases of the postmaster for whom he acts.

§ 3317. Leave without pay for military service

(a) The Postmaster General shall grant leave of absence without pay to a postmaster entering active military service.

(b) The Postmaster General shall permit a postmaster who resigns for the purpose of active military service to withdraw his resignation and resume the office of postmaster upon being released from service, if the office is being conducted by an acting postmaster.

ASSIGNMENT AND TRANSFER OF EMPLOYEES

§ 3331. Duty station

The Postmaster General shall designate an official duty station for employees within the region, division or territory to which they are assigned. He may not allow per diem, in lieu of actual expenses, to employees for official travel except when they are traveling on official business away from their home and their official duty station.

§ 3332. Assignment to branches and stations

The Postmaster General may assign employees in a post office to duty in a branch or station thereof.

§ 3333. Transfer of postal transportation employees

(a) The Postmaster General may transfer employees in the Postal Transportation Service, including supervisors, from one position or assignment to another position or assignment in the Postal Transportation Service.

(b) When the Postmaster General is required because of changes in the service to transfer employees of the Postal Transportation Service, including supervisors, from one position or assignment to another, he may not reduce their basic salary except as provided in subsection (c) of this section. While serving in miscellaneous assignments they shall be retained by the Postmaster General on the roster of their own organizations. He shall also retain for them the promotion status authorized by law for the positions from which they are withdrawn. They are entitled to pay by the hour for actual services performed when on other than road duty. For road duty services they are entitled to pay by the hour according to the time value of the trip including a proper allowance for all services required on lay-off periods, until again restored to regular positions.

(c) When a surplus postal transportation employee, including a supervisor, can not be placed in a position corresponding to his salary step or salary level in the position from which he was withdrawn without giving him preference over an employee or supervisor with a longer continuous transportation service record, the Postmaster General may relegate him to a lower salary step or salary level in his own organization or transfer him elsewhere to any salary step or salary level that may be available for a regular employee or supervisor of his standing.

§ 3334. Transfer of ten-point preference eligibles

(a) An employee entitled as a preference eligible under chapter 17 of title 5 to ten points in addition to his earned rating, who transfers between positions in the same salary level at a post office, shall not, as a result of the transfer, incur loss of seniority if he presents, to the Civil Service Commission, within thirty days after the transfer, satisfactory evidence to the Civil Service Commission that the transfer was necessitated principally by reason of a disability which he received on active duty in the Armed Forces of the United States.

(b) The Postmaster General may not reduce a regular employee to substitute status to accord the benefits of this section to another employee.

§ 3335. Dual employment and extra duties

(a) The Postmaster General may appoint an employee to more than one position and he shall pay compensation at the rate provided by law for each position, without regard to the provisions of sections 58, 62, 69, and 70 of title 5.

(b) As the needs of the service require, the Postmaster General may assign an employee from time to time to perform, without change in compensation, duties, and responsibilities, other than the duties and responsibilities specifically set forth in his position description. If an employee is assigned for more than thirty days in a calendar year to duties and responsibilities of a salary level which is higher than the salary level to which his position is assigned, except to perform service in a relief capacity for a supervisor granted compensatory time pursuant to section 3573 of this title, the Postmaster General shall pay for the period of his assignment in excess of thirty days, a basic salary computed in accordance with the provisions of section 3559 of this title.

(c) The Postmaster General, with the consent of the Administrator of General Services, may appoint custodial employees working under the jurisdiction of the General Services Administration at Federal buildings occupied in part by the Postal Service to positions in the Postal Service to perform postal duties in addition to their regular duties as custodial employees, and he shall pay compensation to them at the rate provided by law without regard to sections 58, 62, 69, and 70 of title 5.

§ 3336. Detail to stations of Armed Forces

Whenever the Postmaster General deems it necessary in serving the camps, posts, or stations of the Armed Forces and defense or other strategic installations, he may—

(1) detail field postal employees from main post offices to postal units at those installations without changing their official station; and

(2) pay them an allowance, in lieu of actual expenses, of not more than \$4 for each day while so detailed, without regard to chapter 16 of title 5.

5 USC 835 et seq.

§ 3337. Promotions and assignment of rural carriers

(a) The seniority status of a rural carrier commences on the day of appointment as a regular rural carrier. Upon voluntary transfer from one post office to another, or another branch of the service into the rural delivery service, the relative seniority of the transferee commences on the day he enters the rural delivery service of the office to which transfer is made.

(b) A rural carrier shall be assigned by the Postmaster General to the least desirable route upon entering the service and shall rise to the more desirable routes by seniority.

(c) The Postmaster General shall base promotions and preferential assignments in the rural delivery service upon seniority and ability. If ability be sufficient, seniority shall govern.

§ 3338. Filling vacancies on rural routes

(a) The Postmaster General shall post a notice in the post office of each new or vacant rural route and give all rural carriers attached to the office opportunity to apply.

(b) A rural carrier assigned to a new or vacant route has ninety days in which to demonstrate his fitness for the assignment. He may not be removed therefrom until his inability to fill the assignment is proven. The Postmaster General shall return any carrier so removed to his former position.

(c) A senior rural carrier whose application for a new or vacant route is denied, or who is removed therefrom under subsection (b) of this section shall be furnished a written statement of the reasons for the action. He has the right, upon written request, to a hearing before a person designated by the Postmaster General.

(d) The hearing shall be held within ten days from the date of the carrier's request, unless prevented by unusual conditions, in which event he shall be given a written statement of the reasons for the postponement.

(e) The rural carrier is entitled to be represented at the hearing by not more than three representatives of his own choosing.

(f) This section does not supplant the Civil Service Regulations.

§ 3339. Consolidation of rural routes

The Postmaster General may not consolidate rural routes except on account of a carrier's—(1) resignation, (2) death, (3) retirement, or (4) dismissal on charges.

CHAPTER 45—COMPENSATION IN THE POSTAL FIELD SERVICE POSITIONS

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POSITIONS

§ 3501. Ranking of positions

(a) The Postmaster General shall define the various positions other than the key positions specified in sections 3511-3531 of this title and the standard positions of postmaster in a fourth class office and rural carrier. He shall assign each position to its appropriate salary level in the Postal Field Service Schedule. He shall ascertain the appropriate salary level of a position (1) by comparing the duties, responsibilities, and work requirements of the position with those of key positions described in sections 3511-3531 of this title, and (2) by ranking the position in relation to the key position most closely comparable in terms of the level of duties, responsibilities, and work requirements.

(b) In ranking positions, the Postmaster General shall apply the principle of equal pay for substantially equal work and give effect to substantial differences in difficulty of the work to be performed, in the degree of responsibility to be exercised, in the scope and variety of tasks involved, and in the conditions of performance.

(d) The Postmaster General's determinations under this section is the basis for the payment of compensation and for personnel transactions.

§ 3502. Appeals to Civil Service Commission

An employee, either individually or together with one or more other employees with a similar grievance, may appeal at any time, in person or through his representative specifically designated for that purpose, to the United States Civil Service Commission to review—

(1) if the employee is in a position other than a key position described in sections 3511-3531 of this title, any action taken by the Postmaster General under section 3501 of this title, in order to determine whether his position has been placed in its appropriate salary level in accordance with that section, and

(2) if the employee is in a key position described in sections 3511-3531 of this title, any administrative action taken or determination made under section 3501 of this title, in connection with the employee, in order to determine whether the employee has been placed correctly in a key position on the basis of and in accordance with the descriptions of key positions and the assignments of the positions to salary levels specified in sections 3511-3531 of this title.

The Commission shall act upon the appeal at the earliest practicable time, and certify its decision forthwith to the Postmaster General who shall take action in accordance with the certificate.

§ 3511. Key positions

Key positions in the postal field service consisting of standard, related tasks commonly performed in that service, and for which the symbol shall be "KP" are described and assigned to salary levels in the Postal Field Service Schedule in accordance with sections 3512-3531 of this title.

§ 3512. Positions in salary level 1

JANITOR. (KP-1)

(1) **BASIC FUNCTION.**—Cleans, sweeps, and removes trash from work areas, lobbies, and washrooms.

(2) **DUTIES AND RESPONSIBILITIES.**—

(A) Sweeps and scrubs floors and stairs, dusts furniture and fixtures, cleans washrooms and washes windows (except exterior glass in high buildings).

(B) Moves furniture and helps erect equipment and fixtures within offices of the building.

(C) In addition, may perform any of the following duties:

(i) cleans ice and snow from the sidewalks and driveways, and tends the lawn, shrubbery, and premises of the post office;

(ii) washes walls and ceilings.

(3) **ORGANIZATIONAL RELATIONSHIPS.**—Reports to a foreman or other designated supervisor.

§ 3513. Positions in salary level 2

(a) ELEVATOR OPERATOR. (KP-2)

(1) **BASIC FUNCTION.**—Operates a freight or passenger elevator.

(2) **DUTIES AND RESPONSIBILITIES.**—

(A) Operates elevator.

(B) Cleans cab of elevator and polishes metal fittings.

(C) In addition, may perform any of the following duties:

(i) pushes handcarts of mail on and off elevator or assists in loading or unloading material carried on elevator;

(ii) tends the heating plant or performs cleaning duties in the vicinity of the elevator.

(3) **ORGANIZATIONAL RELATIONSHIPS.**—Reports to an elevator starter or other designated supervisor.

(b) ORDER FILLER. (KP-3)

(1) **BASIC FUNCTION.**—Selects, assembles, and makes ready for shipment items requisitioned by postal field establishments.

(2) **DUTIES AND RESPONSIBILITIES.**—

Is assigned any of the following duties:

(A) Separates sheets of the requisition form, fastens copies to clipboards and places on appropriate conveyor line.

(B) Clarifies writing on carbon copies of requisitions in order to minimize errors in filling requisitions.

(C) Sets up and prepares shipping containers.

(D) Places in cartons on conveyor lines the quantities of items requisitioned from an assigned station, indicating action taken opposite each item.

(E) Fills and labels bulk shipping orders and moves bulk material to dispatch area.

(F) Replenishes from stock items stored in individual stations and keeps stations neat and orderly to facilitate filling of requisitions.

(G) Transports bulk and individual shipments on hand trucks.

(H) Assembles materials for each requisition where conveyor lines converge.

(I) Places cartons on assembly table for coordination and packing.

(J) Checks requisition copies and items to assure that proper action has been taken.

(K) Directs items not requiring packing to dispatch area.

(L) Combines shipments to reduce packing.

(M) Transmits bulk slips and shipping labels to the appropriate person.

(N) Labels bulk and individual packages with printed labels to avoid hand labeling.

(O) Prepares labels by use of appropriate rubber stamps.

(P) Seals cartons with stapling machine or tape.

(Q) Packs supplies for shipment.

(R) Stacks and trucks completed orders.

(3) ORGANIZATIONAL RELATIONSHIPS.—Reports to a foreman or other designated supervisor.

(c) CLERK. THIRD CLASS POST OFFICE. (KP-4)

(1) BASIC FUNCTION.—Sorts incoming and dispatches outgoing mail for a small number of points of separation and destination; provides a limited number of services at public windows.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Sorts incoming mail for general delivery, lock boxes, and one or more delivery routes.

(B) Postmarks and prepares mail for dispatch by train or other mail route; closes, locks, and affixes labels to pouches and mail sacks.

(C) Performs services at a public window, such as selling stamps, stamped envelopes, or other routine functions.

(D) As the needs of the service require, may perform other related duties incidental to the operation of the post office.

(3) ORGANIZATIONAL RELATIONSHIPS.—Reports to a postmaster.

§ 3514. Positions in salary level 3

(a) GUARD. (KP-5)

(1) BASIC FUNCTION.—Makes rounds of the post office building, and punches clocks at designated stations.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Patrols buildings, punching watchman's clock where furnished, checking door and window locks, noting and reporting fire hazards and other irregularities, such as running water and unclosed doors and windows.

(B) Sounds fire alarm.

(C) Preserves order in corridors and, when necessary, detains persons for interrogation by post-office inspectors or local police.

(D) In addition may perform any of the following duties:

(i) Gives directions to the public in building lobby.

(ii) Raises and lowers the flag.

(iii) Retrieves lost and found articles and delivers them to the appropriate place.

(iv) Obtains names of victims, doctors, police, and witnesses in the event of accident.

(v) Guards property entrances and prevents damage to property by the public.

(vi) Tends the heating plant of the building.

(vii) Operates elevators on a relief basis.

(viii) Does incidental cleaning and laboring work.

(3) ORGANIZATIONAL RELATIONSHIPS.—Reports to a lieutenant of the guard, a building superintendent, or other designated supervisor.

(b) FILE CLERK. (KP-6)

(1) BASIC FUNCTION.—Sets up and maintains files on one or more subject matters.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Prepares new file folders and maintains existing folders in correct order as prescribed in the established filing system.

(B) Transmits folders or information contained therein to authorized personnel (for example, forwards personnel folders to requesting supervisors, or copies data from folders to satisfy requests).

(C) Opens, sorts, and searches file material, and maintains files in up-to-date condition.

(D) In addition, may perform any of the following duties:

- (i) Types from rough draft or plain copy.
- (ii) Answers telephones.
- (iii) Prepares requisitions for supplies.
- (iv) Operates a mimeograph machine.

(3) **ORGANIZATIONAL RELATIONSHIPS.**—Reports to a designated supervisor.

(c) **TYPIST. (KP-7)**

(1) **BASIC FUNCTION.**—Types material such as forms, correspondence, and stencils from rough draft or plain copy.

(2) **DUTIES AND RESPONSIBILITIES.**—

(A) In accordance with instructions and information furnished by supervisors, types forms, standard reports, and documents such as invitations to bid, orders, contracts, invoices, personnel actions, and related materials.

(B) Types correspondence and memoranda from rough drafts or general information.

(C) Cuts stencils for instructions, circulars, and other general uses.

(D) In addition, may perform any of the following duties:

- (i) Transcribes from a dictating machine.
- (ii) Operates a mimeograph machine.

(iii) Files, checks requisitions, prepares vouchers, and answers the telephone.

(3) **ORGANIZATIONAL RELATIONSHIPS.**—Reports to a designated supervisor.

(d) **MAIL HANDLER. (KP-8)**

(1) **BASIC FUNCTION.**—Loads, unloads, and moves bulk mail, and performs other duties incidental to the movement and processing of mail.

(2) **DUTIES AND RESPONSIBILITIES.**—

(A) Unloads mail received by trucks. Separates all mail received by trucks and conveyors for subsequent dispatch to other conveying units, and separates and delivers working mails for delivery to distribution areas.

(B) Places empty sacks or pouches on racks, labels them where labels are prearranged or racks are plainly marked, dumps mail from sacks, cuts, ties, faces letter mail, carries mail to distributors for processing, places processed mail into sacks, removes filled sacks and pouches from racks, closes and locks same. Picks up sacks, pouches and outside pieces, separates outgoing bulk mails for dispatch and loads mail onto trucks.

(C) Handles and sacks empty equipment, inspects empty equipment for mail content, restrings sacks.

(D) Cancels stamps on parcel post, operates canceling machines, carries mail from canceling machine to distribution cases.

(E) Assists in supply and slip rooms and operates addressograph, mimeograph, and similar machines.

(F) In addition, may perform any of the following duties:

- (i) Acts as armed guard for valuable registry shipments and as watchman and guard around post office building.

(ii) Makes occasional simple distribution of parcel post mail requiring no scheme knowledge.

- (iii) Operates electric fork-lift trucks.
- (iv) Rewraps soiled or broken parcels.
- (v) Performs other miscellaneous duties, such as stamping tickets, weighing incoming sacks, cleaning and sweeping in workrooms, offices, and trucks where such work is not performed by regular cleaners.

(3) ORGANIZATIONAL RELATIONSHIPS.—Reports to a foreman or other designated supervisor.

(e) GARAGEMAN. (KP-9)

(1) BASIC FUNCTION.—Performs a variety of routine services incidental to the proper maintenance of motor vehicles.

(2) DUTIES AND RESPONSIBILITIES.—

- (A) Lubricates trucks in accordance with lubrication charts and type of truck.
- (B) Changes crankcase oil and filter cleaners and cleans case in conformance with instructions and vehicle mileage.
- (C) Changes tires and makes necessary repairs.
- (D) Washes and steam-cleans trucks.
- (E) Assists automotive mechanics.
- (F) Fuels and oils trucks.
- (G) Cleans garage, garage office, swing room, and washroom, as assigned.

(3) ORGANIZATIONAL RELATIONSHIPS.—Reports to a foreman of mechanics or other designated supervisor.

§ 3515. Positions in salary level 4

(a) MOTOR VEHICLE OPERATOR. (KP-10)

(1) BASIC FUNCTION.—Operates a mail truck on a regularly scheduled route to pick up and transport mail in bulk.

(2) DUTIES AND RESPONSIBILITIES.—

- (A) Picks up and delivers bulk quantities of mail at stations, branch offices, and terminal points; as required, picks up mail from collection boxes and deposits mail in relay boxes.
- (B) Operates truck in conformity with time schedules and rules of safety, and in accordance with instructions regarding the route for which responsible.
- (C) Ascertains the condition of the truck prior to leaving and upon returning to the garage; reports all accidents, mechanical defects noted, and mechanical failures while on route.
- (D) In addition, may perform any of the following duties:
 - (i) Drives a tractor and semitrailer on occasion, unloading bagged mail and packages at post offices and picking up mail for delivery to a central point.
 - (ii) Prepares daily trip reports showing work performed.
 - (iii) Makes minor mechanical repairs to truck in emergencies while on route.

(3) ORGANIZATIONAL RELATIONSHIPS.—Reports to a superintendent of motor vehicles or other designated supervisor.

(b) CITY OR SPECIAL CARRIER OR SPECIAL DELIVERY MESSENGER. (KP-11)

(1) BASIC FUNCTION.—Is responsible for the prompt and efficient delivery and collection of mail on foot or by vehicle under varying conditions in a prescribed area within a city. As a representative of the postal service, maintains pleasant and effective public relations with route patrons and others, requiring a general familiarity with postal laws, regulations, and procedures commonly used, and with the geography of the city.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Routes or cases all classes of mail in sequence of delivery along an established route. Rearranges and relabels cases as required by route adjustments and changes in deliveries.

(B) Withdraws mail from the distribution case and prepares it in sequence for efficient delivery by himself or a substitute along an established route. Prepares and separates all classes of mail to be carried by truck to relay boxes along route for subsequent delivery.

(C) Enters change of address orders in change of address book and on appropriate form. Readdresses mail to be forwarded and marks for appropriate handling other mail addressed to route patrons who have moved. Sorts such mail into throw-back case for convenient handling by clerks.

(D) Delivers mail along a prescribed route, on a regular schedule, picking up additional mail from relay boxes. Collects mail from street letter boxes and accepts letters for mailing from patrons. Such service may be rendered on foot or by vehicle and in some instances may consist exclusively of parcel post delivery or collection of mail.

(E) Delivers and collects charges on customs, postage-due, and c. o. d. mail matter. Delivers and obtains receipts for registered and certain insured mail. Receipts for such matter, except insured mail, at the post office before beginning route and accounts for it upon return by payments of the amounts collected and delivery of receipts taken.

(F) Deposits mail collected in the post office upon return from route; faces such mail for stamp cancellation.

(G) Checks, and corrects if necessary, mailing cards presented by advertisers bearing names and addresses of patrons or former patrons of the route.

(H) Furnishes patrons with postal information when requested, and provides change of address cards and other postal forms as requested.

(I) Reports to supervisor all unusual incidents or conditions relating to mail delivery, including condition of street letter boxes and timecards.

(J) Regular city carriers assigned to foot delivery routes are required to become proficient in the casing of mail on at least one other foot delivery route.

(K) Substitute city carriers may be assigned to perform clerical duties and may be required to pass examinations on schemes of city primary distribution.

(L) Special delivery carriers and special delivery messengers receive special delivery mail for delivery and sign c. o. d. and registered items at post office before beginning route; delivery on foot and by vehicle special delivery mail to patrons; obtain signatures when required; collect amounts and fees on c. o. d.'s; in case of absent patrons, exercise judgment in determining whether to leave mail or leave notice and return mail to post office; return receipts and moneys collected to authorized personnel at post office.

(M) In addition, may perform any of the following duties:

(i) Checks hotels and other such establishments to insure that mail for residents undeliverable as addressed is not improperly held.

(ii) Delivers stamps or other paper supplies to contract or classified stations.

(iii) Serves at carriers' delivery window.

(iv) Receives and registers, where practical, all letters and packages of first class mail properly offered for registration and gives receipt therefor.

(v) Makes delivery on other routes as assigned.

(3) ORGANIZATIONAL RELATIONSHIPS.—Reports to a postmaster or assistant postmaster, or other designated supervisor.

(c) DISTRIBUTION CLERK. (KP-12)

(1) BASIC FUNCTION.—Separates mail in a post office, terminal, air-mail field, or other postal facility in accordance with established schemes, including incoming or outgoing mail or both.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Makes primary and one or more secondary distributions of incoming mail by delivery point (for example, classified or contract station or branch or other delivery unit, general delivery, lockboxes, rural or star route, or city carrier route) based on a knowledge of the distribution scheme established for that office.

(B) Makes primary and one or more secondary distributions of outgoing mail for dispatch (for example, by city, State, region, train, highway or railway post office, or airmail flight) based on a knowledge of the distribution scheme prescribed by the Postal Transportation Service.

(C) In addition, may perform any of the following duties:

(i) Maintains records of mails.

(ii) Examines balances in advance deposit accounts.

(iii) Faces and cancels mail.

(iv) Ties mail and inserts facing slips.

(v) Opens and dumps pouches and sacks.

(vi) Operates cancelling machines.

(vii) Records and bills mail (for example, c. o. d., registered, and so forth) requiring special services.

(viii) Renders service at public windows.

(3) ORGANIZATIONAL RELATIONSHIPS.—Reports to a foreman or other designated supervisor.

(d) WINDOW CLERK. (KP-13)

(1) BASIC FUNCTION.—Performs a variety of services at a public window of a post office or post office branch or station. As a representative of the postal service, maintains pleasant and effective public relations with patrons and others requiring a general familiarity with postal laws, regulations, and procedures commonly used.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Sells postage stamps, stamped paper, cards, internal revenue stamps, migratory bird stamps, and postal savings stamps and certificates.

(B) Accepts from and, after proper identification, delivers to patrons parcel post, insured, c. o. d., and registered mail; makes collection of required postage, issues necessary receipts, and issues general-delivery mail to patrons.

(C) Verifies second-, third-, and fourth-class mailings, computing and maintaining on a current basis mailers' credit balances.

(D) Assigns special delivery and registered mail for delivery.

(E) Checks and sets post office stamp-vending machines, postage meters, and large mailers' stamp permit meters.

(F) Receives, follows up, and recommends action on patrons' claims and complaints.

(G) Issues and cashes foreign and domestic money orders and postal savings certificates.

(H) Rents post-office boxes, receives rental payments, conducts reference checks, and completes related forms.

(I) Provides information to the public concerning postal regulations, mailing restrictions, rates, and other matters involving postal transactions.

(J) In addition, may perform any of the following duties:

- (i) Makes emergency carrier relays.
- (ii) Assists in alien registration and census matters.
- (iii) Separates and distributes mail.

(3) ORGANIZATIONAL RELATIONSHIPS.—Reports to a postmaster, assistant postmaster, or other designated supervisor.

§ 3516. Positions in salary level 5

(a) AUTOMOTIVE MECHANIC. (KP-14)

(1) BASIC FUNCTION.—Repairs mail trucks, including the removal and installation of complete motors, clutches, transmissions, and other major component parts.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Diagnoses mechanical and operating difficulties of vehicles, repairing defects, replacing worn or broken parts.

(B) Adjusts and tunes up engines, cleaning fuel pumps, carburetors, and radiators; regulates timing, and makes other necessary adjustments to maintain in proper operating condition trucks that are in service.

(C) Repairs or replaces automotive electrical equipment such as generators, starters, ignition systems, distributors, and wiring; installs and sets new spark plugs.

(D) Conducts road tests of vehicles after repairs, noting performance of engine, clutch, transmission, brakes, and other parts.

(E) Operates standard types of modern garage testing equipment.

(F) In addition, may perform any of the following duties:

- (i) Removes, disassembles, reassembles, and installs entire engines.
- (ii) Overhauls transmission, rear end assemblies, and braking systems.
- (iii) Straightens frames and axels, welding broken parts where required.
- (iv) Makes road calls to make emergency repairs.
- (v) Makes required truck inspections.

(3) ORGANIZATIONAL RELATIONSHIPS.—Reports to a foreman of mechanics or other designated supervisor.

(b) TRANSFER CLERK. (KP-15)

(1) BASIC FUNCTION.—Arranges for transfer of mail at junction points between trains and other mail units and observes the separation, loading and unloading of mail by railroad employees to make certain that this is done properly.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Provides for the most expeditious transfer of mail from observations of the operation of trains, star route, or mail messenger vehicles, Government-owned vehicles and platform vehicles.

(B) Examines outgoing and incoming cars to determine maximum utilization of space and proper adherence to railroad safety requirements; reports findings, when necessary, to the district superintendent.

(C) Decides whether outbound cars in full authorizations should be held beyond the first available dispatches in order to obtain fuller loading and maximum utilization of the space paid for, making certain that this will not unduly delay the arrival of the mail at destination.

(D) Studies the routing and loading of mail dispatched from his station in storage cars in order to recommend changes which would bring about economies in line haul and terminal charges and effect earlier arrival. Gives similar attention to incoming mail to assure that dispatching divisions are using best routing and loading methods; reports facts to the district superintendent.

(E) Maintains close liaison with foremen of appropriate incoming and outgoing trains and vehicles to assure prompt receipt and expeditious dispatch of mail.

(F) Keeps informed on local holding orders for each outgoing dispatch and requests that departure of unit within these limitations be withheld when scheduled connections are delayed.

(G) Prepares list of railroad cars (except railway post office cars) in which mail is loaded, and maintains record of mail loaded and unloaded in outgoing and incoming trains. Serves notice on railroad company to cancel operation and purchases lesser storage unit in its place when necessary. Prepares official diagram and appropriately labels outgoing cars to indicate destination or next relay point.

(H) Inspects the loading and unloading of storage mail to secure individual piece count of lesser storage units (thirty feet and less); estimates volume when more than thirty feet.

(I) Observes and reports to designated supervisor any failure of the railroad company to afford protection for the mail.

(J) Qualifies periodically through examination on knowledge of distributing schemes, postal regulations, space rules, and train connections.

(K) In addition, may perform any of the following rules:

(i) Receipts for, transfers, and delivers registered mail between trains or between train and post office.

(ii) Distributes mail prescribed for distribution in transfer office.

(3) ORGANIZATIONAL RELATIONSHIPS.—Reports to a foreman or other designated supervisor.

(c) DISTRIBUTION CLERK, R. P. O. OR H. P. O. (KP-16)

(1) BASIC FUNCTION.—Distributes mail in railway or highway post office prior to departure and while en route.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Determines the fastest or most expeditious dispatch of mail from the standpoint of assignment. In emergencies, such as floods, storms, wrecks, strikes, and missed connections, redistributes the mail so as to reach destination by the most expeditious alternative means, for example, by other railway post office or highway post office, airmail route, or star route.

(B) Distributes mail rapidly into letter case or pouches and sacks.

(C) Hangs pouches and sacks in racks and places labels in holders provided; labels letter cases in accordance with official diagram.

(D) Prepares mail for dispatch, involving labeling and tying of letter mail in packages for distribution in pouches, closing and locking sacks and pouches, and maintenance of proper separations for connections en route.

(E) In addition, may perform any of the following duties:

(i) Receives and dispatches mail en route.

(ii) Unloads mail and equipment at terminal of run.

(iii) Examines car to ascertain that no mail is left.

(iv) Convoys registered mail to post office and connecting lines.

(F) Qualifies through examination periodically on knowledge of distributing schemes, postal regulations, space rules, and train schedules.

(3) **ORGANIZATIONAL RELATIONSHIPS.**—Reports to a foreman in charge of the railway post office car or highway post office.

(d) **CLAIMS CLERK, PAYING OFFICE. (KP-17)**

(1) **BASIC FUNCTIONS.**—Examines claims for loss or damage of insured or c. o. d. mail and determines and approves for payment the amount found to be due under postal regulations.

(2) **DUTIES AND RESPONSIBILITIES.**—

(A) Receives and reviews prescribed claim papers to ascertain whether:

(i) All necessary items of the appropriate claim form have been properly completed.

(ii) Proof of value has been properly determined.

(iii) Appropriate check has been made of applicable records.

(iv) Other necessary information has been supplied.

(B) Determines whether amount of claim exceeds amount of loss and the proper amount payable is within the limits of the indemnity.

(C) Conducts necessary correspondence in connection with the claim.

(D) Approves amount to be paid, and directs disposition of damaged articles.

(E) Maintains prescribed record of claims.

(3) **ORGANIZATIONAL RELATIONSHIPS.**—Reports to an assistant postmaster or other designated supervisor.

(e) **POSTMASTER, SMALL THIRD CLASS OFFICE. (KP-18)**

(1) **BASIC FUNCTION.**—Is responsible for all operations of a small third class post office, including actual performance of mail processing and window service, disbursement of funds and preparation of required reports. This office has no employees other than the postmaster and a replacement to serve during his leave; has annual receipts of approximately \$1,700; has no rural delivery service within its jurisdiction.

(2) **DUTIES AND RESPONSIBILITIES.**—

(A) Conducts the activities of the office in such manner as to provide prompt and efficient postal service to the patrons of the office.

(B) Maintains direct contact with the public and gives personal attention to complaints.

(C) Sorts incoming mail for boxholders and general delivery; faces, cancels, sorts by destination, ties and sacks outgoing mail.

(D) At a window delivers general delivery mail, issues and cashes money orders, delivers c. o. d. and customs mail, accepts and delivers parcel post, registered and insured mail, sells stamps and stamped paper, and collects box rents.

(E) Prepares and submits estimates of operating allowances as required.

(F) Makes deposits of accountable funds; requisitions stamps and stamped paper; requisitions supplies; pays authorized bills.

(G) Maintains required office records; prepares and submits necessary reports in accordance with instructions.

(H) Maintains files for the office.

(3) **ORGANIZATIONAL RELATIONSHIP.**—Administratively responsible to a district manager.

§ 3517. Positions in salary level 6**(a) CLAIMS CLERK, COMMON AND CONTRACT CARRIERS. (KP-19)**

(1) **BASIC FUNCTION.**—Audits carriers' claims for the transportation of mail to insure their accuracy and correctness of form prior to certifying them for payment.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Checks original or draft of claims submitted by carriers using space procurement data, records of air carrier flights and weight allocations, reports of railroad space utilization, emergency space procured, and other pertinent reports and data submitted by the districts.

(B) Corrects errors in drafts of claims and returns them to the carrier for resubmission in final corrected form.

(C) Expedites the processing of claims by continuous coordination with the carriers to minimize the incidence of error on claims submitted.

(D) Rechecks resubmitted claims prior to certifying them for payment.

(E) Maintains records pertinent to carrier claims such as unscheduled air carrier flights, weight allocations for mail on flights of air carriers, and air line flight schedules.

(F) Accumulates data and prepares periodic and special reports on subjects related to the purchase and use of railroad space, and air carrier weight allocation.

(3) **ORGANIZATIONAL RELATIONSHIPS.**—Reports to the supervisor in charge of the fiscal section in a Postal Transportation Service division office or other designated supervisor.

(b) POSTMASTER, THIRD CLASS OFFICE. (KP-20)

(1) **BASIC FUNCTION.**—Is responsible for all operations of a third class post office, including actual performance of mail processing and window services, disbursement of funds and preparation of required reports. This office has one part time clerical employee; has annual receipts of approximately \$4,700; has no rural delivery service within its jurisdiction.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Supervises and conducts the activities of the office in order to provide prompt and efficient postal service to patrons.

(B) Maintains direct contact with the public and gives personal attention to complaints.

(C) Appoints personnel to serve in the post office within the limits prescribed by Departmental and Civil Service Regulations.

(D) Sorts incoming mail for boxholders and general delivery; faces, cancels, sorts by destination, ties and sacks outgoing mail.

(E) At a window delivers general delivery mail, issues and cashes money orders, delivers c. o. d. and customs mail, accepts and delivers parcel post, registered and insured mail, sells stamps and stamped paper, and collects box rents.

(F) Makes required deposits of accountable funds; requisitions stamps and stamped paper; requisitions supplies; pays authorized bills and makes salary disbursements.

(G) Prepares and submits annual estimates of manpower needs and operating allowances as required.

(H) Maintains required office records; prepares and submits necessary reports in accordance with instructions.

(I) Maintains files for the office.

(3) **ORGANIZATIONAL RELATIONSHIPS.**—Administratively responsible to a district manager.

§ 3518. Positions in salary level 7**(a) FOREMAN, MAILS. (KP-21)**

(1) **BASIC FUNCTION.**—Supervises a group of employees engaged in carrying out assigned tasks connected with the processing of incoming or outgoing mail.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Lays out work for employees; insures attendance to duties and proper performance of assignments; shifts employees from one assignment to another to meet fluctuations in workload; answers questions respecting work progress.

(B) Trains new employees and provides continuous on-the-job training for all employees under his supervision.

(C) Reports unusual difficulties to a general foreman and suggests solutions. Personally resolves problems of a routine nature.

(D) Keeps required records for such matters as time, mail on hand, and mail processed.

(E) Recommends personnel actions respecting subordinates; maintains morale among the employees in the group; adjusts complaints; supplies leadership necessary to secure maximum interest and effort from men and promotes cooperation and harmony.

(3) **ORGANIZATIONAL RELATIONSHIPS.**—Administratively responsible to a general foreman or other designated superior. Supervises approximately twenty or more employees.

(b) POSTMASTER, THIRD CLASS OFFICE. (KP-22)

(1) **BASIC FUNCTION.**—Is responsible for all operations of a third class post office, including actual participation in processing of mail and window services, disbursement of funds and preparation of required reports. This office has two clerical employees and annual receipts of approximately \$6,000, and rural delivery service within its jurisdiction.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Supervises the activities of the office in order to provide expeditious handling of the mails, and efficient and courteous postal service to patrons.

(B) Maintains direct contact with the public and gives personal attention to complaints.

(C) Appoints personnel to serve in the post office within the limits prescribed by the Department and Civil Service Regulations; selects personnel and trains them in their respective positions.

(D) Directs the activities of employees; arranges working schedules of employees and is responsible for the administration of the Efficiency Appraisal System.

(E) Distributes incoming mail for carrier delivery, boxholders and general delivery; faces, cancels, distributes, ties and sacks outgoing mail; performs general delivery window services; issues and cashes money orders; delivers c. o. d. and customs mail; accepts and delivers parcel post, registered and insured mail; sells stamps, stamped paper, savings bonds, postal savings stamps and certificates, migratory and documentary stamps, and collects box rents.

(F) Checks financial accountability of employees in accordance with existing instructions; makes daily deposits of accountable funds in local bank; obtains bids for proposed purchases; requisitions supplies; issues checks for employees' salaries and other official disbursements.

(G) Prepares annual estimates of manpower needs and operating allowances for submission as required.

(H) Prepares reports of a recurring nature, reflecting various transactions of the office, such as personnel salary summaries, retirement and withholding tax data, cost estimates, money order and bond summaries and schedules of disbursement.

(I) Maintains all files for the office.

(3) ORGANIZATIONAL RELATIONSHIPS.—Administratively responsible to a district manager.

§ 3519. Positions in salary level 8

(a) GENERAL FOREMAN.—R. P. O. (KP-23)

(1) BASIC FUNCTION.—Directs mail service operations in a railway post office train with two or more authorized cars. Supervises a crew of foremen and clerks whose primary function is the distribution and exchange of mails en route.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Provides for the proper distribution, exchange, and dispatch of mail regularly assigned for handling in the railway post office cars. Makes decisions concerning the most expeditious dispatch, rerouting and utilization of alternative connections involving irregularly received mail and also in emergency situations.

(B) Directs mail service operations in the railway post office train including:

(i) Rapid distribution of all classes of mail in accordance with official diagrams and via most advantageous routing.

(ii) Handling, recording, and protection of registered mails.

(iii) Makeup and exchange of mail at intermediate and terminal offices.

(iv) Proper utilization of space in each railway post office car with relation to other storage space in train and, except as charged to transfer clerks, for proper handling of all storage mail in train.

(v) Loading and unloading of railway post office cars to assure maximum use of available storage space without additional cost.

(vi) Proper usage of mail equipment and supplies.

(vii) Maintenance of distribution schemes and schedules of mail routes in corrected condition.

(C) Supervises the activities of foremen and clerks in the cars and reassigns them to various duties as may be required to complete maximum distribution. Instructs clerks on proper practices and procedures and reports failures to meet operating standards to the district superintendent.

(D) Inspects condition of railway post office cars and reports to the railroad company unsatisfactory situations.

(E) Completes trip report form covering service operations, including particulars of train operation, roster of clerks on duty, mails received, worked, and dispatched, and mails not worked; prepares a list of all cars on train in which mail is carried, a record of the mail, and a report of any irregularities in service. Observes and reports to district superintendent any failure of the railroad company to afford protection to the mail.

(F) May personally distribute letter mail for one or more States, and maintain record of pouches received and dispatched.

(3) ORGANIZATIONAL RELATIONSHIPS.—Administratively responsible to a district superintendent or other designated superior. Directs, through one or more subordinate foremen, clerks assigned to the run.

(b) ASSISTANT POSTMASTER, SMALL FIRST CLASS POST OFFICE. (KP-24)

(1) BASIC FUNCTION.—Serves as the overall assistant to the postmaster, providing general direction and supervision over mails, finance, personnel, and other related activities. This office has approximately sixteen employees, annual receipts of approximately \$63,000, and eight carrier routes within its jurisdiction.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Participates in the organization and management of the office to insure expeditious handling of the mails and to provide courteous and efficient service to patrons.

(B) Reviews and evaluates recommendations referred to the postmaster by subordinates with respect to promotions and disciplining of post office personnel; generally oversees the training of all personnel for their respective positions.

(C) Directs a continuous audit program concerning the accountability of responsible finance employees of the office.

(D) Reviews estimates of manpower needs and operating allowances for action of the postmaster.

(E) Analyzes and reports to the postmaster the daily manpower expenditures and is responsible through designated subordinates for maintaining proper apportionment of authorized allowances to operating units.

(F) Gives assistance and direction to key subordinate employees in planning and executing the mail handling, finance, and administrative programs of the post office.

(G) Reviews reports and recommendations of subordinates and attends to administrative matters essential to the management of the post office.

(H) Represents the postmaster in relationships with the public in the area, including representation with employee organizations.

(I) May personally handle window transactions and perform work elsewhere in the office as the workload requires.

(J) Assumes complete responsibility and authority for the post office in the postmaster's absence and at other times as required.

(3) ORGANIZATIONAL RELATIONSHIPS.—Administratively responsible to the postmaster.

(c) POSTMASTER, SECOND CLASS OFFICE. (KP-25)

(1) BASIC FUNCTION.—Is responsible for all operations of a second class post office, including actual participation in processing of mail and window services, disbursement of funds and preparation of required reports. This office has approximately six employees, annual receipts of approximately \$16,000, and has rural delivery service within its jurisdiction.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Supervises and coordinates the activities of the office in order to provide expeditious handling of the mails, and efficient and courteous postal service to patrons.

(B) Maintains direct contact with the public on administrative matters and gives personal attention to complaints.

(C) Appoints personnel to serve in the post office within the limits prescribed by Departmental and Civil Service Regulations; selects personnel and trains them in their respective positions.

(D) Directs the activities of employees; arranges working schedules of employees; recommends promotions of employees; is responsible for the administration of the Efficiency Appraisal System.

(E) Distributes incoming mail for carrier delivery, boxholders and general delivery; faces, cancels, distributes, ties and sacks outgoing mail; performs general delivery window service; issues and cashes money orders; delivers c. o. d. and customs mails; accepts and delivers parcel post, registered and insured mail, sells stamps, stamped paper, savings bonds, postal saving stamps and certificates, migratory and documentary stamps, and collects box rents.

(F) Checks financial accountability of employees in accordance with existing instructions; makes daily deposits of accountable funds in local bank; obtains bids for proposed purchases; requisitions supplies; issues checks for employees' salaries and other official disbursements.

(G) Prepares annual estimates of manpower needs and operating allowances for submission as required.

(H) Prepares reports of a recurring nature, reflecting various transactions of the office, such as personnel salary summaries, retirement and withholding tax data, cost estimates, money order and bond summaries and schedules of disbursement.

(I) Maintains all files for the office.

(3) ORGANIZATIONAL RELATIONSHIPS.—Administratively responsible to a district manager.

§ 3520. Positions in salary level 9

(a) GENERAL FOREMAN, MAILS. (KP-26)

(1) BASIC FUNCTION.—Directs foreman in the distribution of all or part of incoming mails, outgoing mails, or both, at a first class post office.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Lays out work for foremen at the beginning of a tour and issues instructions.

(B) Oversees work in progress to prevent accumulation of mail.

(C) Insures that mail is distributed in accordance with established orders and instructions.

(D) Shifts men from one foreman to another to keep mails moving.

(E) Reports difficulties and suggests corrective measures to superior.

(F) Maintains required records.

(G) Assures that adequate on-the-job training is carried out to promote employee proficiency.

(H) Reviews and forwards recommendations of foremen respecting discipline, promotions, or changes in assignments; approves time and leave requests; submits manpower estimates.

(3) ORGANIZATIONAL RELATIONSHIPS.—Administratively responsible to a superintendent or assistant superintendent or other designated superior. Directs, through approximately four foremen, employees as assigned.

(b) POSTMASTER, SMALL FIRST CLASS OFFICE. (KP-27)

(1) BASIC FUNCTION.—Is responsible for all operations of a first class post office, including direction and supervision of mails, finance, personnel, and other related activities. This office has approximately sixteen employees, annual receipts of approximately \$63,000, and city delivery service consisting of eight carrier routes within its jurisdiction.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Organizes the post office to insure expeditious handling of mails and to provide courteous and efficient service to the patrons.

(B) Maintains direct contact with the public on administrative matters and gives personal attention to complaints.

(C) Appoints personnel to serve in the post office within the limits prescribed by Departmental and Civil Service Regulations; determines that personnel are carefully selected and adequately trained for their respective positions.

(D) Directs the activities of employees; arranges working schedules of employees; recommends promotions of employees and is responsible for the proper administration of the Efficiency Appraisal System.

(E) Checks financial accountability of employees in accordance with existing instructions; makes daily deposits of accountable funds in local banks; obtains bids for proposed purchases; requisitions supplies.

(F) Prepares annual estimates of manpower needs and operating allowances for submission as required.

(G) Prepares reports of a recurring nature, reflecting various transactions of the post office; submits postmaster's accounts with supporting vouchers and documents in accordance with existing instructions.

(H) Advertises for bids for various services, including contract stations, vehicular service, mail messenger service, and vehicular maintenance service, and submits bids, with recommendations, as required.

(I) Directs the maintenance of files for the office.

(J) May personally handle window transactions and perform work elsewhere in the office as the workload requires.

(3) ORGANIZATIONAL RELATIONSHIPS.—Administratively responsible to a district manager.

§ 3521. Positions in salary level 10

(a) BUILDING SUPERINTENDENT. (KP-28)

(1) BASIC FUNCTION.—Directs the janitorial, maintenance, and operating services of a large post office building and branches and stations covering an aggregate area of approximately 700,000 square feet, including security, heating and ventilating, mechanical and electrical equipment, and elevator services.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Plans and prepares work schedules and supervises the custodial forces in cleaning, heating, guarding, operating, and repairing the post office building and equipment.

(B) Makes frequent inspections to determine maintenance needs of the building and equipment, and to determine the efficiency of the janitorial and maintenance force.

(C) Prepares and answers correspondence relating to custodial service.

(D) Plans and supervises maintenance or alteration work under contract.

(E) Supervises the office force in the preparation of vouchers, requisitions, and reports incidental to custodial service, and in the maintenance of required accounts and records.

(F) Recommends transfers, promotions, and disciplinary measures for custodial personnel.

(G) Inspects mechanical equipment to determine repair needs and adherence to standards of preventive maintenance.

(3) ORGANIZATIONAL RELATIONSHIPS.—Administratively responsible to the postmaster or other designated superior. Directs, through a general foreman of laborers and a chief engineer, approximately 100 employees, including electricians and other skilled trades.

(b) POSTMASTER, FIRST CLASS OFFICE. (KP-29)

(1) **BASIC FUNCTION.**—Is responsible for all operations of a first class post office, including direction and supervision of mails, finance, personnel, and other related activities. This office has approximately twenty-seven employees, annual receipts of \$129,000, and eleven city delivery and rural carrier routes within its jurisdiction.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Organizes the post office to insure expeditious handling of mails and to provide courteous and efficient service to the patrons.

(B) Maintains direct contact with the public on administrative matters and gives personal attention to complaints.

(C) Appoints all personnel to serve in the post office within the limits prescribed by Departmental and Civil Service Regulations; determines that all personnel are carefully selected and adequately trained for their respective positions.

(D) Directs the activities of all employees; supervises arrangement of working schedules of employees; recommends promotions of employees; and is responsible for the proper administration of the Efficiency Appraisal System.

(E) Checks financial accountability of employees in accordance with existing instructions; makes daily deposits of accountable funds in local bank; obtains bids for proposed purchases; requisitions supplies.

(F) Prepares annual estimates of manpower needs and operating allowances for submission as required.

(G) Prepares reports of a recurring nature, reflecting various transactions of the post office; submits postmaster's accounts with supporting vouchers and documents in accordance with existing instructions.

(H) Advertises for bids for various services, including contract stations, vehicular service, mail messenger service, and vehicular maintenance service, and submits bids, with recommendations, as required.

(I) Directs the maintenance of files for the office.

(J) May personally handle window transactions and perform work elsewhere in the office as the workload requires.

(3) **ORGANIZATIONAL RELATIONSHIPS.**—Administratively responsible to a district manager.

§ 3522. Positions in salary level 11**(a) TOUR SUPERINTENDENT, INCOMING OR OUTGOING
MAILS. (KP-30)**

(1) **BASIC FUNCTION.**—Directs general foremen in the distribution of incoming mails or outgoing mails on a tour at a large first class post office.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Provides for the prompt and complete operation of a tour activity, such as incoming mails, outgoing mails, or all first and third class outgoing mails.

(B) Reassigns employees as necessary to meet peakload demands; provides direction to subordinate foremen, coordinating the portions of work assigned to them.

(C) Answers questions of subordinate foremen regarding operating problems; refers policy questions to his superior with appropriate recommendations.

(D) Reviews requests for personnel actions by subordinate foremen, recommending final action to superior.

(E) Reviews estimates of manpower required, consolidating for recommendation to superior.

(3) **ORGANIZATIONAL RELATIONSHIPS.**—Administratively responsible to an assistant superintendent of mails or other designated superior. Directs, through general foremen, employees assigned to the tour.

(b) POSTMASTER, FIRST CLASS OFFICE. (KP-31)

(1) **BASIC FUNCTION.**—Is responsible for all operations of a first class post office, including direction and supervision of mails, finance, personnel, and other related activities. This office has approximately fifty-three employees, annual receipts of \$314,000, six Government-owned vehicle units, no classified stations, and twenty-five city and rural delivery routes within its jurisdiction.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Organizes the post office to insure expeditious handling of mails and to provide courteous and efficient service to the patrons.

(B) Maintains direct contact with the public on administrative matters and gives personal attention to complaints.

(C) Appoints personnel to serve in the post office within the limits prescribed by Departmental and Civil Service Regulations; determines that personnel are carefully selected and adequately trained for their respective positions.

(D) Directs the activities of all employees; supervises arrangement of working schedules of employees; recommends promotions of employees; and is responsible for the proper administration of the Efficiency Appraisal System.

(E) Checks financial accountability of employees in accordance with existing instructions; makes daily deposits of accountable funds in local bank; obtains bids for proposed purchases; requisitions supplies.

(F) Prepares annual estimates of manpower needs and operating allowances for submission as required.

(G) Prepares numerous reports of a recurring nature, reflecting various transactions of the post office; submits postmaster's accounts with supporting vouchers and documents in accordance with existing instructions.

(H) Advertises for bids for various services, including contract stations, vehicular service, mail messenger service, and vehicular maintenance service, and submits bids, with recommendations, as required.

(I) Directs the maintenance of files for the office.

(J) May personally handle window transactions and perform work elsewhere in the office as the workload requires.

(3) **ORGANIZATIONAL RELATIONSHIPS.**—Administratively responsible to a district manager.

§ 3523. Positions in salary level 12

(a) POSTAL INSPECTOR. (KP-32)

(1) **BASIC FUNCTION.**—Is responsible in an assigned territory, usually including all classes of post offices, for inspection and investigative programs covering all phases of the postal service. In heavily populated areas may be assigned a majority of the time to selected types of work as determined by the inspector-in-charge.

(2) DUTIES AND RESPONSIBILITIES.—ASSIGNED TERRITORY.—

(A) Inspects post offices and related postal units to insure compliance with postal laws and regulations, protection and proper expenditure of postal revenues and appropriated funds, and evaluates and reports to administrative officials on operational efficiency.

(B) Maintains close working relationship with regional officials and submits to them factual information and recommenda-

tions on conditions and needs of the postal service; acts as counselor to postmasters and other postal officials and employees in explaining instructions, regulations, applicable laws and decisions.

(C) Investigates violations of postal laws, including, but not limited to, armed robbery, mailing of bombs, burglary, theft of mail, embezzlements, obscene literature and pictures, and mail fraud.

(D) Determines the validity and seriousness of charges against postmasters and other officers and employees and makes pertinent recommendations.

(E) Investigates local and area operating problems and recommends corrective action, and within his prescribed jurisdiction, initiates necessary corrective action, including restoration of service immediately in disaster areas caused by hurricanes, tornadoes, floods, and other catastrophes.

(F) Maintains liaison activities (i) with military installations to insure adequate postal service for the military forces; (ii) with Federal and State civil defense authorities at the area level; (iii) with branches of Federal and State law enforcement agencies.

(G) Ascertains postal needs for post offices and stations, rural and city delivery, changes in schedules, quarters, equipment, manpower and procedures and reports findings and recommendations to appropriate officials.

SELECTED CASES.—

(H) Investigates the loss, theft, destruction, and damage to mail matter through technical analyses of complaints and other specialized procedures.

(I) Investigates money-order forgeries; investigates complaints of use of the mails to defraud and to operate lotteries.

(J) Investigates personal injuries, motor-vehicle and other accidents; develops evidence for defense of suits under the so-called Federal Tort Claims Act; recommends out-of-court settlements.

(K) In any criminal investigation, develops evidence, locates witnesses and suspects; apprehends and effects arrests of postal offenders, presents facts to United States attorney, and collaborates as required with Federal and State prosecutors in presentation before United States commissioner, grand jury, and trial court.

(L) Surveys postal service on an area basis to ascertain and recommend ways of improving service and effecting economies.

(M) Makes investigations of a variety of other matters and performs related duties as assigned.

(3) **ORGANIZATIONAL RELATIONSHIPS.—**Responsible to the inspector-in-charge or the assistant inspector-in-charge of the division. Supervises trainees and other inspectors as assigned.

(b) POSTMASTER, FIRST CLASS OFFICE. (KP-33)

(1) **BASIC FUNCTION.—**Is responsible for all operations of a first class post office, including direction and supervision of mails, finance, buildings, personnel, and related services. This office has approximately seventy-two employees, annual receipts of \$797,000, six Government-owned vehicle units, no classified stations, and seventeen carrier routes within its jurisdiction.

(2) **DUTIES AND RESPONSIBILITIES.—**

(A) Organizes the post office to insure expeditious handling of the mails and to provide efficient and courteous postal service to patrons.

(B) Represents the Post Office Department in its relationships with the public in the area.

(C) Appoints personnel to serve in the post office within the limits prescribed by Departmental and Civil Service Regulations; determines that personnel are carefully selected and adequately trained in their respective positions.

(D) Supervises the administration of the Efficiency Appraisal System and is responsible for maintaining satisfactory employee relations with representatives of employee organizations and individual employees.

(E) Reviews estimates of manpower needs and operating allowances, submits requests and recommendations as required, and determines that operations are efficiently carried out and expenditures authorized in accordance with approved estimates.

(F) Provides for the safeguarding of all moneys, the operation and maintenance of equipment and other facilities of the post office, and for the expenditure of funds in accordance with applicable laws and regulations.

(G) Approves requisitions for supplies and equipment submitted by operating officials of the post office for submission to the Supply Center or the Department.

(3) ORGANIZATIONAL RELATIONSHIPS.—Administratively responsible to a district manager.

§ 3524. Positions in salary level 13

(a) STATION SUPERINTENDENT, LARGE CLASSIFIED STATION. (KP-34)

(1) BASIC FUNCTION.—Directs the operations of a large classified station, including the distribution, delivery, and dispatch of mail and all required window services to the public.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Plans and supervises the distribution of incoming and outgoing mails, the delivery service, including special delivery, and the dispatch of outgoing mail.

(B) Supervises services to the public at windows, including sales of stamps and stamped paper, money orders, postal savings stamps and certificates, migratory and documentary stamps, registry and insurance of mail; handling of c. o. d. items; general delivery and box mail.

(C) Supervises city and rural carriers and determines that delivery schedules are maintained; consults in the adjustment and establishment of routes to reflect changes in volume, patronage, or population; and recommends establishment or changes in location of collection boxes.

(D) Directs and maintains required records for personnel of station; verifies and approves timecards for payroll purposes; makes manpower estimates and reports; trains new supervisors and employees in various aspects of station operations.

(E) Requisitions supplies and equipment, stamps, stamped paper, and accountable forms from main post office, reissuing to subordinates as required. Is responsible for entire fixed credit of station and for operation within the allowance granted.

(F) Maintains effective relations with large mailers and the public; simplifies handling of mail, and takes appropriate action to meet complaints.

(G) In addition, may perform any of the following duties:

(i) Supervises the cleaning and custodial maintenance of the station building.

(ii) Makes necessary arrangements for special services such as alien registrations, special census reports, or handling of special purpose mailing.

(3) **ORGANIZATIONAL RELATIONSHIPS.**—Administratively responsible to a superintendent of mails or other designated superior. Directs, through subordinate supervisors, approximately one thousand or more employees.

(b) ASSISTANT POSTMASTER, FIRST CLASS OFFICE. (KP-35)

(1) **BASIC FUNCTION.**—Serves as the overall assistant to the postmaster, particularly on internal operations, and provides general direction over the mails, finance, administrative, and service functions of the post office. The office has approximately four hundred and fifty employees, annual receipts of \$2,700,000, fifty Government-owned vehicle units, one classified station or branch, and one hundred and thirty carrier routes within its jurisdiction.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Participates in the organization and management of the office to insure expeditious handling of the mails and to provide courteous and efficient service to patrons.

(B) Reviews and evaluates recommendations referred to the postmaster by subordinates with respect to promotions and disciplining of post-office personnel; generally oversees the training of all personnel for their respective positions.

(C) Directs a continuous audit program concerning the accountability of responsible finance employees of the office.

(D) Reviews estimates of manpower needs and operating allowances for action of the postmaster.

(E) Analyzes and reports to the postmaster the daily manpower expenditures and is responsible through designated subordinates for maintaining proper apportionment of authorized allowances to operating units.

(F) Gives assistance and direction by key subordinate officials in planning and executing the mail handling, finance, and administrative programs of the post office.

(G) Reviews reports and recommendations of subordinates and attends to administrative matters essential to the management of the post office.

(H) Represents the postmaster in relationships with the public in the area, including representation with employee organizations.

(I) Carries out special assignments for and as directed by the postmaster.

(J) Assumes complete responsibility and authority for the post office in the postmaster's absence and at other times as required.

(3) **ORGANIZATIONAL RELATIONSHIPS.**—Administratively responsible to the postmaster.

(c) POSTMASTER, FIRST CLASS OFFICE. (KP-36)

(1) **BASIC FUNCTION.**—Is responsible for all operations of a first class post office, including the direction and supervision of mails, finance, buildings, personnel, and related services in the main post office, stations, and branches. This office has approximately one hundred and eighty employees, annual receipts of \$1,000,000, twenty-one Government-owned vehicle units, three classified stations, and sixty-five carrier routes within its jurisdiction.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Organize the post office to insure expeditious handling of the mails and to provide efficient and courteous postal service to patrons.

(B) Represents the Post Office Department in its relationships with the public in the area.

(C) Appoints personnel to serve in the post office within the limits prescribed by Departmental and Civil Service Regulations;

determines that personnel are carefully selected and adequately trained for their respective positions.

(D) Supervises the administration of the Efficiency Appraisal System and is responsible for maintaining satisfactory employee relations with representatives of employee organizations and individual employees.

(E) Reviews estimates of manpower needs and operating allowances, submits requests and recommendations as required, and determines that operations are efficiently carried out and expenditures authorized in accordance with approved estimates.

(F) Provides for the safeguarding of all moneys, the operation and maintenance of equipment and other facilities of the post office, and for the expenditure of funds in accordance with applicable laws and regulations.

(G) Approves requisitions for supplies and equipment submitted by operating officials of the post office for submission to the Supply Center or the Department.

(3) ORGANIZATIONAL RELATIONSHIPS.—Administratively responsible to a district manager.

§ 3525. Positions in salary level 14

(a) ASSISTANT POSTMASTER, FIRST CLASS OFFICE. (KP-37)

(1) BASIC FUNCTION.—Serves as the overall assistant to the postmaster, particularly on internal operations, and provides general direction over the mails, finance, administrative, and service functions of the post office. This office has approximately one thousand and two hundred employees, annual receipts of \$8,460,000, one hundred and seventeen Government-owned vehicle units, sixteen classified stations and branches, and two hundred and ninety carrier routes within its jurisdiction.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Participates in the organization and management of the office to insure expeditious handling of the mails and to provide courteous and efficient service to patrons.

(B) Reviews and evaluates recommendations referred to the postmaster by subordinates with respect to promotions and disciplining of post office personnel; generally oversees the training of all personnel for their respective positions.

(C) Directs a continuous audit program concerning the accountability of responsible finance employees of the office.

(D) Reviews estimates of manpower needs and operating allowances for action of the postmaster.

(E) Analyzes and reports to the postmaster the daily manpower expenditures and is responsible through designated subordinates for maintaining proper apportionment of authorized allowances to operating units.

(F) Gives assistance and direction to key subordinate officials in planning and executing the mail handling, finance, and administrative programs of the post office.

(G) Reviews reports and recommendations of subordinates and attends to administrative matters essential to the management of the post office.

(H) Represents the postmaster in relationship with the public in the area, including representation with employee organizations.

(I) Carries out special assignments for and as directed by the postmaster.

(J) Assumes complete responsibility and authority for the post office in the postmaster's absence and at other times as required.

(3) ORGANIZATIONAL RELATIONSHIPS.—Administratively responsible to the postmaster.

(b) POSTMASTER, FIRST CLASS OFFICE. (KP-38)

(1) **BASIC FUNCTION.**—Is responsible for all operations of a first class post office, including direction and supervision of mails, finance, buildings, personnel, and related services in the main post office, stations, and branches. This office has approximately four hundred and fifty employees, annual receipts of \$2,700,000, fifty Government-owned vehicle units, one classified station or branch, and one hundred and thirty carrier routes within its jurisdiction.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Organizes the post office to insure expeditious handling of the mails and to provide courteous and efficient postal service to patrons.

(B) Represents the Post Office Department in its relationships with the public in the area.

(C) Appoints personnel to serve in the post office within the limits prescribed by Departmental and Civil Service Regulations; determines that personnel are carefully selected and adequately trained in their respective positions.

(D) Supervises the administration of the Efficiency Appraisal System and is responsible for maintaining satisfactory employee relations with representatives of employee organizations and individual employees.

(E) Reviews estimates of manpower needs and operating allowances, submits requests and recommendations as required, and determines that operations are efficiently carried out and expenditures authorized in accordance with approved estimates.

(F) Provides for the safeguarding of all moneys, the operation and maintenance of equipment and other facilities of the post office, and for the expenditure of funds in accordance with applicable laws and regulations.

(G) Approves requisitions for supplies and equipment submitted by operating officials of the post office for submission to the Supply Center or the Department.

(3) **ORGANIZATIONAL RELATIONSHIPS.**—Administratively responsible to a regional director or other designated superior.

§ 3526. Positions in salary level 15**(a) ASSISTANT POSTMASTER, FIRST CLASS OFFICE. (KP-39)**

(1) **BASIC FUNCTION.**—Serves as the overall assistant to the postmaster, particularly on internal operations, and provides general direction over the mails, finance, administrative and service functions of the post office. This office has approximately three thousand two hundred employees, annual receipts of \$16,900,000, two hundred Government-owned vehicle units, thirty-four classified stations and branches, and one thousand carrier routes within its jurisdiction.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Participates in the organization and management of the office to insure expeditious handling of the mails and to provide courteous and efficient service to patrons.

(B) Reviews and evaluates recommendations referred to the postmaster by subordinates with respect to promotions and disciplining of post-office personnel; generally oversees the training of all personnel for their respective positions.

(C) Directs a continuous audit program concerning the accountability of responsible finance employees of the office.

(D) Reviews estimates of manpower needs and operating allowances for action of the postmaster.

(E) Analyzes and reports to the postmaster the daily manpower expenditures and is responsible through designated subordinates

for maintaining proper apportionment of authorized allowances to operating units.

(F) Gives assistance and direction to key subordinate officials in planning and executing the mail handling, finance, and administrative programs of the post office.

(G) Reviews reports and recommendations of subordinates and attends to administrative matters essential to the management of the post office.

(H) Represents the postmaster in relationships with the public in the area, including representation with employee organizations.

(I) Carries out special assignments for and as directed by the postmaster.

(J) Assumes complete responsibility and authority for the post office in the postmaster's absence and at other times as required.

(3) **ORGANIZATIONAL RELATIONSHIPS.**—Administratively responsible to the postmaster.

(b) POSTMASTER, FIRST CLASS OFFICE. (KP-40)

(1) **BASIC FUNCTION.**—Is responsible for all operations of a first class post office, including direction and supervision of mails, finance, buildings, personnel, and related services in the main post office, stations and branches. This office has approximately seven hundred employees, annual receipts of \$4,470,000, seventy-seven Government-owned vehicle units, eight classified stations and branches, and two hundred carrier routes within its jurisdiction.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Organizes the post office to insure expeditious handling of the mails and to provide courteous and efficient postal service to patrons.

(B) Represents the Post Office Department in its relationships with the public in the area.

(C) Appoints personnel to serve in the post office within the limits prescribed by Departmental and Civil Service Regulations; determines that personnel are carefully selected and adequately trained in their respective positions.

(D) Supervises the administration of the Efficiency Appraisal System and is responsible for maintaining satisfactory employee relations with representatives of employee organizations and individual employees.

(E) Reviews estimates of manpower needs and operating allowances, submits requests and recommendations as required, and determines that operations are efficiently carried out and expenditures authorized in accordance with approved estimates.

(F) Provides for the safeguarding of all moneys, the operation and maintenance of equipment and other facilities of the post office, and for the expenditure of funds in accordance with applicable laws and regulations.

(G) Approves requisitions for supplies and equipment submitted by operating officials of the post office for submission to the Supply Center or the Department.

(3) **ORGANIZATIONAL RELATIONSHIPS.**—Administratively responsible to a regional director or other designated superior.

§ 3527. Positions in salary level 16

(a) GENERAL SUPERINTENDENT, PTS DIVISION. (KP-41)

(1) **BASIC FUNCTION.**—Directs all activities of a division of the Postal Transportation Service of average size and complexity in terms of numbers of employees and in expenditure of funds, or in terms of the importance of the mail gateways in the division, the volume and

complexity of the mail and mail handling operations, and concentrations which create congestions. Is responsible for the transportation, transfer, distribution, and dispatch of mail in transit, and for the efficient and economical operation of the division.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Directs and coordinates the activities of subordinate district superintendents in planning and effectuating the transportation and processing of transit mail within, entering, or emanating from the division; confers with officials of commercial carriers regarding mail handling and transportation, schedules, security of mail in transit, and rates.

(B) Provides, through his assistants, general supervision over the activities of the employees of the division. Establishes manpower controls, effective employee relations, and inspections of personnel activities, both informally and as required by regulations.

(C) Exercises administrative control over the district superintendents and, through them, the constituent field units such as transfer offices, airmail fields, terminals, railway post office lines, highway post office lines, and contract carriers such as star routes and mail messenger routes, and related operating units; maintains financial control of the division, reporting on expenditures and requirements as directed.

(D) Maintains liaison with airlines, railroads, trucklines, and other contract carriers; contacts major publishers, mail-order houses, and other large volume patrons with respect to mass mailing problems.

(E) Coordinates division activities with those of contiguous divisions and with other segments of the Post Office Department within the area.

(3) ORGANIZATIONAL RELATIONSHIPS.—Administratively responsible to a regional director. Directs, through an assistant and district superintendents, up to three thousand three hundred employees.

(b) ASSISTANT POSTMASTER, LARGE FIRST CLASS OFFICE. (KP-42)

(1) BASIC FUNCTION.—Serves as the overall assistant to the postmaster, particularly on internal operations, and provides general direction over the mails, finance, administrative and service functions of the post office. This office has approximately eight thousand employees, annual receipts of \$48,000,000, four hundred Government-owned vehicle units, fifty classified stations and branches, and one thousand four hundred carrier routes within its jurisdiction.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Participates in the organization and management of the office to insure expeditious handling of the mails and to provide courteous and efficient service to patrons.

(B) Reviews and evaluates recommendations referred to the postmaster by subordinates with respect to promotions and disciplining of post office personnel; generally oversees the training of all personnel for their respective positions.

(C) Directs a continuous audit program concerning the accountability of responsible finance employees of the office.

(D) Reviews estimates of manpower needs and operating allowances for action of the postmaster.

(E) Analyzes and reports to the postmaster the daily manpower expenditures and is responsible through designated subordinates for maintaining proper apportionment of authorized allowances to operating units.

(F) Gives assistance and direction to key subordinate officials in planning and executing the mail handling, finance, and administrative programs of the post office.

(G) Reviews reports and recommendations of subordinates and attends to administrative matters essential to the management of the post office.

(H) Represents the postmaster in relationships with the public in the area, including representation with employee organizations.

(I) Carries out special assignments for and as directed by the postmaster.

(J) Assumes complete responsibility and authority for the post office in the postmaster's absence and at other times as required.

(3) ORGANIZATIONAL RELATIONSHIPS.—Administratively responsible to the postmaster.

(c) POSTMASTER, FIRST CLASS OFFICE. (KP-43)

(1) BASIC FUNCTION.—Is responsible for all operations of a first class post office, including direction and supervision of mails, finance, buildings, personnel, and related services in the main post office, stations, and branches. This office has approximately one thousand two hundred employees, annual receipts of \$8,460,000, one hundred and seventeen Government-owned vehicle units, sixteen classified stations and branches, and two hundred and ninety carrier routes within its jurisdiction.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Organizes the post office to insure expeditious handling of the mails and to provide courteous and efficient postal service to patrons.

(B) Represents the Post Office Department in its relationships with the public in the area.

(C) Appoints all personnel to serve in the post office within the limits prescribed by Departmental and Civil Service Regulations; determines that all personnel are carefully selected and adequately trained in their respective positions.

(D) Supervises the administration of the Efficiency Appraisal System and is responsible for maintaining satisfactory employee relations with representatives of employee organizations and individual employees.

(E) Reviews estimates of manpower needs and operating allowances, submits requests and recommendations as required, and determines that operations are efficiently carried out and expenditures authorized in accordance with approved estimates.

(F) Provides for the safeguarding of all moneys, the operation and maintenance of equipment and other facilities of the post office, and for the expenditure of funds in accordance with applicable laws and regulations.

(G) Approves requisitions for supplies and equipment submitted by operating officials of the post office for submission to the Supply Center or the Department.

(3) ORGANIZATIONAL RELATIONSHIPS.—Administratively responsible to a regional director or other designated superior.

§ 3528. Positions in salary level 17

(a) GENERAL SUPERINTENDENT, LARGEST PTS DIVISION. (KP-44)

(1) BASIC FUNCTION.—Directs all activities of one of the largest divisions of the Postal Transportation Service in terms of numbers of employees and in expenditure of funds, as well as in terms of the importance of the mail gateways in the division, the volume and com-

plexity of the mail and mail handling operations, and concentrations which create congestions. Is responsible for the transportation, transfer, distribution, and dispatch of mail in transit, and for the efficient and economical operation of the division.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Directs and coordinates the activities of subordinate district superintendents in planning and effectuating the transportation and processing of transit mail within, entering, or emanating from the division; confers with officials of commercial carriers regarding mail handling and transportation schedules, security of mails in transit, and rates.

(B) Provides, through his assistants, general supervision over the activities of the employees of the division. Establishes manpower controls, effective employee relations, and inspections of personnel activities, both informally and as required by regulations.

(C) Exercises administrative control over the district superintendents and, through them, the constituent field units such as transfer offices, air mail fields, terminals, railway post office lines, highway post office lines, and contract carriers such as star routes and mail messengers routes, and related operating units; maintains financial control of the division, reporting on expenditures and requirements as directed.

(D) Maintains liaison with airlines, railroads, trucklines, and other contract carriers; contacts major publishers, mail-order houses, and other large volume patrons with respect to mass mailing problems.

(E) Coordinates division activities with those of contiguous divisions and with other segments of the Post Office Department within the area.

(3) ORGANIZATIONAL RELATIONSHIPS.—Administratively responsible to a regional director. Directs, through an assistant and district superintendents, approximately three thousand three hundred or more employees.

(b) ASSISTANT POSTMASTER, LARGEST FIRST CLASS OFFICE. (KP-45)

(1) BASIC FUNCTION.—Serves as the overall assistant to the postmaster, particularly on internal operations, and provides general direction over the mails, finance, administrative, and service functions of the post office. This office has approximately twenty thousand employees, annual receipts of \$140,000,000, one thousand one hundred Government-owned motor-vehicle units, sixty-six classified stations and branches, and three thousand two hundred carrier routes within its jurisdiction.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Participates in the organization and management of the office to insure expeditious handling of the mails and to provide courteous and efficient service to patrons.

(B) Reviews and evaluates recommendations referred to the postmaster by subordinates with respect to promotions and disciplining of post-office personnel; generally oversees the training of all personnel for their respective positions.

(C) Directs a continuous audit program concerning the accountability of responsible finance employees of the office.

(D) Reviews estimates of manpower needs and operating allowances for action of the postmaster.

(E) Analyzes and reports to the postmaster the daily manpower expenditures and is responsible through designated subordinates for maintaining proper apportionment of authorized allowances to operating units.

(F) Gives assistance and direction to key subordinate officials in planning and executing the mail handling, finance, and administrative programs of the post office.

(G) Reviews reports and recommendations of subordinates and attends to administrative matters essential to the management of the post office.

(H) Represents the postmaster in relationships with the public in the area, including representation with employee organizations.

(I) Carries out special assignments for and as directed by the postmaster.

(J) Assumes complete responsibility and authority for the post office in the postmaster's absence and at other times as required.

(3) ORGANIZATIONAL RELATIONSHIPS.—Administratively responsible to the postmaster.

(c) POSTMASTER, FIRST CLASS OFFICE. (KP-46)

(1) BASIC FUNCTION.—Is responsible for all operations of a first class post office, including direction and supervision of mails, finance, buildings, personnel, and related services in the main post office and stations and branches. This office has approximately three thousand two hundred employees, annual receipts of \$16,900,000, two hundred Government-owned vehicle units, thirty-four classified stations and branches, and one thousand carrier routes within its jurisdiction.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Organizes the post office to insure expeditious handling of the mails and to provide courteous and efficient postal service to patrons.

(B) Represents the Post Office Department in its relationships with the public in the area.

(C) Appoints personnel to serve in the post office within the limits prescribed by Departmental and Civil Service Regulations; determines that personnel are carefully selected and adequately trained for their respective positions.

(D) Supervises the administration of the Efficiency Appraisal System and is responsible for maintaining satisfactory employee relations with representatives of employee organizations and individual employees.

(E) Reviews estimates of manpower needs and operating allowances, submits requests and recommendations as required, and determines that operations are efficiently carried out and expenditures authorized in accordance with approved estimates.

(F) Provides for the safeguarding of all moneys, the operation and maintenance of equipment and other facilities of the post office, and for the expenditure of funds in accordance with applicable laws and regulations.

(G) Approves requisitions for supplies and equipment submitted by operating officials of the post office for submission to the Supply Center or the Department.

(3) ORGANIZATIONAL RELATIONSHIPS.—Administratively responsible to a regional director or other designated superior.

§ 3529. Positions in salary level 18

POSTMASTER, LARGE FIRST CLASS OFFICE. (KP-47)

(1) BASIC FUNCTION.—Is responsible for all operations of a large first class post office, including direction and supervision of mails, finance, buildings, personnel, and related services in the main post office and stations and branches. This office has approximately eight thousand employees, annual receipts of \$48,000,000, four hundred Government-owned vehicle units, fifty classified stations and branches, and one thousand four hundred carrier routes within its jurisdiction.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Organizes the post office to insure expeditious handling of the mails and to provide courteous and efficient postal service to patrons.

(B) Represents the Post Office Department in its relationships with the public in the area.

(C) Appoints personnel to serve in the post office within the limits prescribed by Departmental and Civil Service Regulations; determines that personnel are carefully selected and adequately trained for their respective positions.

(D) Supervises the administration of the Efficiency Appraisal System and is responsible for maintaining satisfactory employee relations with representatives of employee organizations and individual employees.

(E) Reviews estimates of manpower needs and operating allowances, submits requests and recommendations as required, and determines that operations are efficiently carried out and expenditures authorized in accordance with approved estimates.

(F) Provides for the safeguarding of all moneys, the operation and maintenance of equipment and other facilities of the post office, and for the expenditure of funds in accordance with applicable laws and regulations.

(G) Approves requisitions for supplies and equipment submitted by operating officials of the post office for submission to the Supply Center or the Department.

(3) ORGANIZATIONAL RELATIONSHIPS.—Administratively responsible to a regional director or other designated superior.

§ 3530. Positions in salary level 19

POSTMASTER, LARGEST FIRST CLASS OFFICE. (KP-48)

(1) BASIC FUNCTION.—Is responsible for all operations of one of the largest first class offices, including direction and supervision of mails, finance, buildings, personnel, and related services in the main post office, stations and branches. This office has approximately twenty thousand employees, annual receipts of \$140,000,000, one thousand one hundred Government-owned vehicle units, sixty-six classified stations and branches, and three thousand two hundred carrier routes within its jurisdiction.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Organizes the post office to insure expeditious handling of the mails and to provide courteous and efficient postal service to patrons.

(B) Represents the Post Office Department in its relationships with the public in the area.

(C) Appoints personnel to serve in the post office within the limits prescribed by Departmental and Civil Service Regulations; determines that personnel are carefully selected and adequately trained in their respective positions.

(D) Supervises the administration of the Efficiency Appraisal System and is responsible for maintaining satisfactory employee relations with representatives of employee organizations and individual employees.

(E) Reviews estimates of manpower needs and operating allowances, submits requests and recommendations as required, and determines that operations are efficiently carried out and expenditures authorized in accordance with approved estimates.

(F) Provides for the safeguarding of all moneys, the operation and maintenance of equipment and other facilities of the post office, and for the expenditure of funds in accordance with applicable laws and regulations.

(G) Approves requisitions for supplies and equipment submitted by operating officials of the post office for submission to the Supply Center or the Department.

(3) ORGANIZATIONAL RELATIONSHIPS.—Administratively responsible to a regional director.

§ 3531. Positions in salary level 20

REGIONAL DIRECTOR. (KP-49)

(1) BASIC FUNCTION.—Directs the management of all postal activities within the jurisdiction of an assigned region in accordance with basic departmental policies and with functional direction and guidance from Assistant Postmasters General.

(2) DUTIES AND RESPONSIBILITIES.—

(A) Develops and formulates policies and practices for the region within basic policies and instructions of the Postmaster General.

(B) Manages post office operations.

(C) Administers routing, distribution, and transportation of mail within and in transit through the region.

(D) Arranges for the provision of adequate facilities and equipment for all postal functions in the region.

(E) Administers the personnel program of the region, including employment, placement, training, evaluation of positions, employee relations, and other personnel functions.

(F) Authorizes and issues allowances for all expenditures and exercises budgetary controls.

(G) Administers cost reduction programs and provides industrial engineering services to operating segments of the region.

(H) Maintains effective public relations with the general public, large mail users, and with Federal, State, and municipal authorities.

(3) ORGANIZATIONAL RELATIONSHIPS.—Administratively responsible to the Deputy Postmaster General. Directs, through subordinate officials approximately thirty thousand to thirty-five thousand employees in some three thousand offices within the region.

COMPENSATION AND ALLOWANCES

§ 3541. Pay periods and computation of rates

(a) Employees in the postal field service shall be paid compensation in twenty-six installments. Each installment shall be the compensation for a pay period of two weeks.

(b) As basic compensation for a full pay period, an employee, other than an hourly rate employee, shall be paid an amount equal to one twenty-sixth of his annual basic compensation. As basic compensation for a portion of a pay period, the employee shall be paid basic compensation computed in accordance with subsection (d) of this section for the number of days and hours of service for which he has credit.

(c) As basic compensation for the pay period, an hourly rate employee shall be paid an amount equal to the product of his hourly rate of basic compensation and the number of hours of service for which he has credit.

(d) For purposes of computing rates of compensation other than annual rates the following rules govern:

(1) To compute an hourly rate of basic compensation for employees other than substitute employees, the annual rate of basic compensation shall be divided by 2,080.

(2) To compute an hourly rate of basic compensation for substitute employees, the annual rate of basic compensation shall be divided by 2,016.

(3) To compute the daily rate of compensation for postmasters, postal inspectors, and rural carriers, the annual rate of compensation shall be divided by 312.

(4) To compute the daily rate of basic compensation for annual rate employees other than postmasters, postal inspectors, and rural carriers, the hourly rate of basic compensation shall be multiplied by the number of daily hours of service required.

(e) Except for lump-sum payments for accumulated leave upon the termination of employment, an annual rate employee shall not be paid more than one twenty-sixth of his basic compensation as basic compensation for a pay period.

(f) Rates shall be computed to the nearest cent, counting one-half cent and over as a whole cent.

(g) When a pay period for employees begins in one fiscal year and ends in another, the gross amount of the earnings of such employees for such pay period may be regarded as a charge against the appropriation or allotment current at the end of such pay period.

(h) Wherever a temporary per annum rate is provided by a basic salary schedule contained in sections 3542, 3543, and 3544 of this title, the temporary rate shall be in effect, in lieu of the regular scheduled rate, for the period beginning on January 11, 1958, and ending on the last day of the last pay period which begins not more than three years after that date.

§ 3542. Postal Field Service Schedule

(a) There is established a basic salary schedule for positions in the postal field service which shall be known as the Postal Field Service Schedule, and for which the symbol shall be "PFS". Except as provided in sections 3543 and 3544 of this title, basic salary shall be paid to all employees in accordance with this schedule.

POSTAL FIELD SERVICE SCHEDULE

| Level | Per annum rates and steps | | | | | | |
|----------------|---------------------------|---------|---------|---------|---------|---------|---------|
| | | | | | | | |
| 1 | \$3,095 | \$3,205 | \$3,315 | \$3,425 | \$3,535 | \$3,645 | \$3,755 |
| Temporary rate | 3,170 | 3,285 | 3,400 | 3,515 | 3,630 | 3,745 | 3,860 |
| 2 | 3,320 | 3,435 | 3,550 | 3,665 | 3,780 | 3,895 | 4,010 |
| Temporary rate | 3,405 | 3,525 | 3,645 | 3,765 | 3,885 | 4,005 | 4,125 |
| 3 | 3,580 | 3,705 | 3,830 | 3,955 | 4,080 | 4,205 | 4,330 |
| Temporary rate | 3,670 | 3,800 | 3,930 | 4,060 | 4,190 | 4,320 | 4,450 |
| 4 | 3,935 | 4,070 | 4,205 | 4,340 | 4,475 | 4,610 | 4,745 |
| Temporary rate | 4,035 | 4,175 | 4,315 | 4,455 | 4,595 | 4,735 | 4,875 |
| 5 | 4,170 | 4,305 | 4,440 | 4,575 | 4,710 | 4,845 | 4,980 |
| Temporary rate | 4,275 | 4,415 | 4,555 | 4,695 | 4,835 | 4,975 | 5,115 |
| 6 | 4,505 | 4,655 | 4,805 | 4,955 | 5,105 | 5,255 | 5,405 |
| Temporary rate | 4,620 | 4,775 | 4,930 | 5,085 | 5,240 | 5,395 | 5,550 |
| 7 | 4,870 | 5,035 | 5,200 | 5,365 | 5,530 | 5,695 | 5,860 |
| Temporary rate | 4,990 | 5,160 | 5,330 | 5,500 | 5,670 | 5,840 | 6,010 |
| 8 | 5,255 | 5,440 | 5,625 | 5,810 | 5,995 | 6,180 | 6,365 |
| Temporary rate | 5,385 | 5,575 | 5,765 | 5,955 | 6,145 | 6,335 | 6,525 |
| 9 | 5,675 | 5,875 | 6,075 | 6,275 | 6,475 | 6,675 | 6,875 |
| Temporary rate | 5,815 | 6,020 | 6,225 | 6,430 | 6,635 | 6,840 | 7,045 |
| 10 | 6,235 | 6,450 | 6,665 | 6,880 | 7,095 | 7,310 | 7,525 |
| Temporary rate | 6,390 | 6,610 | 6,830 | 7,050 | 7,270 | 7,490 | 7,710 |
| 11 | 6,860 | 7,095 | 7,330 | 7,565 | 7,800 | 8,035 | 8,270 |
| Temporary rate | 7,030 | 7,270 | 7,510 | 7,750 | 7,990 | 8,230 | 8,470 |
| 12 | 7,545 | 7,805 | 8,065 | 8,325 | 8,585 | 8,845 | 9,105 |
| Temporary rate | 7,735 | 8,000 | 8,265 | 8,530 | 8,795 | 9,060 | 9,325 |
| 13 | 8,310 | 8,590 | 8,870 | 9,150 | 9,430 | 9,710 | 9,990 |
| Temporary rate | 8,520 | 8,805 | 9,090 | 9,375 | 9,660 | 9,945 | 10,230 |
| 14 | 9,140 | 9,440 | 9,740 | 10,040 | 10,340 | 10,640 | 10,940 |
| Temporary rate | 9,370 | 9,680 | 9,990 | 10,300 | 10,610 | 10,920 | 11,230 |
| 15 | 10,050 | 10,375 | 10,700 | 11,025 | 11,350 | 11,675 | 12,000 |
| Temporary rate | 10,300 | 10,635 | 10,970 | 11,305 | 11,640 | 11,975 | 12,310 |
| 16 | 11,075 | 11,400 | 11,725 | 12,050 | 12,375 | 12,700 | 13,025 |
| Temporary rate | 11,350 | 11,685 | 12,020 | 12,355 | 12,690 | 13,025 | 13,360 |
| 17 | 12,255 | 12,580 | 12,905 | 13,230 | 13,555 | 13,880 | 14,205 |
| Temporary rate | 12,560 | 12,895 | 13,230 | 13,565 | 13,900 | 14,235 | 14,570 |
| 18 | 13,760 | 14,085 | 14,410 | 14,735 | 15,060 | 15,385 | 15,760 |
| Temporary rate | 14,105 | 14,440 | 14,775 | 15,110 | 15,445 | 15,780 | 15,780 |
| 19 | 15,050 | 15,375 | 15,700 | 15,900 | | | |
| Temporary rate | 15,425 | 15,760 | 15,900 | | | | |
| 20 | 16,000 | | | | | | |

(b) The basic salary for hourly rate employees shall be computed by dividing the per annum rates prescribed in the Postal Field Service Schedule (1) by 2,080 in the case of hourly rate employees other than substitutes, and (2) by 2,016 in the case of substitute employees.

(c) In addition to the compensation provided under this section regular and substitute special delivery carriers and special delivery messengers at first class post offices shall be paid an automotive equipment maintenance allowance at the rate of 7 cents per mile or major fraction thereof for miles traveled under the direction of the Department in making delivery of special delivery mail or at the option of the Postmaster General at the rate of 90 cents per hour spent in making delivery of special delivery mail. Payments for equipment maintenance shall be made at the same periods and in the same manner as payments of regular compensation.

§ 3543. Rural Carrier Schedule

(a) There is established a basic salary schedule which shall be known as the Rural Carrier Schedule, and for which the symbol shall be "RCS", for carriers in the rural delivery service, which is based in part on fixed compensation per annum and in part on specified rates per mile per annum. Basic salary shall be paid to rural carriers in accordance with this schedule.

RURAL CARRIER SCHEDULE

| | Per annum rates and steps | | | | | | |
|---|---------------------------|---------|---------|---------|---------|---------|---------|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| Carriers in rural delivery service: | | | | | | | |
| Fixed compensation per annum..... | \$1,841 | \$1,896 | \$1,951 | \$2,006 | \$2,061 | \$2,116 | \$2,171 |
| Temporary rate..... | 1,941 | 2,001 | 2,061 | 2,121 | 2,181 | 2,241 | 2,301 |
| Compensation per mile per annum for each mile up to 30 miles of route..... | 65 | 67 | 69 | 71 | 73 | 75 | 77 |
| For each mile of route over 30 miles..... | 22 | 22 | 22 | 22 | 22 | 22 | 22 |
| Temporary carriers in rural delivery service on routes to which no regular carrier is assigned: | | | | | | | |
| Fixed compensation per annum..... | 1,841 | | | | | | |
| Temporary rate..... | 1,941 | | | | | | |
| Compensation per mile per annum for each mile up to 30 miles of route..... | 65 | | | | | | |
| For each mile of route over 30 miles..... | 22 | | | | | | |
| Temporary carriers in rural delivery service on routes having regular carriers absent without pay or on military leave..... | (1) | (1) | (1) | (1) | (1) | (1) | (1) |
| Substitute carriers in rural delivery service on routes having carriers absent with pay..... | (1) | (1) | (1) | (1) | (1) | (1) | (1) |

¹ Basic compensation authorized for the regular carrier.

(b) A rural carrier serving one triweekly route shall be paid on the basis of a route one-half the length of the route served by him. A rural carrier serving two triweekly routes shall be paid on the basis of a route one-half the combined length of the two routes.

(c) The Postmaster General may pay such additional compensation as he may determine to be fair and reasonable in each individual case to rural carriers serving heavily patronized routes not exceeding sixty-one miles in length. He may not pay additional compensation to a carrier serving such a route in an amount which would exceed \$5,165 during the period referred to in section 3541 (h) of this title, and \$5,035 thereafter, when added to the basic salary for the maximum step in the Rural Carrier Schedule for his route. In case such a heavily patronized route is extended in length, the rural carrier assigned to the route at the time of the extension may not be reduced in pay.

(d) The Postmaster General may pay additional compensation to rural carriers who are required to carry pouch mail to intermediate post offices, or for intersecting loop routes, in all cases where it appears

that the carriage of pouches increases the expense of the equipment required by the carrier or materially increases the amount of labor performed by him. The compensation may not exceed the sum of \$12 per annum for each mile the carrier is required to carry the pouches.

(e) In addition to the other compensation, rural carriers shall be paid the authorized fee for making special delivery of mail. The fee may not be paid when—

- (1) no special delivery service is rendered,
- (2) delivery is made into a rural mail box, or
- (3) delivery is made to the addressee or his representative on the rural carrier's route.

(f) In addition to the compensation provided in the Rural Carrier Schedule, each rural carrier shall be paid for equipment maintenance a sum equal to—

- (1) 10 cents per mile for each mile or major fraction of a mile scheduled or
- (2) \$3.50 per day, whichever is greater.

In addition to the allowance provided by the proceeding sentence, the Postmaster General may pay such amount as he determines to be fair and reasonable, not in excess of \$2.50 per day, to rural carriers entitled to additional compensation under subsection (c) of this section for servicing heavily patronized routes. Payment for equipment maintenance shall be made at the same periods and in the same manner as payments of regular compensation.

(g) Any other employee in the postal field service who is assigned to serve a rural route, and who furnishes the vehicle used in the performance of that service, shall be paid the equipment maintenance allowance provided for the route so served, in addition to his compensation.

(h) The length of rural routes shall be determined in accordance with records of the Department. The Postmaster General shall change the records whenever he determines they are not correct.

§ 3544. Fourth Class Office Schedule

(a) There is established a basic salary schedule which shall be known as the Fourth Class Office Schedule, and for which the symbol shall be "FOS", for postmasters in post offices of the fourth class which is based on the gross postal receipts as contained in returns of the post office for the calendar year immediately preceding. Basic salary shall be paid to postmasters in post offices of the fourth class in accordance with this schedule, and basic salary so paid, together with other forms of compensation provided by this title, shall replace existing forms of compensation for those postmasters.

FOURTH CLASS OFFICE SCHEDULE

| Gross receipts | Per annum rates and steps | | | | | | |
|----------------------------|---------------------------|---------|---------|---------|---------|---------|---------|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| \$1,300 to \$1,499.99..... | \$2,703 | \$2,793 | \$2,883 | \$2,973 | \$3,063 | \$3,153 | \$3,243 |
| Temporary rate..... | 2,771 | 2,863 | 2,955 | 3,047 | 3,139 | 3,231 | 3,323 |
| \$900 to \$1,299.99..... | 2,477 | 2,559 | 2,641 | 2,723 | 2,805 | 2,887 | 2,969 |
| Temporary rate..... | 2,539 | 2,623 | 2,707 | 2,791 | 2,875 | 2,959 | 3,043 |
| \$600 to \$899.99..... | 2,027 | 2,094 | 2,161 | 2,228 | 2,295 | 2,362 | 2,429 |
| Temporary rate..... | 2,078 | 2,148 | 2,218 | 2,288 | 2,358 | 2,428 | 2,498 |
| \$350 to \$599.99..... | 1,577 | 1,629 | 1,681 | 1,733 | 1,785 | 1,837 | 1,889 |
| Temporary rate..... | 1,616 | 1,669 | 1,722 | 1,775 | 1,828 | 1,881 | 1,934 |
| \$250 to \$349.99..... | 1,127 | 1,164 | 1,201 | 1,238 | 1,275 | 1,312 | 1,349 |
| Temporary rate..... | 1,155 | 1,193 | 1,231 | 1,269 | 1,307 | 1,345 | 1,383 |
| \$200 to \$249.99..... | 901 | 931 | 961 | 991 | 1,021 | 1,051 | 1,081 |
| Temporary rate..... | 924 | 954 | 984 | 1,014 | 1,044 | 1,074 | 1,104 |
| \$100 to \$199.99..... | 676 | 698 | 720 | 742 | 764 | 786 | 808 |
| Temporary rate..... | 693 | 715 | 737 | 759 | 781 | 803 | 825 |
| Under \$100..... | 450 | 465 | 480 | 495 | 510 | 525 | 540 |
| Temporary rate..... | 461 | 476 | 491 | 506 | 521 | 536 | 551 |

(b) The basic salary of postmasters in fourth class post offices shall be readjusted for changes in gross receipts at the start of the first pay period after the beginning of each fiscal year. In adjusting a postmaster's basic salary under this section the basic salary shall be fixed at the lowest step which is higher than the basic salary received by the postmaster at the end of the preceding fiscal year. If there is no such step the basic salary shall be fixed at the highest step for the adjusted gross receipts of the office. Each increase in basic salary because of change in gross receipts shall be deemed the equivalent of a step-increase under section 3552 of this title and the waiting period, for purposes of advancement to the next step, shall begin on the date of adjustment.

(c) The basic salaries of postmasters at newly established offices of the fourth class shall be fixed at the lowest salary rate. Whenever unusual conditions prevail at any post office of the fourth class the Postmaster General may advance such office to the appropriate category or class indicated by the receipts of the preceding quarter. Any fourth class office advanced to the appropriate category or class pursuant to this subsection shall not be reduced in category or class until the start of the first pay period after July 1 of the calendar year following the calendar year in which it was so advanced, at which time it shall be assigned to the category or class indicated by the receipts for the preceding calendar year.

(d) Persons who perform the duties of postmaster at post offices of the fourth class where there is a vacancy or during the absence of the postmaster on sick or annual leave, or leave without pay, shall be paid the same basic salary to which they would have been entitled if regularly appointed as postmaster.

(e) The Postmaster General may allow to postmasters in fourth class post offices additional compensation for separating services and for unusual conditions during a portion of the year, in lieu of an allowance for clerical services for this purpose.

(f) At seasonal post offices of the fourth class, the Postmaster General may authorize the payment of the basic salary prorated over the pay periods the office is open for business during the fiscal year.

(g) Where the gross postal receipts of a post office of the third class for each of two consecutive calendar years are less than \$1,500, or where in any calendar year the gross postal receipts are less than \$1,400, the post office shall be relegated to the fourth class and the basic salary of the postmaster shall be fixed in the manner provided in subsection (b) of this section.

(h) Postmasters of fourth class post offices shall be paid as allowances for rent, fuel, light, and equipment an amount equal to 15 per centum of the basic compensation earned in each pay period, at the same time and in the same manner as their regular compensation.

SALARY STEPS AND PROMOTIONS

§ 3551. Appointments to positions in the postal field service

(a) The Postmaster General may appoint any person who has been employed in a civilian capacity in any branch of the Government to any position in a regional or district office or to any professional or scientific position and may place him in any step in the salary level of the Postal Field Service Schedule which is less than one full step above the highest basic salary which he received from the United States.

(b) The Postmaster General may appoint any employee of the legislative branch whose compensation is disbursed by the Secretary of the Senate or the Clerk of the House of Representatives, and who

has completed two or more years of service as such an employee, to any position in the postal field service and may fix his initial rate of compensation at the minimum rate of the appropriate level of the basic salary schedule applicable to the position, or at any step of that level that does not exceed the highest previous rate of compensation received by him during his service in the legislative branch.

§ 3552. Automatic advancement by step increases

(a) Except as to a substitute employee in the Postal Transportation Service whose position is allocated to salary level PFS-5 as a distribution clerk in a railway or highway post office, each employee whose position is allocated to the Rural Carrier Schedule, the Fourth Class Office Schedule, or the Postal Field Service Schedule, who has not reached the highest step for his position, shall be advanced successively to the next higher step for his position at the beginning of the first pay period following the completion of each fifty-two calendar weeks of satisfactory service, if no equivalent increase in basic salary from any cause was received during the period of fifty-two calendar weeks. The benefit of successive step-increases shall be preserved, under regulations prescribed by the Postmaster General, for employees whose continuous service is interrupted by service in the Armed Forces.

(b) Each substitute employee in the Postal Transportation Service, whose position is allocated to salary level PFS-5 as a distribution clerk in a railway or highway post office, shall be advanced in the manner prescribed for other employees under subsection (a) of this section, but may not be advanced beyond step four of salary level PFS-5.

§ 3553. Creditable service for advancement

Each employee in the postal field service is eligible to earn step-increases in accordance with this chapter. Except for temporary rural carriers serving in the absence of regular rural carriers on leave without pay or on military leave, credit may not be allowed for time on the rolls under a temporary appointment for one year or less unless the time on the rolls is continuous to the date of appointment to a position of unlimited duration.

§ 3554. Compensation of certain temporary employees

Temporary employees hired for a continuous period of one year or less for a position under the Postal Field Service Schedule shall be paid a basic salary at the entrance step for the salary level of the position to which they are appointed.

§ 3555. Reduction in salary step

The Postmaster General may reduce in salary step clerks or carriers whose efficiency falls below a fair standard or whenever it is necessary for purposes of discipline. At the beginning of any pay period commencing ninety days after a reduction in salary of such an employee, the Postmaster General may restore him to his former salary or advance him to an intermediate salary. That action is not regarded as an "equivalent increase in basic salary."

§ 3556. Automatic advancement withheld

At the beginning of any pay period commencing ninety days after the withholding of an automatic advancement of an employee for unsatisfactory service, the Postmaster General may advance him, on evidence that his record has been satisfactory during the intervening period.

§ 3557. Automatic advancement of substitute employee deferred

The Postmaster General shall defer the automatic promotion of a substitute employee who is absent on leave without pay and not available for duty for ninety days or more during a calendar year in proportion to the time the employee is absent on leave without pay.

§ 3558. Longevity step increases

(a) There are established for each employee longevity steps A, B, and C. For each promotion to a longevity step—

(1) each postmaster at a post office of the fourth class shall receive an amount equal to 5 per centum of his basic salary, or \$100 per annum, whichever is the lesser, and

(2) each employee, other than a postmaster at a post office of the fourth class, shall receive \$100 per annum.

In computing the percentage increase under this subsection the amount of the increase shall be rounded to the nearest dollar. A half dollar or one-half cent shall be rounded to the next highest dollar or cent, respectively.

(b) Each employee shall be assigned to—

(1) longevity step A at the beginning of the pay period following the completion of thirteen years of service;

(2) longevity step B at the beginning of the pay period following the completion of eighteen years of service; and

(3) longevity step C at the beginning of the pay period following the completion of twenty-five years of service.

(c) (1) There shall be credited, for the purposes of subsection

(b) time on the rolls—

(A) in the postal field service or in the Post Office Department, except time on the rolls as a substitute rural carrier;

(B) in the custodial service of the Department of the Treasury continuous to the date of the transfer of the employee to the custodial service of the Post Office Department in accordance with Executive Order Numbered 6166, dated June 10, 1933;

(C) as a special delivery messenger at a first class post office;

(D) as a clerk in a third class post office for which payment is made from authorized allowances;

(E) under the Postal Accounts Division, including time on the rolls under the former Post Office Department Division, in the General Accounting Office continuous to the date of the transfer of the employee to the Post Office Department in accordance with section 7 (a) of the Post Office Department Financial Control Act of 1950; and

(F) in the Panama Canal Zone postal service.

(2) In determining longevity credit for the purposes of subsection (b) in the case of an employee whose continuous service in the postal field service or in the departmental service of the Post Office Department is interrupted by service with the Armed Forces or to comply with a transfer during war or national emergency as defined by the United States Civil Service Commission, time engaged in that service with the Armed Forces or on the transfer shall be credited pro rata for each week of the service. Service specified in this subsection, whether continuous or intermittent, shall be credited on the basis of one week for each whole week the employee has been on the rolls, except that credit may not be allowed for time on the rolls under a temporary appointment for one year or less unless the time on the rolls is continuous to the date of appointment to a position of unlimited duration.

(d) Increases under this section are not equivalent increases within the meaning of section 3552 of this title.

(e) Payment of longevity compensation may not be made by reason of clause (F) of subsection (c) (1) of this section, for any period prior to September 6, 1958.

§ 3559. Promotions

(a) An employee who is promoted or transferred to a position in a higher salary level of the Postal Field Service Schedule shall be paid basic salary at the lowest step of the higher salary level which exceeds his existing basic salary by not less than the amount of difference between the entrance step of the salary level from which promoted and the entrance step of the salary level immediately above the salary level from which promoted. If there is no step in the salary level to which the employee is promoted which exceeds his existing basic salary by at least the amount of the difference, the employee shall be paid (1) the maximum step of the salary level to which promoted, or (2) his existing basic salary, whichever is higher.

(b) Regular clerks and carriers in first and second class post offices are not eligible for promotion to positions of higher salary levels in their respective offices unless they are in the maximum steps of their respective salary levels. If for any reason clerks and carriers in the maximum steps are not available those clerks and carriers in the lower steps in the offices are eligible for the promotion.

HOURS OF WORK AND OVERTIME

§ 3571. Maximum hours of work

Except as otherwise provided in this title, employees may not be required to work more than eight hours a day. The work schedule of employees shall be regulated so that the eight hours of service does not extend over a longer period than ten consecutive hours.

§ 3572. Minimum hours of work for hourly rate employees

Each substitute, hourly rate, and temporary employee who reports for duty in compliance with an official order shall be employed for not less than two hours following the hour at which he is ordered to report.

§ 3573. Compensatory time, overtime, and holidays

In emergencies or if the needs of the service require, the Postmaster General may require employees to work more than eight hours in one day, or on Saturdays, Sundays, or holidays. For that service he shall grant employees in the "PFS" Schedule compensatory time or pay them overtime compensation under the following rules:

(1) Each employee in or below salary level PFS-7 shall be paid for all work in excess of eight hours in one day at the rate of 150 per centum of his hourly basic compensation.

(2) (A) Each employee in or below salary level PFS-7 who performs work on Saturdays or Sundays shall, under regulations prescribed by the Postmaster General, be granted compensatory time in an amount equal to the excess time worked within five working days, except that, in lieu of such compensatory time, the Postmaster General may, if the exigencies of the service require, authorize him to be paid, for work performed on Saturdays and Sundays during the month of December, at the rate of 150 per centum of his hourly basic compensation.

(B) If the work performed by such employees on Saturdays and Sundays is less than eight hours, such service, in the discretion of the Postmaster General may be carried forward and combined with similar service performed on other Saturdays and Sundays. The employees may be allowed compensatory time for combined service or any part thereof at any time, except that,

whenever at least eight hours of such service has been accumulated, the employees shall be allowed eight hours compensatory time on one day within five working days next succeeding the Saturday or Sunday on which the total accumulated service was at least eight hours.

(3) For time worked on a day referred to as a holiday in section 87b of title 5, or on a day designated by Executive order as a holiday for Federal employees generally, each employee in or below salary level PFS-7, under regulations prescribed by the Postmaster General, shall either be granted compensatory time in an amount equal to the time worked within thirty working days, or be paid premium compensation at a rate equal to his hourly basic compensation for the time so worked. For work performed on Christmas Day, premium compensation shall be paid at a rate equal to 150 per centum of the employee's hourly basic compensation.

(4) Each employee in or above salary level PFS-8 who performs overtime or holiday work as described in this section, under regulations prescribed by the Postmaster General, shall be granted compensatory time in an amount equal to the overtime or holiday work.

§ 3574. Night work

Employees who perform work between the hours of 6 o'clock post meridian and 6 o'clock ante meridian standard or daylight saving time, depending upon which time is observed where the work is performed, shall be paid extra compensation for each hour of that work at the rate of 10 per centum of their hourly basic compensation. The differential for night duty is not included in computing overtime compensation to which the employees may be entitled.

§ 3575. Exemptions

(a) Sections 3571, 3573 and 3574 of this title do not apply to the heads of regional or district offices and such other employees of the headquarters staff of regional and district offices as the Postmaster General designates, or to postmasters, rural carriers, post office inspectors, traveling mechanics, and traveling examiners of equipment and supplies.

(b) Sections 3571 and 3573 of this title do not apply to substitute employees and to employees in the Postal Transportation Service and the Motor Vehicle Service assigned to road duty.

(c) Section 3571 of this title does not apply to employees in post offices of the third class.

(d) The provisions of section 3573 of this title relating to compensatory time and overtime compensation for work on Saturdays or Sundays do not apply to hourly rate regular employees and to employees in post offices of the third class.

§ 3576. Holiday service of rural carriers and employees assigned to road duty

When the President of the United States authorizes Federal employees generally to be excused from duty on a work day, rural carriers and employees in the Postal Transportation Service or in the Motor Vehicle Service who are assigned to road duty, other than substitutes, who are required to work on such a day, shall be granted a day off, with pay and without charge thereof to their earned annual leave, within one year thereafter.

SPECIAL PROVISIONS FOR POSTAL TRANSPORTATION AND MOTOR VEHICLE SERVICES

§ 3581. Road duty employees

(a) The Postmaster General shall organize the work of employees in the Postal Transportation Service and the Motor Vehicle Service who are assigned to road duty into regularly scheduled tours of duty. The tours of duty shall aggregate an average of not more than eight hours a day for two hundred and fifty-two days a year, including an allowance of one hour and thirty-five minutes for work to be performed on layoff periods. He may not grant allowances of time for work performed on layoff periods to employees other than employees engaged in the distribution of mail.

(b) Employees in the Postal Transportation Service and the Motor Vehicle Service assigned to road duty, except substitute employees, who are required to perform work in excess of the scheduled time of their regular tours of duty as established by the Postmaster General shall be paid at the rate of 150 per centum of their hourly basic compensation for overtime work. In arriving at the amount of overtime to be paid at any time during the calendar year, any deficiencies accrued up to that time during the same calendar year shall be offset against any overtime work by the employee.

(c) Substitute employees in the Postal Transportation Service and the Motor Vehicle Service assigned to road duty shall be paid on an hourly basis for actual work performed according to the time value of each trip of road duty, including an allowance of time for all work required on layoff periods.

(d) In addition to compensation provided under this title, the Postmaster General, under regulations prescribed by him, may pay not more than \$9 per day as travel allowances in lieu of actual expenses, at fixed rates per annum or by such other method as he deems equitable to regular and substitute employees in the Postal Transportation Service and the Motor Vehicle Service who are assigned to road duty, after the expiration of ten hours from the time the initial run begins.

(e) Substitute employees in the Postal Transportation Service and the Motor Vehicle Service shall be credited with full time while traveling under orders of the Post Office Department to and from their designated headquarters to take up assignments.

§ 3582. Time credit for delay to trains and highway post offices

The Postmaster General shall credit postal transportation employees assigned to road duty with full time for delays to trains and highway post offices.

PART IV—MAIL MATTER

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CHAPTER 51—NONMAILABLE MATTER

Sec.

4001. Nonmailable matter.
 4002. Nonmailable fourth class matter.
 4003. Mail bearing a fictitious name or address.
 4004. Delivery of mail to persons not residents of the place of address.
 4005. Fraudulent and lottery matter.
 4006. "Unlawful" matter.
 4007. Detention of mail for temporary periods.

§ 4001. Nonmailable matter

(a) Matter, the deposit of which in the mails is punishable under sections 1302, 1341, 1342, 1461, 1463, 1714, 1715, 1716, 1717, or 1718 of title 18, is nonmailable.

(b) Except as provided in section 4002 of this title, nonmailable matter which reaches the office of delivery, or which may be seized or detained for violation of law, shall be disposed of as the Postmaster General directs.

§ 4002. Nonmailable fourth class matter

(a) Matter of the fourth class is nonmailable which—

- (1) exceeds the prescribed size and weight limits; or
- (2) is of a character perishable within the period required for transportation and delivery.

(b) Matter made nonmailable by this section which by inadvertence reaches the office of destination may be delivered in accordance with its address, if the party addressed furnishes the name and address of the sender. If the person addressed refuses to furnish the information, the package shall be disposed of as the Postmaster General directs.

§ 4003. Mail bearing a fictitious name or address

(a) Upon evidence satisfactory to the Postmaster General that any person is using a fictitious, false or assumed name, title or address in conducting, promoting or carrying on or assisting therein, by means of the postal service of the United States, an activity in violation of sections 1302, 1341, and 1342 of title 18, the Postmaster General may—

- (1) withhold mail so addressed from delivery; and
- (2) require the party claiming the mail to furnish proof to him of the claimant's identity and right to receive the mail.

(b) The Postmaster General may issue an order directing that mail, covered by subsection (a), be forwarded to a dead letter office as fictitious matter, or be returned to the senders when the—

- (1) party claiming the mail fails to furnish proof of his identity and right to receive the mail; or
- (2) the Postmaster General is satisfied that the mail is addressed to a fictitious, false or assumed name, title or address.

§ 4004. Delivery of mail to persons not residents of the place of address

Whenever the Postmaster General is satisfied that letters or parcels sent in the mail are addressed to places not the residence or regular business address of the person for whom they are intended, to enable the person to escape identification, he may deliver the mail only upon identification of the persons so addressed.

§ 4005. Fraudulent and lottery matter

(a) Upon evidence satisfactory to the Postmaster General that any person is engaged in conducting a scheme or device for obtaining money or property through the mail by means of false or fraudulent pretenses, representations, or promises; or engaged in conducting a lottery, gift enterprise, or scheme for the distribution of money

or of real or personal property by lottery, chance, or drawing of any kind; the Postmaster General may—

(1) direct postmasters at the office at which registered letters or other letters or mail arrive, addressed to such a person or to his representative, to return the registered letters or other letters or mail to the sender marked “fraudulent” or “lottery mail”; and

(2) forbid the payment by a postmaster to such a person or his representative of any money order or postal note drawn to the order of either and provide for the return to the remitters of the sums named in the money orders or postal notes.

(b) The public advertisement by a person engaged in activities covered by subsection (a) of this section, that remittances may be made by mail to a person named in the advertisement, is prima facie evidence that the latter is the agent or representative of the advertiser for the receipt of remittances on behalf of the advertiser. The Postmaster General is not precluded from ascertaining the existence of the agency in any other legal way satisfactory to him.

(c) As used in this section and section 4006 of this title the term “representative” includes an agent or representative acting as an individual or as a firm, bank, corporation, or association of any kind.

§ 4006. “Unlawful” matter

Upon evidence satisfactory to the Postmaster General that a person is obtaining or attempting to obtain remittances of money or property of any kind through the mail for an obscene, lewd, lascivious, indecent, filthy, or vile article, matter, thing, device, or substance, or is depositing or causing to be deposited in the United States mail information as to where, how, or from whom the same may be obtained, the Postmaster General may—

(1) direct postmasters at the office at which registered letters or other letters or mail arrive, addressed to such a person or to his representative, to return the registered letters or other letters or mail to the sender marked “Unlawful”; and

(2) forbid the payment by a postmaster to such a person or his representative of any money order or postal note drawn to the order of either and provide for the return to the remitters of the sums named in the money orders or postal notes.

§ 4007. Detention of mail for temporary periods

(a) When the Postmaster General determines during proceedings before him that in the administration of section 4006 of this title such action is necessary to the effective enforcement of the section, he may enter an interim order directing that mail addressed to any person be detained by the postmaster at the post office of delivery for twenty days from the effective date of the order. Notice of the order, advising the person of the detention and setting forth in specific detail the reasons therefor, together with a copy of this section and section 4006 of this title, shall be sent forthwith by registered or certified mail to the person at the post office at which the mail is to be detained. An order for the detention of mail addressed to a person expires at the end of the twenty days after the issuance thereof unless the Postmaster General files, prior to the expiration of the twenty-day period, a petition in the United States district court for the district in which the post office in which the mail is detained is situated, and obtains an order directing that mail addressed to the person be detained for such further period as the court determines. Notice of the filing of such a petition shall be given forthwith by the clerk of the court in which it is filed to the person, at the post office at which the mail is being detained, or otherwise as the clerk of the court deter-

mines to be appropriate, and the person shall have five days in which to appear and show cause why the order should not issue.

If, upon all the evidence before it, the court determines that the continued detention of the mail is reasonable and necessary to the effective enforcement of section 4006 of this title, it shall forthwith issue an order directing that mail addressed to that person be detained by the postmaster at the office of delivery until conclusion of the proceeding by the Postmaster General or until further order of the court.

If, upon all the evidence before it, the court determines, that the continued detention of the mail addressed is not reasonable or necessary in the administration of section 4006 of this title, it shall dismiss the petition and order all detained mail addressed to him to be released forthwith for delivery.

An appeal from the order of the court is allowable as in civil causes. An order of the Postmaster General or of the district court, under this section, may be dissolved by that court at any time for cause, including failure to conduct expeditiously the proceedings instituted against the person before the Postmaster General with respect to section 4006 of this title. When, under an order herein authorized to be issued by the Postmaster General or the district court, a person's mail is detained by the postmaster at the office of delivery, that person may examine the mail and receive such mail as clearly is not connected with the alleged unlawful activity.

(b) Action by the Postmaster General in issuing the interim order provided for herein and petitioning for a continuance of an order under this section, is not subject to chapter 19 of title 5.

(c) This section does not apply to mail addressed to publishers of publications which have entry as second-class matter, or to mail addressed to the agents of those publishers.

60 Stat. 237.
5 USC 1001 et
seq.

CHAPTER 53—THE SEVERAL CLASSES OF MAIL

Sec.

- 4051. Prepayment of postage.
- 4052. Method of paying postage.
- 4053. Postage meters.
- 4054. Postage collection on Armed Forces mail.
- 4055. Refund of postage.
- 4056. Acceptance of letters by transportation employees or carriers.
- 4057. Opening first class mail.
- 4058. Wrapping matter not charged with first class postage.
- 4059. Addresses on postal cards and unsealed circulars.
- 4060. Foreign publications free from customs duty.

§ 4051. Prepayment of postage

Except as otherwise provided by law, postage shall be prepaid at the time of mailing.

§ 4052. Method of paying postage

(a) Postage may be prepaid—

- (1) by postage stamps;
- (2) by postage meter stamps;
- (3) without stamps as prescribed by the Postmaster General

for second class matter mailed by the publisher or registered news agent:

- (4) as prescribed by the Postmaster General for controlled circulation publications or for matter mailed at the bulk rates; or
- (5) under a permit, without stamps, issued by the Postmaster General.

(b) The fee for a permit under subsection (a) (5) is \$10 and shall be paid at the time of application.

§ 4053. Postage meters

A postage meter is a device or mechanism to print prepaid postage on mail matter, which automatically locks when the amount of postage registered therein is exhausted. Meters in the possession of patrons shall be set by postmasters for the amount of postage collected at the time of setting. Mail on which postage is paid by means of a postage meter is called "metered mail". The impressions made by postage meters are called "meter stamps".

§ 4054. Postage collection on Armed Forces mail

The Postmaster General may transmit, without the prepayment of postage, letters of members of the Armed Forces in the service of the United States certified in a manner prescribed by him, and collect the postage upon delivery.

§ 4055. Refund of postage

The Postmaster General may refund out of postal receipts postage which he is satisfied has been—

- (1) paid for service not rendered; or
- (2) collected in excess of the lawful rate.

§ 4056. Acceptance of letters by transportation employees or carriers

A postal transportation employee or other carrier of the mail shall accept letters presented to him on which postage is properly prepaid by stamps.

§ 4057. Opening first class mail

Only an employee opening dead mail by authority of the Postmaster General, or a person holding a search warrant authorized by law may open any letter or parcel of the first class which is in the custody of the Department.

§ 4058. Wrapping matter not charged with first class postage

(a) The Postmaster General may prescribe the manner of wrapping and securing mail not charged with first class postage so that the contents of the mail may be easily examined. He shall charge the first class rate of postage on all matter which cannot be examined easily.

(b) To ascertain whether the proper rate of postage has been paid, postmasters may examine second class mail and remove the wrappers and envelopes from other mail not bearing first class postage if it can be done without destroying them.

§ 4059. Addresses on postal cards and unsealed circulars

Addresses upon postal cards, post cards and unsealed circulars may be either written, printed, or affixed thereto, at the option of the sender.

§ 4060. Foreign publications free from customs duty

(a) Printed matter other than books received in the mail from foreign countries under the provisions of postal treaties or conventions are free of customs duty.

(b) When books which are admitted to the international mail under the provisions of the Universal Postal Union Convention are subject to customs duty, they may be delivered by the Postmaster General as addressed under such regulations for the collection of duties as may be agreed upon by him and the Secretary of the Treasury.

CHAPTER 55—SHORT PAID AND UNDELIVERABLE MAIL

Sec.

- 4101. Retention period for undelivered mail.
- 4102. Forwarding mail.
- 4103. Return of mail.
- 4104. International dead letters.
- 4105. Disposal of undelivered mail.
- 4106. Notice of nondelivery of mail.
- 4107. Dead letter offices established.
- 4108. Dead letter treatment of first class mail.
- 4109. Unpaid and part paid mail.
- 4110. Charges for unpaid and part paid mail.

§ 4101. Retention period for undelivered mail

The Postmaster General may prescribe the period during which undelivered mail may be held for delivery.

§ 4102. Forwarding mail

The Postmaster General shall forward prepaid first class mail from one post office to another at the request of the party addressed without additional charge for postage. He shall charge additional postage on mail of other classes forwarded from one post office to another in accordance with section 4105 of this title.

§ 4103. Return of mail

Prepaid letters or parcels of the first class endorsed with the sender's name and address shall be returned by the Postmaster General without additional charge for postage if remaining undelivered for the period directed by the sender or as prescribed by the Postmaster General. He may not return other mail matter unless the sender pays additional postage in accordance with section 4105 of this title.

§ 4104. International dead letters

The Postmaster General shall treat international dead letters in accordance with postal arrangements made with other countries pursuant to section 505 of this title.

§ 4105. Disposal of undelivered mail

(a) Undelivered mail, other than letters and parcels of the first class, may be—

- (1) disposed of as the Postmaster General directs; or
- (2) forwarded to the addressee or returned to the sender.

The postage for the service may be prepaid or collected on delivery in accordance with the instructions and pledge of the addressee or sender.

(b) The Postmaster General may prescribe conditions under which mail covered by subsection (a), including mail which is of an urgent or perishable nature, and for which payment of forwarding or return postage is not pledged, may be forwarded or returned.

(c) The Postmaster General may sell undelivered parcels containing perishable matter, not forwarded or returned. He shall remit to the sender or rightful owner the amount realized, less a commission of 10 per centum, or 25 cents, whichever is the greater.

§ 4106. Notice of nondelivery of mail

(a) The Postmaster General may notify the sender or addressee when mail, other than mail of the first class, is undeliverable as addressed.

(b) The Postmaster General shall notify the publisher or news agent when copies of a publication of the second class mailed by him are undeliverable as addressed. Copies of publications undeliverable as addressed received subsequent to the notice may be treated as directed by the Postmaster General.

§ 4107. Dead letter offices established

The Postmaster General may designate places, known as dead letter offices, for the examination and treatment of dead mail.

§ 4108. Dead letter treatment of first class mail

(a) The Postmaster General shall send first class mail which cannot be delivered either to the addressee or sender to a dead letter office. He shall cause enclosures of value, other than correspondence, to be recorded. When the sender or addressee cannot be identified, he shall hold the letters or parcels for reclamation for a period of one year after which they shall be disposed of as he directs. Letters and parcels without valuable enclosures may be disposed of by him without record and not held for reclamation.

(b) The Postmaster General shall return to the senders by registered mail ordinary dead letters containing \$10 or more in cash, and parcels of the first class which apparently contain matter valued at \$10 or more. The minimum registry fee, in addition to such other fees as the Postmaster General may prescribe, shall be collected at the time of delivery.

§ 4109. Unpaid and part paid mail

The Postmaster General shall prescribe the conditions for delivery to the addressee, return to the sender, or other disposition, of matter mailed without prepayment of the postage required by law.

§ 4110. Charges for unpaid and part paid mail

The Postmaster General shall prescribe from time to time the charges to be collected for matter mailed without prepayment of required postage. The charges—

(1) shall be in addition to the payment of lawfully required postage,

(2) may not be adjusted more frequently than once every two years, and

(3) when adjusted, shall equal, as nearly as practicable, the approximate cost incurred by the Department with respect to the delivery of such matter and the collection of postage and other charges thereon.

The Postmaster General may waive the collection of any charges when he deems a waiver to be in the interest of the Government.

CHAPTER 57—PENALTY AND FRANKED MAIL

- Sec.
 4151. Definitions.
 4152. Penalty mail.
 4153. Endorsements on penalty covers.
 4154. Restrictions on use of penalty mail.
 4155. Accounting for penalty covers.
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 4158. Limit of weight of penalty mail; postage on overweight matter.
 4159. Shipment by most economical means.
 4160. Executive departments to supply information.
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 4163. Congressional Record under frank of Members of Congress.
 4164. Seeds and reports from Department of Agriculture.
 4165. Mailing privilege of former Presidents.
 4166. Lending or permitting use of frank unlawful.
 4167. Reimbursement for franked mailings.
 4168. Correspondence of members of diplomatic corps and consuls of countries of Postal Union of Americas and Spain.

§ 4151. Definitions

As used in this chapter—

“Penalty mail” means official mail, other than franked mail, which is authorized by law to be transmitted in the mail without prepayment of postage.

“Penalty cover” means envelopes, wrappers, labels, or cards used to transmit penalty mail.

“Frank” means the autographic or facsimile signature of persons authorized by sections 4161–4167 of this title to transmit matter through the mail without prepayment of postage or other indicia contemplated by sections 162 and 185 of title 44.

“Franked mail” means mail which is transmitted in the mail under a frank.

“Members of Congress” includes Senators, Representatives, Delegates and Resident Commissioners.

§ 4152. Penalty mail

(a) Subject to the limitations imposed by sections 4154 and 4158 of this title, there may be transmitted as penalty mail—

(1) official mail of—

(A) officers of the United States Government other than Members of Congress;

(B) the Smithsonian Institution;

(C) the Pan American Union;

(D) the Pan American Sanitary Bureau;

(E) the United States Employment Service and the system of employment offices operated by it in conformity with the provisions of sections 49–49c, 49d, 49e–49k of title 29, and all State employment systems which receive funds appropriated under authority of those sections; and

(F) any college officer or other person connected with the extension department of the college as the Secretary of Agriculture may designate to the Postmaster General to the extent that the official mail consists of correspondence, bulletins, and reports for the furtherance of the purposes of sections 341–343, 344–348 of title 7;

(2) mail relating to naturalization to be sent to the Immigration and Naturalization Service by clerks of courts addressed to the Department of Justice or the Immigration and Naturalization Service, or any official thereof;

(3) mail relating to a collection of statistics, survey or census authorized by title 13 and addressed to the Department of Commerce or a bureau or agency thereof; and

(4) mail of State Agriculture Experiment Stations pursuant to sections 325 and 361f of title 7.

(5) articles for copyright deposited with postmasters and addressed to the Register of Copyrights pursuant to section 15 of title 17.

(b) A department or officer authorized to use penalty covers may enclose them with return address to any person from or through whom official information is desired. The penalty cover may be used only to transmit the official information and endorsements relating thereto.

(c) This section does not apply to officers who receive a fixed allowance as compensation for their services, including expenses of postage.

§ 4153. Endorsements on penalty covers

(a) Except as otherwise provided in this section, penalty covers shall bear, over the words “Official Business” an endorsement showing the name of the department, bureau or office from which, or officer from whom, it is transmitted. The penalty for the unlawful use of all penalty covers shall be printed thereon.

28 Stat. 606.

48 Stat. 113.

67 Stat. 83.

26 Stat. 418; 69 Stat. 673.

61 Stat. 657.

(b) The Postmaster General shall prescribe the endorsement to be placed on covers mailed under paragraphs (1) (E), (2), and (3) of section 4152 (a) of this title.

§ 4154. Restrictions on use of penalty mail

(a) Except as otherwise provided in this section, an officer, executive department or independent establishment of the Government of the United States may not mail, as penalty mail, any article or document unless—

(1) a request therefor has been previously received by the department or establishment; or

(2) its mailing is required by law.

(b) Subsection (a) does not prohibit the mailing, as penalty mail, by an officer, executive department or independent agency of—

(1) enclosures reasonably related to the subject matter of official correspondence;

(2) informational releases relating to the census of the United States and authorized by title 13;

(3) matter concerning the sale of Government securities;

(4) forms, blanks, and copies of statutes, rules, regulations, instructions, administrative orders, and interpretations necessary in the administration of the department or establishment;

(5) agricultural bulletins;

(6) lists of public documents offered for sale by the Superintendent of Documents;

(7) announcements of the publication of maps, atlases, and statistical and other reports offered for sale by the Federal Power Commission as authorized by section 825k of title 16; or

(8) articles or documents to educational institutions or public libraries, or to Federal, State, or other public authorities.

49 Stat. 859.

§ 4155. Accounting for penalty covers

Executive departments and agencies, independent establishments of the Government, and organizations and persons authorized by law to use penalty mail, shall account for all penalty covers through the Postmaster General as he prescribes.

§ 4156. Reimbursement for penalty mail service

(a) Except as provided in subsections (b) and (c) of this section, executive departments and agencies, independent establishments of the Government, and Government corporations concerned shall transfer to the Post Office Department as postal revenue out of any appropriations or funds available to them, as a necessary expense of the appropriations or funds and of the activities concerned, the equivalent amount of postage due, as determined by the Postmaster General, for matter sent in the mails by or to them as penalty mail under authority of section 4152 of this title.

(b) The Department of Agriculture shall transfer to the Post Office Department as postal revenues out of any appropriation made to it for that purpose the equivalent amount of postage, as determined by the Postmaster General, for penalty mailings under paragraphs (1) (F) and (4) of subsection (a) of section 4152 of this title.

(c) The Library of Congress shall transfer to the Post Office Department as postal revenues out of any appropriations made to it for that purpose the equivalent amount of postage, as determined by the Postmaster General, for penalty mailings under paragraph (5) of subsection (a) of section 4152 of this title.

§ 4157. Report to Congress by Postmaster General

The Postmaster General shall report to the Congress and to the Bureau of the Budget within ninety days after the close of each fiscal year the number of penalty covers accounted for through him during the fiscal year by each executive department and agency, independent establishment, and organization or person authorized to use penalty mail.

§ 4158. Limit of weight of penalty mail; postage on overweight matter

(a) Penalty mail is restricted to articles not in excess of the weight and size prescribed for first class mail, except—

(1) stamped paper and supplies sold or used by the postal service; and

(2) books and documents published or circulated by order of Congress when mailed by the Superintendent of Public Documents.

(b) A penalty mail article which is—

(1) over four pounds in weight,

(2) not in excess of the weight and size prescribed for fourth class matter, and

(3) otherwise mailable,

is mailable at fourth class rates even though it may include written matter and may be sealed. The postage on such an article is payable in the manner prescribed by the Postmaster General.

§ 4159. Shipment by most economical means

Shipments of official matter other than franked mail shall be sent by the most economical means of transportation practicable. The Postmaster General may refuse to accept official matter for shipment by mail when in his judgment it may be shipped by other means at less expense, or he may provide for its transportation by freight or express, whenever a saving to the Government will result therefrom without detriment to the public service.

§ 4160. Executive Departments to supply information

Persons and governmental organizations authorized to use penalty mail shall supply all information requested by the Postmaster General necessary to carry out the provisions of sections 4151—4168 of this title as soon as practicable after request therefor.

§ 4161. Official correspondence of Vice President and Members of Congress

The Vice President, Members and Members-elect of Congress, the Secretary of the Senate, and the Sergeant at Arms of the Senate until the thirtieth day of June following the expiration of their respective terms of office, may send as franked mail—

(1) matter, not exceeding four pounds in weight, upon official or departmental business, to a Government official; and

(2) correspondence, not exceeding four ounces in weight, upon official business to any person.

In the event of a vacancy in the office of Secretary of the Senate or Sergeant at Arms of the Senate, any authorized person may exercise this privilege in the officer's name during the period of the vacancy.

§ 4162. Public documents

The Vice President, Members of Congress, the Secretary of the Senate, Sergeant at Arms of the Senate, and the Clerk of the House of Representatives, until the thirtieth day of June following the expiration of their respective terms of office, may send and receive as franked mail all public documents printed by order of Congress.

§ 4163. Congressional Record under frank of Members of Congress

Members of Congress may send as franked mail the Congressional Record, or any part thereof, or speeches or reports therein contained.

§ 4164. Seeds and reports from Department of Agriculture

Seeds and agricultural reports emanating from the Department of Agriculture may be mailed—

- (1) as penalty mail by the Secretary of Agriculture; and
- (2) until the 30th day of June following the expiration of their terms of office as franked mail by Members of Congress.

§ 4165. Mailing privilege of former Presidents

A former President may send all his mail within the United States and its Territories and possessions as franked mail.

§ 4166. Lending or permitting use of frank unlawful

A person entitled to use a frank may not lend it or permit its use by any committee, organization, or association, or permit its use by any person for the benefit or use of any committee, organization, or association. This section does not apply to any committee composed of Members of Congress.

§ 4167. Reimbursement for franked mailings

(a) The postage on mail matter sent and received through the mails under the franking privilege by the Vice President, Members, and Members-elect of Congress, the Secretary of the Senate, Sergeant at Arms of the Senate, and the Clerk of the House of Representatives, including registry fees if registration is required, shall be paid by a lump-sum appropriation to the legislative branch for that purpose, and credited to the Department as postal revenue.

(b) The postage on mail matter sent through the mails under the franking privilege by former Presidents shall be paid by reimbursement of the postal revenues each fiscal year out of the general funds of the Treasury in an amount equivalent to the postage which would otherwise be payable on the mail matter.

§ 4168. Correspondence of members of diplomatic corps and consuls of countries of Postal Union of Americas and Spain

Correspondence of the members of the diplomatic corps of the countries of the Postal Union of the Americas and Spain stationed in the United States may be reciprocally transmitted in the domestic mails free of postage, and be entitled to free registration without right to indemnity in case of loss. The same privilege is accorded consuls and vice consuls when they are discharging the function of consuls of countries stationed in the United States, for official correspondence among themselves, and with the Government of the United States.

CHAPTER 59—FIRST CLASS MAIL

Sec.

4251. Definition.

4252. Weight limit.

4253. Postage rates on first class mail.

4254. Business reply mail.

§ 4251. Definition

(a) First class mail consists ofailable (1) postal cards, (2) post cards, (3) matter wholly or partially in writing or typewriting, except as provided in sections 4365, 4453, and 4555 of this title, and (4) matter closed against postal inspection.

(b) A postal card is a card supplied by the Department with a postage stamp printed or impressed on it for the transmission of mes-

sages, orders, notices and other communications, either printed or written in pencil or ink.

(c) Post cards are privately printed mailing cards for the transmission of messages. They may not be larger than the size fixed by the Convention of the Universal Postal Union in effect and of approximately the same form, quality and weight as postal cards.

(d) Drop letters are letters—

(1) mailed for local delivery at post offices where letter carrier service is not established; and

(2) neither collected nor delivered by rural or star route carriers.

§ 4252. Weight limit

The maximum weight of first class mail is the same as the maximum limit applicable to fourth class mail.

§ 4253. Postage rates on first class mail

(a) Postage on first class mail is computed separately on each letter or piece of mail. The rate of postage on first class mail is four cents for each ounce or fraction of an ounce, except that the rate—

(1) on drop letters is three cents for each ounce or fraction of an ounce;

(2) for each single postal card and each portion of a double postal card, including the cost of manufacture, is three cents;

(3) for each post card and the initial portion of each double post card conforming to section 4251 (c) of this title is three cents.

(b) The rate of postage on business reply mail is the regular rate prescribed in subsection (a) of this section together with an additional charge thereon of two cents for each piece weighing two ounces or less and five cents for each piece weighing more than two ounces. The postage and charge shall be collected on delivery.

§ 4254. Business reply mail

The Postmaster may accept for transmission in the mails, without prepayment of postage, business reply cards, letters, and business reply envelopes, and any other matter under business reply labels.

CHAPTER 61—AIR MAIL AND AIR PARCEL POST

Sec.

4301. Definitions.

4302. Treatment of air mail.

4303. Postage rates on air mail.

4304. Postage on Alaskan air mail.

4305. Size and weight limits.

§ 4301. Definitions

As used in this chapter—

(1) "domestic air mail" means matter bearing postage at the rates of postage prescribed in sections 4303 and 4304 of this title which is mailed in the United States Postal Service for transportation by air and delivery by the United States Postal Service.

(2) "air parcel post" means domestic air mail of any class weighing in excess of eight ounces.

§ 4302. Treatment of air mail

(a) Except with respect to the postage required, domestic air mail, other than air parcel post, shall be treated as first class mail.

(b) The Postmaster General shall prescribe the conditions under which air parcel post shall be—

(1) forwarded or returned to the sender;

(2) charged with forwarding or return postage; and

(3) registered, insured, or given C. O. D. service.

§ 4303. Postage rates on air mail

(a) Except as provided in section 4304 of this title and subsection (b) of this section the rate of postage on domestic air mail weighing not more than eight ounces is seven cents for each ounce or fraction thereof.

(b) The rate of postage on each postal card and post card sent as domestic air mail is five cents.

(c) The rate of postage on letters in business reply envelopes and on business reply cards sent as domestic air mail is the regular rate prescribed in subsection (a) or (b) together with an additional charge thereon of two cents for each piece weighing two ounces or less and five cents for each piece weighing more than two ounces. The postage and charge shall be collected on delivery.

(d) (1) The rates of postage on air parcel post are based on the eight zones established for fourth class mail in accordance with the following table:

| Zones | First pound over 8 ounces or fraction thereof | Additional pounds or fraction thereof |
|------------------|--|--|
| | Cents | Cents |
| 1, 2, and 3..... | 60 | 48 |
| 4..... | 65 | 50 |
| 5..... | 70 | 56 |
| 6..... | 75 | 64 |
| 7..... | 75 | 72 |
| 8..... | 80 | 80 |

(2) The rate of postage on airmail of the first class weighing in excess of eight ounces shall be the rate provided for air parcels, but in no case shall be less than 3 cents an ounce or fraction thereof.

(3) In addition to parcels to which it is otherwise applicable, the eighth zone includes, for purposes of this section only, parcels transported as follows:

(A) between the United States, its Territories and possessions or the Commonwealth of Puerto Rico, and the Canal Zone.

(B) between the United States, its Territories and possessions or the Commonwealth of Puerto Rico, and Army and Air Forces post offices and naval vessels and commands, when the address is in care of Fleet Post Offices, New York, New York, or San Francisco, California.

(e) Air parcel post of light weight in relation to size is subject to such surcharge as the Postmaster General determines to be warranted by reason of the extra space and care required in handling and transporting it.

§ 4304. Postage on Alaskan air mail

Notwithstanding the provisions of section 4303 of this title, the Postmaster General may fix the postage at rates not exceeding 30 cents per ounce or 15 cents per one-half ounce for airmail sent to, from, or within Alaska.

§ 4305. Size and weight limits

The maximum size and weight of domestic airmail and air parcel post is 100 inches in length and girth combined and 70 pounds.

CHAPTER 63—SECOND CLASS MAIL AND CONTROLLED CIRCULATION PUBLICATIONS

SECOND CLASS MAIL

Sec.

- 4351. Definition.
- 4352. Entry as second class mail.
- 4353. Entry of foreign publications.
- 4354. Conditions for entry of publications.
- 4355. Conditions for entry of publications of certain organizations.
- 4356. Conditions for entry of publications of State departments of agriculture.
- 4357. Fees for entry and registration.
- 4358. Postage rates within county of publication.
- 4359. Postage rates beyond county of publication.
- 4360. Minimum postage.
- 4361. Rates for proofs of advertisements.
- 4362. Transient postage rate.
- 4363. Separation by mailer of second class mail.
- 4364. Information to be furnished by mailer.
- 4365. Permissible marks and enclosures.
- 4366. Permissible supplements.
- 4367. Marking of advertising matter.
- 4368. Affidavits relating to mailings; second class mail.
- 4369. Affidavits relating to publications of the second class.
- 4370. Delivery of newspapers by postal transportation service.

CONTROLLED CIRCULATION PUBLICATIONS

- 4421. Definition.
- 4422. Rates.

§ 4351. Definition

Second class mail embraces newspapers and other periodical publications when entered and mailed in accordance with sections 4352-4357 of this title.

§ 4352. Entry as second class mail

(a) Upon application in the form prescribed by him the Postmaster General shall enter as second class mail, at the Post Office where the office of publication is maintained, any publication which is entitled under sections 4353-4357 of this title to be classified as second class mail. A publication entered at one post office may also upon application be entered by him at another post office.

(b) The Postmaster General may revoke the entry of a publication as second class mail whenever he finds, after a hearing, that the publication is no longer entitled to be entered as second class mail.

(c) The Postmaster General may not accept for mailing as second class mail any publication having more than 75 per centum advertising in more than one-half of its issues during any twelve-month period and he shall revoke its entry. A charge made solely for the publication of transportation schedules, fares, and related information is not considered as advertising under this subsection.

§ 4353. Entry of foreign publications

Foreign newspapers and other periodicals of the same general character as domestic publications entered as second class mail may be accepted by the Postmaster General, on application of the publishers thereof or their agents, for transmission through the mail at the same rates as if published in the United States. This section does not authorize the transmission through the mail of a publication which violates a copyright granted by the United States.

§ 4354. Conditions for entry of publications

(a) Generally aailable periodical publication is entitled to be entered and mailed as second class mail if it—

- (1) is regularly issued at stated intervals as frequently as four times a year and bears a date of issue and is numbered consecutively;

- (2) is issued from a known office of publication;
 - (3) is formed of printed sheets;
 - (4) is originated and published for the dissemination of information of a public character, or devoted to literature, the sciences, arts, or a special industry; and
 - (5) has a legitimate list of subscribers.
- (b) For the purpose of this section, the word "printed" does not include reproduction by the stencil, mimeograph or hectograph processes or reproduction in imitation of typewriting.
- (c) A periodical publication designed primarily for advertising purposes or for free circulation or for circulation at nominal rates is not entitled to be admitted as second class mail under this section.

§ 4355. Conditions for entry of publications of certain organizations

(a) Mailable periodical publications meeting the first three conditions of section 4354(a) of this title are entitled to be entered and mailed as second class mail when they do not contain advertising other than that of the publisher and if they are—

- (1) published by a regularly incorporated institution of learning; or
- (2) published by a regularly established State institution of learning supported in whole or in part by public taxation; or
- (3) a bulletin issued by a State board of health; or
- (4) a bulletin issued by a State conservation or fish and game agency or department; or
- (5) a bulletin issued by a State board or department of public charities and corrections; or
- (6) published by or under the auspices of a benevolent or fraternal society or order organized under the lodge system and having a bona fide membership of not less than 1,000 persons; or
- (7) published by or under the auspices of a trades union; or
- (8) published by a strictly professional, literary, historical, or scientific society; or
- (9) published by a church or church organization.

(b) A publication containing advertising of persons other than the publisher but otherwise qualifying under items (6) through (9) of subsection (a) of this section is entitled to be entered and mailed as second class mail if—

- (1) the publication is not designed or published primarily for advertising purposes;
- (2) the publication is originated and published to further the objects and purposes of the publisher;
- (3) the circulation is limited to copies sent to members who pay either as a part of their dues or assessments, or otherwise, not less than 50 per centum of the regular subscription price; to other actual subscribers; to exchanges; and 10 per centum of the circulation as sample copies.

Individual subscriptions or receipts are not required when members pay for publications, to which this subsection applies, as a part of their dues or assessments.

§ 4356. Conditions for entry of publications of State departments of agriculture

A mailable periodical publication issued by a State department of agriculture may be entered and mailed as second class mail if it—

- (1) is issued from a known place of publication;

- (2) is issued at stated intervals as frequently as four times a year;
- (3) is published only for the purpose of furthering the objects of the departments; and
- (4) does not contain advertising matter.

§ 4357. Fees for entry and registration

- (a) The fees for entry as second class mail are as follows—
 - (1) for a publication having a circulation of not more than 2,000 copies, \$25;
 - (2) for a publication having a circulation of more than 2,000 copies but not more than 5,000 copies, \$50;
 - (3) for a publication having a circulation of more than 5,000 copies, \$100.
- (b) The fee for re-entry of a publication as second class mail on account of change in title, frequency of issue, office of publication or for other reasons is \$10. The fee for each additional entry is \$10.
- (c) The fee for registry of a news agent is \$20.
- (d) The applicant shall pay the fees fixed by this section at the time of application. The Postmaster General shall return one-half of any fee paid under subsection (a) of this section to the applicant if he denies the application.

§ 4358. Postage rates within county of publication

- (a) One copy each of a publication admitted as second class mail may be mailed free to each actual subscriber if the subscriber—
 - (1) resides in the county in which the publication is printed in whole or in part and in which it is published; and
 - (2) receives his mail at an office at which letter carrier service is not established.
- (b) Except as provided in subsection (a) of this section and subject to the minimum rates provided by section 4360 of this title, the rate of postage on publications admitted as second class mail when addressed for delivery within the county in which they are published and entered is as follows—
 - (1) if mailed for delivery by letter carrier at the office of mailing:
 - (A) publications issued more frequently than weekly, one cent a copy;
 - (B) publications issued weekly, one cent a pound;
 - (C) publications issued less frequently than weekly—
 - (i) weighing two ounces or less, one cent a copy,
 - (ii) weighing more than two ounces, two cents a copy;
 - (2) if mailed for delivery at the office of mailing through post office boxes, general delivery or by rural or star route carrier, one cent a pound;
 - (3) if mailed for delivery at an office other than the office of mailing, one cent a pound.
- (c) When copies of a publication are mailed at a post office where it is entered for delivery by letter carrier at a different post office within the delivery limits of which the headquarters or general business office of the publisher is located the rate of postage is—
 - (1) the rate that would be applicable if the copies were mailed at the latter post office, or
 - (2) the pound rates from the office of mailing if those rates are higher.

§ 4359. Postage rates beyond county of publication

(a) Except as provided in sections 4358, 4361, and 4362 of this title, the rates of postage set out in this section are applicable to copies of publications entered as second class mail when (1) mailed by the publisher thereof from the post office of publication and entry or other post office where entry is authorized and (2) when mailed by news agents, registered as such under regulations prescribed by the Postmaster General, to actual subscribers thereto or to other news agents for the purpose of sale and (3) sample copies to the extent of 10 per centum of the weight of copies mailed to subscribers during the calendar year.

(b) Subject to the minimum rates provided by section 4360 of this title, the rates of postage on publications mailed in accordance with subsection (a) of this section are fixed by the pound as follows:

| | Classroom publications | Other publications | | |
|--|------------------------|----------------------------------|----------------------------------|----------------------------|
| | | Mailed during calendar year 1959 | Mailed during calendar year 1960 | Mailed after Dec. 31, 1960 |
| Advertising portion: | | | | |
| Zones 1 and 2..... | 1.5 | 2.2 | 2.6 | 3.0 |
| Zone 3..... | 2.0 | 3.0 | 3.5 | 4.0 |
| Zone 4..... | 3.0 | 4.5 | 5.2 | 6.0 |
| Zone 5..... | 4.0 | 6.0 | 7.0 | 8.0 |
| Zone 6..... | 5.0 | 7.7 | 8.7 | 10.0 |
| Zone 7..... | 6.0 | 9.2 | 11.0 | 12.0 |
| Zone 8..... | 7.0 | 11.0 | 12.5 | 14.0 |
| Nonadvertising portion..... | 1.5 | 2.1 | 2.3 | 2.5 |
| A publication of a qualified nonprofit organization..... | | 1.5 | 1.5 | 1.5 |

(c) For the purpose of this section, the portion of a publication devoted to advertisements shall include all advertisements inserted in the publication and attached permanently thereto.

(d) The publisher of a classroom publication or of a publication of a nonprofit organization before being entitled to the rates for the publications shall furnish such proof of qualifications as the Postmaster General prescribes.

(e) As used in this section the term—

(1) "classroom publication" means a religious, educational or scientific publication entered as second class mail and designed specifically for use in classrooms or in religious instruction classes;

(2) "a publication of a qualified nonprofit organization" means a publication published by and in the interest of one of the following types of organizations or associations if it is not organized for profit and none of its net income inures to the benefit of any private stockholder or individual: Religious, educational, scientific, philanthropic, agricultural, labor, veterans', and fraternal; and

(3) "zones" means the eight zones established for fourth class mail.

§ 4360. Minimum postage

The following are the minimum rates for each individually addressed copy of second class mail:

SECOND CLASS MINIMUM RATES

[In cents]

| | Mailed during calendar year 1959 | Mailed during calendar year 1960 | Mailed after Dec. 31, 1960 |
|---|----------------------------------|----------------------------------|----------------------------|
| For delivery within county of publication except when mailed free under sec. 4358(a) of this title..... | 1/8 | 1/8 | 1/8 |
| For delivery beyond county of publication: | | | |
| Classroom and nonprofit organization publication..... | 1/8 | 1/8 | 1/8 |
| Other publications..... | 1/4 | 3/8 | 1/2 |

§ 4361. Rates for proofs of advertisements

The publisher may mail single sheets or portions thereof from any publication entered as second class mail, to an advertiser or his agent as proof of the insertion of an advertisement, at the zone rates of postage applicable to the advertising portions of second class mail under section 4359 of this title.

§ 4362. Transient postage rate

The rate of postage on copies of publications having second class entry mailed—

- (1) by persons other than the publishers or registered news agents;
 - (2) as sample copies by the publishers in excess of the 10 per centum permitted to be mailed at the pound rates; and
 - (3) copies mailed by the publishers to persons who may not be included in the required legitimate list of subscribers;
- is two cents for the first two ounces and one cent for each additional ounce or fraction thereof. When postage at the rates prescribed for fourth class mail is lower, the latter applies. The rates are computed on each individually addressed copy or package of unaddressed copies.

§ 4363. Separation by mailer of second class mail

The Postmaster General may require publishers and news agents to separate and make up to zones, in such manner as he directs, second class mail offered for mailing.

§ 4364. Information to be furnished by mailer

With the first mailing of each issue of a publication mailed as second class mail, the publisher shall file a copy of the issue together with a statement containing such information as the Postmaster General prescribes for determining the postage to be paid.

§ 4365. Permissible marks and enclosures

(a) Second class mail may contain no writing, print, or sign thereon or therein, in addition to the original print except—

- (1) the name and address of the person to whom the mail is sent and directions for transmission, delivery, forwarding or return;
- (2) index figures of subscription book either printed or written;
- (3) the printed title of the publication and the place of its publication;
- (4) the printed or written name and address without addition of advertisement of the publisher or sender, or both;
- (5) written or printed words or figures, or both, indicating the date on which the subscription to the matter will end;
- (6) the correction of typographical errors;

(7) a mark except written or printed words to designate a word or passage to which it is desired to call attention;

(8) the words "sample copy" when the matter is sent as such; and

(9) the words "marked copy" when the matter contains a marked item or article.

(b) Publishers and news agents may enclose in their publications bills, receipts and orders for subscriptions.

(c) This section does not prohibit the insertion in periodicals of advertisements permanently attached thereto.

§ 4366. Permissible supplements

Publishers may fold a supplement within the regular issue of a publication entered as second class mail if the supplement is—

(1) germane to the publication;

(2) needed to supply matter omitted from the regular issue for want of space, time or greater convenience; and

(3) issued with the regular issue.

§ 4367. Marking of advertising matter

Editorial or other reading matter contained in publications entered as second class mail and for the publication of which a valuable consideration is paid, accepted or promised, shall be marked plainly "advertisement" by the publisher.

§ 4368. Affidavits relating to mailings; second class mail

The Postmaster General may require when he deems it necessary—

(1) a publisher of a second class publication; or

(2) a news agent who distributed the publication; or

(3) an employee of the publisher or news agent

to make an affidavit in the form prescribed by the Postmaster General, stating that he will not send or knowingly permit to be sent through the mails a copy of the publication without prepayment of postage thereon at the rate prescribed by law.

§ 4369. Affidavits relating to publications of the second class

(a) The editor, publisher, business manager or owner of a publication entered as second class mail shall file with the Postmaster General and publish in the second issue thereafter of the publication to which it relates a sworn statement on forms furnished by the Postmaster General on or before the first day of October of each year setting forth—

(1) the names and post office addresses of the editor and managing editor, publisher, business managers and owners;

(2) the name of the corporation and the stockholders thereof if the publication is owned by a corporation;

(3) the names of known bond holders, mortgagees or other security holders; and

(4) in the case of daily, semi-weekly, tri-weekly and weekly publications, the average number of copies of each issue of the publication sold or distributed through the mails or otherwise distributed to paid subscribers during the preceding 12 months.

The sworn statement need not include the names of persons owning less than one per centum of the total amount of stock, bonds, mortgages or other securities.

(b) The Postmaster General shall deny the privilege of the mail to a publication which fails to comply with the provisions of this section within ten days after notice by registered mail of the failure.

(c) This section is not applicable to religious, fraternal, temperance, scientific, or similar publications.

§ 4370. Delivery of newspapers by the Postal Transportation Service

The Postmaster General may provide by order the terms upon which the Department will receive directly from publishers or news agents in charge thereof, packages of newspapers and other periodicals not received from or intended for delivery at any post office and deliver them as directed, if presented and called for at the mail car or steamer.

CONTROLLED CIRCULATION PUBLICATIONS

§ 4421. Definition

Controlled circulation publications are those publications which—

- (1) contain twenty-four pages or more;
- (2) are issued at regular intervals of four or more times a year;
- (3) devote 25 per centum or more of their pages to text or reading matter and not more than 75 per centum to advertising matter;
- (4) may be circulated free or mainly free; and
- (5) are not owned and controlled by one or several individuals or business concerns and conducted as an auxiliary to and essentially for the advancement of the main business or calling of those who own or control them.

§ 4422. Rates of postage

The postage rate on controlled circulation publications found by the Postmaster General to meet the definition contained in section 4421 of this title when mailed in the manner prescribed by the Postmaster General, is 12 cents a pound or fraction thereof, regardless of the weight of the individual copies, with a minimum charge of 1 cent for each piece. The rates provided in this section shall remain in effect until otherwise provided by the Congress.

CHAPTER 65—THIRD CLASS MAIL

Sec.

4451. Definition.

4452. Postage rates.

4453. Permissible marks and enclosures.

§ 4451. Definition

- (a) Third class mail consists ofailable matter which is—
 - (1) not mailed or required to be mailed as first class mail;
 - (2) not entered as second class mail; and
 - (3) less than sixteen ounces in weight.
- (b) A person who presents for mailing at one time twenty or more identical copies of bills and statements of account produced by any photographic or mechanical process, other than typewriting, may mail them as third class mail. In other cases, bills and statements of account shall be mailed as first class mail.
- (c) Circulars, including printed letters which according to internal evidence are being sent in identical terms to several persons, are third class mail. A circular does not lose its character as such when the date and name of the addressee and of the sender are written therein, nor by the correction in writing of mere typographical errors.
- (d) Unsealed letters written in point print or raised characters, or on sound reproduction records, used by the blind are third class mail without regard to the limit on weight prescribed in subsection (a) (2) of this section.
- (e) Printed matter within the limit of weight set forth in subsection (a) of this section is third class mail. For the purpose of this subsection, printed matter is paper on which words, letters, characters, figures or images, or any combination thereof, not having the charac-

ter of actual and personal correspondence, have been reproduced by any process other than handwriting or typewriting.

§ 4452. Postage rates

(a) Subject to the minimum charge per piece provided in subsections (b) and (c) of this section, the postage rates on third class mail are as follows:

| Type of mailing | Rate | Unit |
|---|------------------|--|
| (1) Individual piece..... | Cents 3 1½ | First 2 ounces or fraction thereof. |
| (2) Bulk mailings under subsec. (e) of this section of— | | Each additional ounce or fraction thereof. |
| (A) Books and catalogs of 24 pages or more, seeds, cuttings, bulbs, roots, scions and plants. | 10 | Each pound or fraction thereof. |
| (B) Other matter..... | 16 | Do. |

(b) Matter mailed in bulk under subsection (e) of this section is subject to the following minimum charge for each piece unless a higher minimum rate is applicable under subsection (c) of this section:

[In cents]

| Mailed by— | Through June 30, 1960 | After June 30, 1960 |
|---|-----------------------|---------------------|
| Other than qualified nonprofit organizations..... | 2 | 2½ |
| Qualified nonprofit organizations..... | (1) | (1) |

¹ One-half the minimum charge applicable to other than nonprofit organizations.

(c) The minimum postage rate on pieces or packages of third class mail of such size or form as to prevent ready facing and tying in bundles and requiring individual distribution is six cents.

(d) The term "qualified nonprofit organization" as used in subsections (a) and (b) of this section means religious, educational, scientific, philanthropic, agricultural, labor, veterans, or fraternal organizations or associations not organized for profit and none of the net income of which inures to the benefit of any private stockholder or individual. Before being entitled to the preferential rates set out in subsections (a) and (b) of this section, the organization or association shall furnish proof of its qualifications to the Postmaster General.

(e) Upon payment of a fee of \$20 for each calendar year or portion thereof, any person may mail in the manner directed by the Postmaster General, separately addressed, identical pieces of third class mail in quantities of not less than twenty pounds or of not less than two hundred pieces subject to pound rates of postage applicable to the entire bulk mailed at one time.

§ 4453. Permissible marks and enclosures

Only marks and enclosures permissible in the case of fourth class mail, pursuant to section 4555 of this title, may be placed on or enclosed in third class mail.

CHAPTER 67—FOURTH CLASS MAIL

Sec.

4551. Definition.

4552. Size and weight limitations.

4553. Postal zones.

4554. Postage rates on books and films.

4555. Permissible marks and enclosures.

§ 4551. Definition

Fourth class mail consists of mailable matter—

- (1) not mailed or required to be mailed as first class mail;
- (2) within the size and weight limits prescribed for fourth class mail; and
- (3) not entered as second class mail.

§ 4552. Size and weight limitations

(a) Except as provided in subsection (b) of this section—

- (1) the maximum size of fourth class mail is seventy-two inches in girth and length combined, and
- (2) the minimum weight is sixteen ounces and the maximum forty pounds in the first and second zones and twenty pounds in any other zone.

(b) The maximum size of fourth class mail is one hundred inches in girth and length combined and the minimum weight is sixteen ounces and the maximum seventy pounds for parcels—

- (1) mailed at, or addressed for delivery at, a second, third, or fourth class post office or on a rural or star route;
- (2) containing baby fowl, liveplants, trees, shrubs or agricultural commodities but not the manufactured products of those commodities;
- (3) consisting of books permanently bound for preservation consisting wholly of reading matter or reading matter with incidental blank spaces for students' notations and containing no advertising matter other than incidental announcements of books;
- (4) addressed to or mailed at an Army, Air Force, or Fleet post office;
- (5) addressed to or mailed in the Commonwealth of Puerto Rico, the Territory of Hawaii or a possession of the United States including the Canal Zone and the Trust Territory of the Pacific Islands; and
- (6) consisting of reproducers for sound reproduction records for the blind or parts thereof, and of Braille writers and other appliances for the blind or parts thereof, mailed under section 4654 of this title.

§ 4553. Postal zones

(a) For the purposes of fourth class mail the United States, its possessions, the Territory of Hawaii and the Commonwealth of Puerto Rico are divided into units of area thirty minutes square, identical with a quarter of the area formed by the intersecting parallels of latitude and meridians of longitude, represented on postal maps or plans.

(b) The units of area are the basis of eight postal zones, as follows:

- (1) the first zone includes all territory within the quadrangle in conjunction with every contiguous quadrangle, representing an area having a mean radial distance of approximately fifty miles from the center of a given unit of area.
- (2) the second zone includes all units of area outside the first zone lying in whole or in part within a radius of approximately one hundred and fifty miles from the center of a given unit of area.
- (3) the third zone includes all units of area outside the second zone lying in whole or in part within a radius of approximately three hundred miles from the center of a given unit of area.
- (4) the fourth zone includes all units of area outside the third zone lying in whole or in part within a radius of approximately six hundred miles from the center of a given unit of area.
- (5) the fifth zone includes all units of area outside the fourth zone lying in whole or in part within a radius of approximately one thousand miles from the center of a given unit of area.

(6) the sixth zone includes all units of area outside the fifth zone lying in whole or in part within a radius of approximately one thousand four hundred miles from the center of a given unit of area.

(7) the seventh zone includes all units of area outside the sixth zone lying in whole or in part within a radius of approximately one thousand eight hundred miles from the center of a given unit of area.

(8) the eighth zone includes all units of area outside the seventh zone.

§ 4554. Postage rates on books, films, and similar educational materials

(a) Except as provided in subsection (b) of this section, the postage rate is 9 cents a pound for the first pound or fraction thereof and 5 cents for each additional pound or fraction thereof on—

(1) books permanently bound for preservation, consisting wholly of reading matter or scholarly bibliography or reading matter with incidental blank spaces for students' notations and containing no advertising matter other than incidental announcement of books;

(2) 16-millimeter films and 16-millimeter film catalogs except when sent to commercial theaters;

(3) printed music, whether in bound form or in sheet form;

(4) printed objective test materials and accessories thereto used by or in behalf of educational institutions in the testing of ability, aptitude, achievement, interests, and other mental and personal qualities with or without answer, test scores, or identifying information recorded thereon in writing, or by mark;

(5) phonograph recordings; and

(6) manuscripts for books, periodicals and music.

(b) (1) Matter designated in paragraph (2) of this subsection may be mailed at the regular third or fourth class postage rates, or at the rate of 4 cents for the first pound or fraction thereof and 1 cent for each additional pound or fraction thereof when loaned or exchanged between—

(A) schools, colleges or universities;

(B) public libraries, religious, educational, scientific, philanthropic, agricultural, labor, veterans', or fraternal organizations or associations, not organized for profit and none of the net income of which inures to the benefit of any private stockholder or individual, or between such organizations and their members, readers or borrowers.

(2) The materials mailable under the rates prescribed in paragraph (1) of this subsection are—

(A) books consisting wholly of reading matter or scholarly bibliography or reading matter with incidental blank spaces for students' notations and containing no advertising matter other than incidental announcements of books;

(B) printed music, whether in bound form or in sheet form;

(C) bound volumes of academic theses in typewritten or other duplicated form;

(D) bound volumes of periodicals;

(E) phonograph recordings; and

(F) other library materials in printed, duplicated, or photographic form or in the form of unpublished manuscripts.

(3) Before being entitled to the preferential rates under this subsection, the Postmaster General may require an organization or association to furnish satisfactory evidence to him that none of the net income inures to the benefit of any private stockholder or individual.

(c) 16-millimeter films, filmstrips, transparencies for projection, slides, microfilms, sound recordings, and catalog of those items may be mailed at the rates prescribed in subsection (b) (1) of this section when sent to or from the institutions, organizations or associations listed in (A) and (B) of subsection (b) (1).

(d) The limit of weight on parcels mailed under this section is 70 pounds.

(e) The postage rates prescribed in this section shall continue until otherwise provided by the Congress.

§ 4555. Permissible marks and enclosures

The sender may not place on or enclose in fourth class mail marks that have the character of personal correspondence, but the following marks and enclosures may be placed on or in fourth class mail when space is left on the address side sufficient for a legible address and necessary stamps—

(1) the sender's name, occupation, and address, preceded by the word "from", and directions for transmission, delivery, forwarding, or return;

(2) marks other than by written or printed words to call attention to words or passages in the text;

(3) correction of typographical errors;

(4) a simple manuscript dedication or inscription not of the nature of personal correspondence on the blank leaves or cover of a book or other printed matter;

(5) matter mailable as third class mail printed on the wrapper, envelope, tag or label;

(6) marks, numbers, names or letters for the purpose of description printed or written on the wrapper or cover;

(7) the words "Please Do Not Open Until Christmas" or words to that effect on the package, wrapper or envelope enclosing the same or on a tag or label attached thereto;

(8) corrections on proof sheets;

(9) manuscript accompanying proof sheets; and

(10) matter mailable as third class mail.

CHAPTER 69—POSTAGE RATES FOR MISCELLANEOUS MATTER WITHIN THE VARIOUS CLASSES

Sec.

4651. Keys and other small articles.

4652. Congressional Record.

4653. Publications for the blind.

4654. Reproducers and sound reproduction records for the blind.

§ 4651. Keys and other small articles

(a) Any person may mail without prepayment of postage a key, identification card, identification tag, or similar identification device, or small article which the Postmaster General by regulation designates, which bears, contains, or has attached securely thereto—

(1) a complete, definite, and legible post office address, including any street address or box or route number; and

(2) a notice directing that it be returned to the address, and guaranteeing the payment, on delivery, of the postage due thereon.

(b) Postage at the rate of 5 cents for each two ounces or fraction thereof shall be collected on delivery.

§ 4652. Congressional Record

The postage on each copy of the daily Congressional Record mailed from the District of Columbia as transient matter is one cent.

§ 4653. Publications for the blind

- (a) The following matter may be mailed free of postage—
- (1) books, pamphlets, and other reading matter:
 - (A) published either in raised characters, whether prepared by hand, or printed, or in the form of sound reproduction records, for use of the blind;
 - (B) in packages not exceeding the weight prescribed by the Postmaster General;
 - (C) containing no advertising or other matter whatever;
 - (D) unsealed;
 - (E) sent by public institutions for the blind or by any public library as a loan to blind readers, or when returned by the latter to the institutions or public libraries; and
 - (2) magazines, periodicals and other regularly issued publications:
 - (A) published either in raised characters, whether prepared by hand or printed, or in the form of sound reproduction records, for the use of the blind;
 - (B) containing no advertising;
 - (C) for which no subscription fee is charged; and
 - (3) books or pages thereof:
 - (A) published in raised characters, whether prepared by hand or printed;
 - (B) containing no advertising;
 - (C) sent to a blind person without cost to the blind person.
- (b) There may be mailed at the rate of postage of one cent for each pound or fraction thereof, magazines, periodicals, and other regularly issued publications—
- (1) published either in raised characters, whether prepared by hand or printed, or in the form of sound reproduction records, for the use of the blind;
 - (2) containing no advertisements; and
 - (3) when furnished by an organization, institution, or association not conducted for private profit, to a blind person, at a price not greater than the cost price thereof.
- (c) Volumes of the Holy Scriptures or part thereof, published either in raised characters, whether prepared by hand or printed or in the form of sound reproduction records for the use of the blind, which do not contain advertisements—
- (1) when furnished to a blind person without charge by an organization, institution, or association not conducted for private profit, may be mailed free of postage; and
 - (2) when furnished to a blind person at a price not greater than the cost thereof by an organization, institution, or association, not conducted for private profit, may be mailed at the rate of one cent for each pound or fraction thereof.

§ 4654. Reproducers and sound reproduction records for the blind

- (a) The postage rate is one cent a pound or fraction thereof on reproducers for sound reproduction records for the blind, or parts thereof, which are the property of the United States Government sent for repair or returned after repair—
- (1) by an organization, institution, public library, or association for the blind, not conducted for private profit;
 - (2) by a blind person to such an agency not conducted for private profit;

(3) from such an agency to an organization, institution, public library, or association for the blind not conducted for private profit; or

(4) to a blind person.

(b) The Postmaster General may extend the rate set out in subsection (a) of this section to reproducers or parts thereof for sound reproduction records for the blind, Braille writers and other appliances for the blind, or parts thereof, that are the property of—

(1) State governments or subdivisions thereof; or

(2) public libraries;

(3) private agencies for the blind not conducted for private profit; or

(4) blind individuals.

PART V—SPECIAL MAIL AND BANKING SERVICE

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CHAPTER 81—REGISTRY, INSURED AND C. O. D. SERVICE

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§ 5001. Registry system

(a) The Postmaster General may maintain a system of registration for the greater security of mail matter. As part of the registry system he may indemnify the senders or owners of registered articles for their loss, rifling, or damage, in the mails.

(b) The maximum limit of indemnity payable for a registered article is \$1,000, or the actual value when that is less than \$1,000, and for which no other compensation or reimbursement has been made. However, the Postmaster General may provide for the payment of indemnity for the actual value of a registered article, or an insured article treated as a registered article, in excess of \$1,000, but not in excess of \$10,000 when the article is not insured with another insuring agency.

(c) The Postmaster General may cause liability or risk assumed by the Department, in connection with the mailing of a particular registered article, to be underwritten or reinsured in whole or in part, with a commercial insurance company.

(d) An additional fee, known as a surcharge, may be required for a registered article, or for an insured article treated as a registered article, that has a declared value in excess of the maximum indemnity covered by the registry or insurance fee.

(e) The official mail of the Department, which requires registration, may be registered without payment of registry fee.

§ 5002. Registration of letters containing currency

The Postmaster General shall accept for registration without prepayment of registry fee—

(1) letters containing fractional or other currency sent for redemption to the Department of the Treasury;

(2) letters sent from the District of Columbia, by the Department of the Treasury containing new currency for currency redeemed when marked with the word "register" over the official signature of the sending officer.

§ 5003. Registered official mail

(a) An executive department or agency, independent establishment of the Government, or Government corporation, or the Public Printer, may register official domestic letter or parcel requiring registration without prepayment of the fees.

(b) Matter requiring registration relating to naturalization or to the census, which is entitled to be sent without prepayment of postage, may be registered without prepayment of registry fee.

§ 5004. Reimbursement for matter mailed without payment of registry fees

Executive departments and agencies, independent establishments of the Government and Government corporations concerned shall transfer to the Department as postal revenue out of appropriations or funds available to them, as a necessary expense of the appropriation or funds and of the activity concerned, the equivalent amount of registry fees, as determined by the Postmaster General, for matter sent in the mails without prepayment of the fee, by or to them under authority of sections 5002 or 5003 of this title.

§ 5005. Declaration of full value of registered mail

(a) Unless otherwise prescribed by the Postmaster General, the mailer shall declare the full value of registered mail, or insured mail treated as registered mail at the time of mailing. The Postmaster General may not pay a claim for indemnity if the value was knowingly and willfully misstated.

(b) The Postmaster General may determine upon what part of the declared value in excess of the maximum indemnity covered by the fee paid, surcharges shall be based for registered mail, or insured mail treated as registered mail, which may be carried at less than the maximum risk of loss in the mails.

§ 5006. Insurance system

The Postmaster General shall provide for the indemnification, by insurance or otherwise, not to exceed \$200, for an article sent by third class or fourth class mail which is injured or lost in the mail.

§ 5007. Collect-on-delivery service

(a) The Postmaster General shall provide for the collection on delivery of the postage and price of an article mailed as first, third, or fourth class, or registered, mail.

(b) The maximum amount of charges collectible and the maximum amount of indemnity payable on a collect-on-delivery article is \$200, except that indemnity in excess of \$200, but not in excess of the limit of indemnity for registered mail, may be paid in the case of a registered collect-on-delivery article.

§ 5008. Undeliverable C. O. D. parcels

(a) The Postmaster General may return to the sender charged with return postage a collect-on-delivery article that the addressee fails to remove from the post office within fifteen days from the

first attempt to deliver or the first notice of arrival at the office of address, regardless of whether the parcel bears a specified time limit for delivery. He may collect a demurrage charge when delivery has not been made to either the addressee or the sender until after the expiration of the prescribed period. He may not charge demurrage on collect-on-delivery articles exchanged between post offices in the continental United States and post offices in the Commonwealth of Puerto Rico, the Territories and possessions of the United States.

(b) The Postmaster General may direct the immediate return to the sender, charged with return postage, of an undeliverable collect-on-delivery article.

§ 5009. Restricted delivery

(a) The Postmaster General may provide for domestic registered, insured, and collect-on-delivery and other mail accorded special services to be restricted in delivery to the addressee only, or to the addressee or order. He shall charge an additional fee for this service.

(b) The Postmaster General may refund fees paid for this service only upon request and when the postal service is at fault for the erroneous delivery or the nondelivery of the article.

§ 5010. Return receipts

(a) Upon payment of the fee prescribed by him, the Postmaster General shall provide senders of mail, receipts showing either—

- (1) to whom and when the article was delivered, or
- (2) to whom, when, and the address where the article was delivered.

(b) Receipts furnished under subsection (a) of this section shall be received in the courts as prima facie evidence of the delivery.

(c) The Postmaster General may refund fees paid for receipts under subsection (a) of this section when the failure to furnish the receipt, or the equivalent, is the fault of the postal service.

§ 5011. Co-insurance

Claims for indemnity involving registered mail, insured mail treated as registered mail, other insured mail or collect-on-delivery mail which is also insured with another insuring agency shall be adjusted by the Postmaster General on a pro rata basis as a co-insurer with the other insuring agency.

§ 5012. Receipts of mailing

The Postmaster General may provide for the issuance to the sender of a receipt or certificate showing the mailing of ordinary mail, and additional receipts for the mailing of registered, insured, and collect-on-delivery mail.

CHAPTER 83—MONEY ORDER SYSTEM

Sec.

5101. Money order system.

5102. Issuance of money orders.

5103. Payment of money orders.

5104. Indorsement of orders.

5105. Postal notes.

§ 5101. Money order system

To promote public convenience, and insure greater security in remitting funds through the mail, the Postmaster General may maintain a money order system.

§ 5102. Issuance of money orders

(a) The Postmaster General shall cause money orders to be issued at such post offices, including stations and branches, as he designates.

(b) The Postmaster General may not permit a money order to be issued under this chapter for more than \$100.

(c) A money order is not valid unless drawn upon a form furnished by the Postmaster General.

(d) The Postmaster General may not permit money orders to be issued on the condition that identification of the payee, indorsee, or attorney may be waived, nor permit payment to be made of a money order so issued.

§ 5103. Payment of money orders

(a) The Postmaster General shall provide for the payment of money orders to the payee, indorsee, or remitter at offices at which money orders are issued.

(b) When a money order has been lost the Postmaster General, upon evidence satisfactory to him, may pay the face value thereof or issue a duplicate money order, without charge, to the person he determines is entitled thereto.

(c) The records of the Department shall serve as the basis for adjudicating claims for payment of money orders.

(d) The Postmaster General may not pay a money order after twenty years from the last day of the month of original issue. Claims for unpaid money orders are forever barred unless received by the Department within that period.

§ 5104. Indorsement of orders

The payee of a money order, by his written indorsement thereon, may direct it to be paid to any other person who shall be entitled to payment upon furnishing such proof as the Postmaster General requires that the indorsement is genuine, and that he is the person named therein. More than one indorsement renders an order invalid. The holder of such an order, if otherwise entitled thereto, may obtain payment under such application and proof of the genuineness of the indorsements as the Postmaster General requires.

§ 5105. Postal notes

(a) The Postmaster General may authorize postmasters at offices designated by him to issue and pay money orders not exceeding \$10, to be known as postal notes.

(b) Postal notes are valid for two calendar months from the last day of the month of their issue, but thereafter the Postmaster General may pay them or make refund in case of loss, upon evidence satisfactory to him. The Postmaster General may not consider a claim filed later than one year from the last day of the month of issue of the postal note unless the original postal note is presented with the claim and a duplicate postal note has not been issued therefor.

CHAPTER 85—POSTAL SAVINGS SYSTEM

Sec.

5201. Faith of United States pledged to payment of deposits.

5202. Definitions.

5203. Establishment of system.

5204. Regulations of Board of Trustees.

5205. Annual report of Board of Trustees.

5206. Depository offices.

5207. Opening of accounts.

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5218. Purchase of Government obligations.

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5221. Application of income from postal savings funds.

5222. Judgment adjudicating right or interest in deposit.

5223. Liability for outstanding postal savings stamps.

5224. Disposal of paid certificates.

§ 5201. Faith of United States pledged to payment of deposits

The faith of the United States is solemnly pledged to the payment of the deposits made in postal savings depository offices, with accrued interest thereon as provided in this chapter.

§ 5202. Definitions

As used in this chapter "bank" means a bank, including savings banks and trust companies doing a banking business, which is subject to national or state supervision and examination.

§ 5203. Establishment of system

(a) The Board of Trustees of the Postal Savings System, consisting of the Postmaster General and the Secretary of the Treasury, except as otherwise provided in this chapter, shall control, supervise and administer the Postal Savings System.

(b) The Secretary of the Treasury shall designate an officer or employee of the Department of the Treasury as Treasurer of the Board of Trustees. The Secretary of the Treasury may employ personnel and expend sums for contingent and miscellaneous items necessary to transact the business of the Postal Savings System in the office of the Treasurer of the Board of Trustees, utilizing therefor money advanced to the Secretary of the Treasury out of any available appropriation for the establishment, maintenance, and extension of postal savings depositories.

§ 5204. Regulations of Board of Trustees

Except as otherwise provided in this chapter, the Board of Trustees may make regulations for the receipt, transmittal, custody, deposit, investment and repayment of the funds deposited at postal savings depository offices.

§ 5205. Annual report of Board of Trustees

The Board of Trustees shall submit a report to Congress at the beginning of each regular session showing by States, Territories, the District of Columbia and the Commonwealth of Puerto Rico, for the preceding fiscal year—

- (1) the number and names of post offices receiving deposits;
- (2) the aggregate amount of deposits made therein;
- (3) the aggregate amount of withdrawals therefrom;

- (4) the number of depositors;
- (5) the total amount standing to the credit of all depositors at the conclusion of the year;
- (6) the amount of deposits at interest;
- (7) the amount of interest received thereon;
- (8) the amount of interest paid thereon;
- (9) the number and amount of unclaimed deposits;
- (10) the amount invested in Government securities by the Board of Trustees;
- (11) the expense of the Department and postal service incident to the operation of the postal savings depository system; and
- (12) other facts deemed pertinent and proper.

§ 5206. Depository offices

The Postmaster General shall designate post offices which are to be postal savings depository offices and shall prescribe the hours during which they shall remain open.

§ 5207. Opening of accounts

Upon receipt of an application to open a postal savings account, and the tender of an initial deposit, the postal savings depository office shall deliver to the depositor evidence of the deposit free of cost.

§ 5208. Deposits and withdrawals

The Postmaster General shall prescribe regulations with respect to deposits in and withdrawals from postal savings accounts, and shall provide for the issuance of pass books or other devices as evidence of deposits and withdrawals.

§ 5209. Claims on paid postal savings certificates

(a) Claims for payment of a postal savings certificate, or other evidence of deposit in the postal savings depository system, including duplicates, which are shown by the records of the Department to have been duly paid, are barred if not presented to the Postmaster General within six years from the date on which the records show that they were paid.

(b) Final determination by the Postmaster General as to whether payment properly has been made on postal savings certificates or other evidences of deposit in the postal savings depository system, including duplicates, shall be based upon the official records of the Department.

§ 5210. Depositors

A person ten years of age or over, in his own name, and a married woman in her own name and free from control or interference by her husband, may open and maintain one postal savings account at a time.

§ 5211. Amount of deposits

A depositor may make deposits in amounts of \$5 or multiples thereof. Interest is not payable on any balance in excess of \$2,500, exclusive of accumulated interest.

§ 5212. Privacy of accounts

Persons connected with the Department may not disclose the amount of a deposit to any person other than the depositor, unless directed to do so by the Postmaster General.

§ 5213. Interest on deposits

(a) The Postmaster General shall pay depositors interest on savings accounts at the rate of 2 per centum per year, but not in excess of the rate permitted to be paid on savings deposits by regulations prescribed by the Board of Governors of the Federal Reserve System, pursuant

to section 371b of title 12, by member banks of the System located nearest to the place where the depository office in which the deposit was made.

(b) The Postmaster General shall compute interest on deposits under such regulations as the Board of Trustees prescribes, and shall enter it to the credit of the depositor once for each quarter, beginning with the first day of the month following the date of the deposit. He may not allow interest on any part of funds deposited for a period of less than three months or on fractions of a dollar.

§ 5214. Cash reserve

The Treasurer of the Board of Trustees shall maintain five percent of all postal savings funds in a cash reserve.

§ 5215. Apportionment of funds among banks

(a) Except as otherwise provided in this chapter, the Board of Trustees shall deposit postal savings funds received at a postal savings depository office in the banks in that locality, substantially in proportion to the capital and surplus of each bank willing to receive deposits under the terms of this chapter, and the regulations of the Board.

(b) If no qualified bank in the locality in which the funds were received at postal savings depository offices is willing to receive deposits of postal savings funds on the terms prescribed, the Board shall deposit the funds in the bank most convenient to the depository office.

§ 5216. Security for funds deposited in banks

The Board of Trustees, to the extent that the deposits are not insured under section 264 of title 12, shall require banks receiving deposits of postal savings funds to provide such security in public bonds or other securities authorized by act of Congress, or supported by the taxing power, as it deems sufficient and necessary to insure the safety and prompt payment of the deposits.

§ 5217. Interest on bank deposits

(a) Subject to subsection (b) of this section, depository banks shall pay interest on postal savings funds at a rate uniform throughout the United States and territories thereof of not less than $2\frac{1}{4}$ per centum a year.

(b) The Board of Trustees may deposit postal savings funds on time in member banks of the Federal Reserve System, subject to the provisions of section 371b of title 12 and of the regulations of the Board of Governors of the Federal Reserve System.

§ 5218. Purchase of Government obligations

(a) When the postal savings deposits in a State, Territory, the District of Columbia or the Commonwealth of Puerto Rico exceed the amount which qualified banks therein are willing to receive the Board of Trustees may invest any excess in bonds or other securities of the United States or in other obligations which are lawful investments for trust funds of the United States.

(b) When in the judgment of the President the general welfare and interest of the United States so require, the Board of Trustees may invest all or any part of the postal savings funds in bonds or other securities of the United States or in other obligations which are lawful investments for trust funds of the United States.

§ 5219. Sources of funds to pay depositors

(a) Postal funds used to pay postal savings depositors shall be replaced from postal savings funds on deposit in the State, Territory, the District of Columbia and the Commonwealth of Puerto Rico inso-

far as they may be sufficient for the purpose and so far as practicable, from postal savings funds on deposit in the community in which the depositor maintains his account.

(b) The Board of Trustees may obtain funds needed to meet withdrawals of postal savings depositors either by withdrawals of funds on deposit with banks or by disposal of bonds held as postal savings investments.

§ 5220. Bank fees on postal savings business

Banks in which postal savings funds are deposited may not receive a fee or compensation on account of the cashing or collection of a check or the performance of other service in connection with the Postal Savings System.

§ 5221. Application of income from postal savings funds

The Postmaster General shall apply interest and profit accruing from the deposits or investment of postal savings funds to the payment of interest due to postal savings depositors, covering any excess into the Treasury of the United States as a part of the postal revenue.

§ 5222. Judgment adjudicating right or interest in deposit

The Board of Trustees shall accept as conclusive the final judgment, order, or decree of any court of competent jurisdiction adjudicating any right or interest in a postal savings account, after time for appeal has expired, upon submission of a copy to the Postmaster General authenticated in accordance with section 1738 of title 28. Payments made in accordance therewith discharge the Postal Savings System and the United States from further claim or demand for the sum so paid.

§ 5223. Liability for outstanding postal savings stamps

Stamps formerly issued under the authority of section 757 (c) of title 31, and section 6 of the Act of June 25, 1910 (ch. 386, 36 Stat. 816), as amended, are not liabilities of the Board of Trustees of the Postal Savings System, but are public debt obligations of the United States.

31 USC 757c.

§ 5224. Disposal of paid certificates

The Postmaster General may destroy, or otherwise dispose of, postal-savings certificates or other evidences of deposit in the postal-savings depository system, including duplicates, after the expiration of six years from the date payment thereon has been made as shown by the records of the Post Office Department.

PART VI—DELIVERY AND TRANSPORTATION SERVICES

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CHAPTER 91—DELIVERY SERVICE

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§ 6001. City delivery service

(a) The Postmaster General shall establish city delivery service for the free delivery of mail, as frequently as the public business may require, at every incorporated city, village, or borough containing a population of fifty thousand within its corporate limits.

(b) The Postmaster General may establish city delivery service for the free delivery of mail—

(1) at a place containing a population of not less than ten thousand, within its corporate limits, according to the last general census, taken by authority of State or United States law; or

(2) at a post office which produces a gross revenue, for the preceding fiscal year, of not less than \$10,000; or

(3) upon consolidation of two or more post offices situated within the corporate limits of a city, village, or borough, which offices produced revenue of not less than \$10,000 for the preceding fiscal year.

(c) The Postmaster General may continue city delivery service at post offices where it is established, even though there is a decrease below ten thousand in population or \$10,000 in gross postal revenue.

§ 6002. Village delivery service

(a) The Postmaster General may establish village delivery service for the free delivery of mail in towns and villages having post offices of the third class that are not by law entitled to city delivery service.

(b) When a post office becomes a post office of the second class the Postmaster General may not continue village delivery service at that office.

§ 6003. Receiving boxes

(a) When the public convenience requires, the Postmaster General may provide receiving boxes for the deposit of mail and for the collection of mail deposited therein.

(b) The Postmaster General may not place a receiving box inside a building except a railroad station, a public building, or a building which is freely open to the public during business hours. He may declare that chutes or other devices approved by him which are connected with receiving boxes are part thereof and under the exclusive care and custody of the Department.

§ 6004. Delivery of mail at stations or branches

The Postmaster General may not transmit a letter to a branch post office or station for delivery to an addressee contrary to the request of the addressee.

§ 6005. Rural delivery service

The Postmaster General shall maintain a rural delivery service for the free delivery of mail serving as nearly as practicable the entire rural population of the United States.

§ 6006. Special delivery service

(a) When a special delivery fee is prepaid in addition to the regular postage the Postmaster General shall give the most expeditious handling and transportation practicable to mail of any class and immediate delivery within—

- (1) one mile of a post office;
- (2) one mile of substations or branches as the Postmaster General may designate; and
- (3) the delivery limits of a post office having carrier delivery service.

(b) The postmaster is responsible for the immediate delivery of every special delivery article received at his office for delivery.

§ 6007. Fee paid to persons making delivery of special delivery mail

(a) The Postmaster General shall pay persons, other than special delivery messengers at post offices of the first class, making delivery of special delivery mail—

- (1) 9 cents for first class mail weighing not more than two pounds;
- (2) 10 cents for other mail weighing not more than two pounds;
- (3) 15 cents for mail of any class weighing more than two pounds but not more than ten pounds; and
- (4) 20 cents for mail of any class weighing more than ten pounds.

(b) At post offices of the second, third and fourth class, the Postmaster General may employ any person, including postmasters, assistants, and clerks, to deliver special delivery mail.

§ 6008. Special handling

Upon payment of a special handling fee, fourth class mail is entitled to the most expeditious handling and transportation practicable.

§ 6009. Community mail boxes

The Postmaster General may erect and maintain community boxes and suitable sheltered racks or stands for rural mail boxes, in such selected localities as he determines. The boxes may have separate compartments for incoming and outgoing mail. Rural patrons may rent box units, rack space, or stands at such monthly or annual rates as the Postmaster General determines, based on the cost of installation and maintenance. The cost of the installation and maintenance of community boxes and sheltered stands may not exceed \$2,000 a year.

CHAPTER 93—AUTHORITY TO TRANSPORT MAIL

Sec.

6101. Provisions for carrying the mail.

6102. Emergency mail service in Alaska.

6103. Transportation of mail of adjoining countries through the United States.

6104. Mails to be carried on United States registered vessels.

6105. Establishment of post roads.

6106. Discontinuance of service on post roads.

6107. Preferred treatment of letter mail.

§ 6101. Provisions for carrying the mail

(a) The Postmaster General shall provide for the transportation of mail by land, air or water as often as he deems proper under the circumstances—

- (1) within, among and between, the United States, its Territories, territories under trusteeship, possessions, the Commonwealth of Puerto Rico, and Armed Forces; and

(2) between the United States, its Territories, territories under trusteeship, possessions, the Commonwealth of Puerto Rico, or its Armed Forces, and any foreign country.

(b) The Postmaster General shall provide for the transportation of mail to the courthouse of every county in the United States.

§ 6102. Emergency mail service in Alaska

The Postmaster General may provide difficult or emergency mail service in Alaska, including the establishment and equipment of relay stations, in such manner as he deems advisable, without advertising therefor, at a total annual cost not exceeding \$25,000.

§ 6103. Transportation of mail of adjoining countries through the United States

The Postmaster General, by and with the advice and consent of the President, may make arrangements to allow the mail of countries adjoining the United States to be transported over the territory of the United States from one point in that country to any other point therein, at the expense of the country to which the mail belongs, upon obtaining a like privilege for the transportation of the United States mail through the country to which the privilege is granted. The President or Congress may annul the privilege at any time. The privilege shall terminate one month succeeding the day on which notice of the act of the President or Congress is given to the chief executive or head of the post office department of the country whose privilege is to be annulled.

§ 6104. Mails to be carried on United States registered vessels

Mail of the United States shall, insofar as practicable, be carried on vessels of United States registry between ports between which it is lawful under the navigation laws for a vessel not documented under the laws of the United States to carry merchandise.

§ 6105. Establishment of post roads

The following are post roads—

- (1) the waters of the United States, during the time the mail is carried thereon;
- (2) railroads or parts of railroads and air routes in operation;
- (3) canals, during the time the mail is carried thereon;
- (4) public roads, highways, and toll roads during the time the mail is carried thereon; and
- (5) letter-carrier routes established for the collection and delivery of mail.

§ 6106. Discontinuance of service on post roads

The Postmaster General may discontinue service on a post road or part thereof when, in his opinion—

- (1) the postal service cannot safely be continued;
- (2) the revenues cannot be collected;
- (3) the laws cannot be maintained; or
- (4) the public interest so requires.

§ 6107. Preferred treatment of letter mail

The Postmaster General may provide for the preferential treatment of first class mail, without unnecessary delay to other mail, when the quantity of mail to be transported over any route—

- (1) seriously retards the progress or endangers the security of the mail; or
- (2) materially increases the cost of transportation at the ordinary rate of speed.

CHAPTER 95—TRANSPORTATION OF MAIL BY RAILROAD

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- 6201. Definition.
- 6202. Service by railroad and vessel.
- 6203. Authorization of service by railroads.
- 6204. Facilities provided by railroad.
- 6205. Changes in service.
- 6206. Evidence of service.
- 6207. Fines and deductions.
- 6208. Interstate Commerce Commission to fix rates.
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- 6210. Special rates.
- 6211. Authority to distinguish between classes of mail.
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- 6213. Transportation by motor vehicle.
- 6214. Statistical studies.
- 6215. Special contracts.

§ 6201. Definition

As used in this chapter, unless otherwise specified, "railroad" means a railway common carrier, including an electric urban and interurban railway common carrier.

§ 6202. Service by railroad

This chapter applies to mail transportation performed by a railroad by rail or combination of rail, vessel and motor vehicle, or as provided by section 6213 of this title.

§ 6203. Authorization of service by railroad

(a) The Postmaster General may establish railroad mail routes and authorize mail transportation service thereon. He may transport equipment and supplies of the Department as mail thereon.

(b) A railroad shall transport mail including equipment and supplies of the Department offered for transportation by the United States in the manner, under the conditions, and with the service prescribed by the Postmaster General. It is entitled to receive fair and reasonable compensation for the transportation and services connected therewith.

(c) The Postmaster General shall determine the trains upon which mail shall be transported.

(d) A railroad shall transport with due speed, on any train it operates, such mail, including equipment and supplies of the Department, as the Postmaster General directs.

(e) A railroad engaged in the transportation of mail shall transport on any train it operates upon exhibiting their credentials and without extra charge therefor—

- (1) persons in charge of the mail when on duty and traveling to and from duty; and
- (2) accredited agents and officers, including postal inspectors, of the Department while traveling on official business.

§ 6204. Facilities provided by railroads

(a) A railroad engaged in the transportation of mail shall provide the following equipment and facilities—

- (1) cars or parts of cars used in the transportation and distribution of mail;
- (2) facilities for protecting and handling mail in its custody;
- (3) station space and rooms for handling, storing and transfer of mail in transit, including the separation thereof by packages for connecting lines, and for distribution of registered mail in transit; and
- (4) when required by the Postmaster General, offices for employees of the postal transportation service engaged in station

work, in which mail from station boxes may be distributed if additional space is not required therefor.

(b) Railway post office cars or parts thereof used for mail transportation and distribution must be of such construction, style, length, and character, and must be equipped in such manner as the Postmaster General requires. They must be constructed, equipped, maintained, heated, lighted, and cleaned by and at the expense of the railroad. The Postmaster General may not pay for full and apartment railway post office car service unless the car furnished therefor is sound in material and construction, equipped with sanitary drinking water containers and toilet facilities, and regularly and thoroughly cleaned. He may not accept or pay for service by a full railway post office car unless the car is constructed of steel, steel underframe, or equally indestructible material.

(c) A railroad shall place cars used for full or apartment railway post office car service in stations at such times before the departure of the trains as the Postmaster General directs.

§ 6205. Changes in service

The Postmaster General may authorize, according to the need therefor, new or additional mail transportation service by railroad at the rates or compensation fixed pursuant to this chapter. He may reduce or discontinue service with pro rata reductions in compensation. The Postmaster General may not pay for additional service which he has not specifically authorized.

§ 6206. Evidence of service

A railroad shall submit evidence of the performance of mail transportation service, signed by an authorized official, in such form and at such times as the Postmaster General requires. Mail transportation service is considered that of the railroad performing it regardless of the ownership of the property used by the railroad.

§ 6207. Fines and deductions

(a) For refusal to perform mail transportation service required by the Postmaster General at rates or method of compensation established under this chapter, the Postmaster General shall fine—

- (1) an electric urban or interurban railroad, \$100; and
- (2) any other railroad, \$1,000.

Each day of refusal constitutes a separate offense.

(b) The Postmaster General shall fine a railroad an amount he deems reasonable for—

- (1) failure or refusal to transport mail, equipment, and supplies on any train it operates when required by the Postmaster General;
- (2) failure or refusal to furnish cars or apartments in cars for distribution purposes when required by the Postmaster General;
- (3) failure or refusal to construct, equip, maintain, heat, light, and clean cars or apartments in cars for distribution purposes;
- (4) failure or refusal to furnish appliances for use in case of accident, as required by the Postmaster General, in cars or apartments in cars used for distribution purposes; or
- (5) other delinquencies in mail transportation and the service connected therewith.

(c) The Postmaster General may make deductions from the compensation of a railroad for failure to perform mail transportation service as authorized and, if the failure to perform is due to the fault of the railroad, he may deduct a sum not exceeding three times the compensation applying to such service.

§ 6208. Interstate Commerce Commission to fix rates

(a) The Interstate Commerce Commission shall determine and fix from time to time the fair and reasonable rates or compensation for the transportation of mail by railroad and the service connected therewith and prescribe the method for computing such rates or compensation. The Commission shall publish its orders stating its determination under this section which shall remain in force until changed by it after notice and hearing.

(b) For the purpose of determining and fixing rates or compensation under this section, the Commission may make just and reasonable classifications of railroads and, where just and equitable, fix general rates applicable to railroads in the same classification.

(c) In determining and fixing fair and reasonable rates under this section, the Commission shall consider the relation between the Government and railroads as public service corporations, and the nature of public service as distinguished, if there is a distinction, from the ordinary transportation business of the railroads.

§ 6209. Procedures

(a) At any time after six months from the entry of an order stating the Commission's determination under section 6208 of this title, the Postmaster General or an interested railroad may apply for a re-examination and substantially similar proceedings as have theretofore been had shall be followed with respect to the rates for services covered by the application. At the conclusion of the hearing the Commission shall enter an order stating its determination.

(b) Except as authorized by sections 6210 and 6215 of this title, the Postmaster General shall pay a railroad the rates or compensation so determined and fixed for application at such stated times as named in the order.

(c) The Postmaster General may file with the Commission a comprehensive plan, stating—

(1) his requirements for the transportation of mail by railroad;

(2) the number, equipment, size, and construction of the cars necessary for the transaction of the business;

(3) the character and speed of the trains which are to carry the various kinds of mail;

(4) the service, both terminal and en route, which carriers are to render;

(5) what he believes to be the fair and reasonable rates or compensation for the services required;

(6) all other information which may be material to the inquiry, but such other information may be filed at any time in the discretion of the Commission.

(d) When a comprehensive plan is filed, the Commission shall give notice of not less than thirty days to each railroad required by the Postmaster General to transport mail. A railroad may file its answer at the time fixed by the Commission, but not later than thirty days after the expiration date fixed by the Commission in the notice, and the Commission shall proceed with the hearing.

§ 6210. Special rates

(a) Upon petition by the Postmaster General the Commission shall determine and fix carload or less-than-carload rates for the transportation of fourth class and periodical mail. A railroad shall perform the service at the rates so determined when requested to do so and under the conditions prescribed by the Postmaster General.

(b) The Postmaster General may make special arrangements with railroads for the transportation of mail in freight trains at rates not

in excess of the usual and just freight rates in accordance with classifications and tariffs filed with or prescribed by the Commission.

§ 6211. Authority to distinguish between classes of mail

The Postmaster General may distinguish between the several classes of mail and arrange for less frequent dispatches of mail, other than first class mail, when lower transportation rates or other economies may be secured without material detriment to the service.

§ 6212. Discrimination in transporting second class mail

(a) The Postmaster General may not transport a publication by freight if this method of mail transportation results in unfair discrimination against the owner of the publication.

(b) When the owner of a publication required by order of the Department to be transported by freight believes that this method of transportation unfairly discriminates against him, he may file a written application with the Department for a hearing. Thereafter he shall be given an opportunity for a hearing before the Department. Pending final determination no change may be made in the method of transportation of the publication as ordered by the Department.

(c) Prior to the entry of an order stating the Department's determination, the Postmaster General shall cause the testimony in the hearing under this section to be reduced to writing and filed in the Department.

(d) If the Department after the hearing determines by order that there is no unfair discrimination, the publisher may, within a period of twenty days after the date of the order, petition the United States Court of Appeals for the District of Columbia for review of the order, by filing in the court a written petition praying that the order be set aside. The clerk of the court shall transmit a copy of the petition to the Department and thereupon the Department shall file in the court the record as provided in section 2112 of title 28. Upon the filing of the petition the court shall have jurisdiction to examine, set aside or modify the order of the Department.

(e) The jurisdiction of the United States Court of Appeals for the District of Columbia to affirm, set aside, or modify the orders of the Department is exclusive.

(f) The United States Court of Appeals for the District of Columbia shall give precedence to proceedings under this section over other pending cases and they shall be expedited in every way.

§ 6213. Transportation by motor vehicle

The Postmaster General may permit a railroad to perform mail transportation by motor vehicle over highways in lieu of service by rail at rates or compensation not exceeding those allowable for similar service by rail.

§ 6214. Statistical studies

The Postmaster General may arrange for weighing and measuring mail transported on railroad mail routes and make other computations for statistical and administrative purposes to carry out the purposes of this chapter and pay the expense thereof out of appropriations available to the Department.

§ 6215. Special contracts

The Postmaster General may enter into special contracts with railroads for terms not to exceed 4 years for the transportation of mail and the service connected therewith without advertising for bids. He may contract to pay lower rates or compensation, or where in his judgment conditions warrant, higher rates or compensation, than those determined and fixed by the Commission.

CHAPTER 97—TRANSPORTATION OF MAIL BY AIR

Sec.

6301. Rules and regulations.

6302. Special arrangement in Alaska.

6303. Air star routes.

6304. Fines on aircraft carriers transporting the mails.

6305. Airmail flyer's Medal of Honor.

§ 6301. Rules and regulations

The Postmaster General may make such rules, regulations and orders not inconsistent with sections 1301-1542 of title 49, or any order, rule, or regulation made by the Civil Aeronautics Board thereunder, as may be necessary for the safe and expeditious carriage of mail by aircraft.

72 Stat. 731.

§ 6302. Special arrangement in Alaska

(a) When in the opinion of the Postmaster General the postal service requires the transportation of mail by aircraft in Alaska, and where transportation of mail by aircraft has not been authorized by the Civil Aeronautics Board under sections 1371-1386 of title 49, the Postmaster General, notwithstanding any other provision of law, after advertisement in accordance with law, may contract for the carriage of any class of mail by aircraft. The transportation of mail under contracts entered into under this section, is not, except for sections 1371(k) and 1386(b) of title 49 and "air transportation" as that term is defined in section 1301 of title 49, and the rates of compensation therefor may not be fixed under sections 1301-1542 of title 49. The Postmaster General shall transmit a copy of each contract made pursuant to this section to the Board at the time it is let. He shall cancel such a contract upon the issuance by the Board of an authorization under sections 1371-1386 of title 49 to any air carrier to engage in the transportation of mail by aircraft between any of the points named in the contract.

(b) An air carrier authorized by the Civil Aeronautics Board under sections 1371-1386 of title 49 to engage in the transportation of mail by aircraft in Alaska, may be required by the Postmaster General to transport, within the limits of the authorization, any class of mail. The Board shall determine and fix the rates of compensation to be paid for the transportation in accordance with the provisions of sections 1301-1542 of title 49.

§ 6303. Air star routes

(a) The Postmaster General may contract for the transportation of any class of mail by aircraft upon star routes—

(1) whenever he finds it to be in the public interest because of the nature of the terrain or the impracticability or inadequacy of surface transportation; and

(2) where the cost is reasonably compatible with the service to be performed.

(b) Prior to advertising for bids for the transportation of mail by aircraft under this section, the Postmaster General shall obtain from the Civil Aeronautics Board a certification that the proposed route does not conflict with the development of air transportation as contemplated under sections 1301-1542 of title 49. Upon receipt of a request from the Postmaster General for certification, the Board shall—

(1) promptly publish in the Federal Register and send to such persons as the Board by regulation determines, a notice describing the proposed air star route;

(2) thereafter afford interested persons a reasonable opportunity to submit written data, views, or arguments with or without the opportunity to present them orally;

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(3) consider all relevant matter presented; and

(4) grant, not less than thirty days after notice, the requested certification upon finding that the proposed route does not conflict with the development of air transportation as contemplated under sections 1301-1542 of title 49. The Board may grant the requested certification upon less notice if it for good cause finds that thirty days advance notice is impracticable, unnecessary, or contrary to the public interest, and incorporates this finding and a brief statement of the reasons therefor in its order granting the certification.

(c) The Postmaster General may not consider a bid for a contract under this section unless the bidder is a resident of or qualified to do business as a common carrier in a State within which one or more points to be served under the proposed contract are located. As used in this subsection, "State" includes the Territory of Hawaii and the District of Columbia.

(d) The Postmaster General shall cancel a contract made under this section upon the issuance by the Board of an authorization under sections 1371-1386 of title 49 to an air carrier to engage in the transportation of mail by aircraft between any of the points named in the contract.

(e) All laws and regulations governing star routes not in conflict with this section are applicable to contracts made under the authority of this section.

(f) Sections 1371-1376, 1380, 1381, and 1385 of title 49 do not apply to the transportation of mail under this section.

§ 6304. Fines on aircraft carriers transporting the mails

The Postmaster General may impose or remit fines on contractors or carriers transporting mail by air on routes extending beyond the borders of the United States for—

- (1) unreasonable or unnecessary delay to mail; and
- (2) other delinquencies in the transportation of the mail.

§ 6305. Airmail Flyer's Medal of Honor

The President may present, but not in the name of Congress, an Airmail Flyer's Medal of Honor, of appropriate design, with accompanying ribbon, to any person who, while serving as a pilot in the airmail service distinguished himself by heroism or extraordinary achievement. The President may not award more than one medal to any one person, but for each additional act or achievement sufficient to justify the award of a medal he may award a bar or other suitable device to be worn as he directs. If the individual who distinguished himself dies before the award is made, the President may present the medal, bar, or other device, to such representative of the deceased as the President designates. A medal, bar, or other device may not be awarded or presented to an individual whose entire service subsequent to the time he distinguished himself has not been honorable.

CHAPTER 99—HIGHWAY POST OFFICES

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6352. Highway post office contracts.

6353. Renewal of contracts for highway post office service.

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6355. Bonds for highway post office contract.

§ 6351. Highway post office service

The Postmaster General may provide highway post office service, either by contract or Government-owned motor vehicle, for carrying the mail and postal employees on routes between points where, in his judgment, conditions justify the operation of that service. The

motor vehicles must be especially designed and equipped for the distribution of mail en route and be constructed, fitted up, maintained, and operated as the Postmaster General prescribes.

§ 6352. Highway post office contracts

(a) The Postmaster General shall obtain contracts for highway post office service in accordance with section 5 of title 41, for terms not in excess of six years.

60 Stat. 809.

(b) The Postmaster General in contracts for highway post office service may provide for—

- (1) increasing or decreasing the mileage;
- (2) increasing or decreasing the hours of service required;
- (3) other service changes;
- (4) the readjustment and compensation either upward or downward to reflect the service changes and increased or decreased costs attributable to changed conditions occurring during the contract term over which the Postmaster General or the contractor have no control and which could not reasonably have been foreseen at the time the original bid was made or the proposal for renewal filed;
- (5) the imposition or remission of fines and penalties by the Postmaster General for delinquencies in the performance of the contract; and
- (6) other matters deemed appropriate by him.

(c) Each contract shall provide for its cancellation by the Postmaster General and may provide for an indemnity payment by the Postmaster General in the event of such a cancellation.

§ 6353. Renewal of contracts for highway post office service

(a) The Postmaster General, by mutual agreement with the holder of a contract for highway post office service and without submitting the service for bids, may renew the contract for successive periods of not more than six years at the rates of compensation prevailing at the end of the preceding contract term.

(b) The Postmaster General may enter into a contract with the subcontractor then performing the service, in the same manner and upon the same terms as prescribed in subsection (a) of this section if—

- (1) the holder of the contract has sublet his contract in accordance with its terms and does not indicate in writing to the Postmaster General at least ninety days before the end of the contract term that he desires to renew the contract, and
- (2) the subcontractor has performed the service required under the contract to the satisfaction of the Postmaster General for a period of at least six months.

§ 6354. Temporary contracts for highway post office service

Where there is no contractor legally bound or required to perform the service desired by the Postmaster General, or when an accepted bidder or contractor fails or refuses to perform the service on a route according to his accepted proposal or his contract, the Postmaster General, without advertising, may contract for the service desired or continue the service originally contracted for in such manner and in such equipment as he deems to be in the public interest for a term not in excess of one year.

§ 6355. Bonds for highway post office contract

The Postmaster General may require such bonds as he deems necessary to protect the interests of the Government in the form and amount and containing such conditions as he prescribes.

CHAPTER 101—TRANSPORTATION OF MAIL OTHER THAN BY RAIL, AIR OR HIGHWAY POST OFFICE

Sec.

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- 6427. Contracts for transmission of mail by mechanical devices.
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- 6436. Default of contractor having several routes.
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§ 6401. Definitions

As used in this chapter—

“star route contract” means a contract for the transportation of mail over a post road other than a railroad and may include collection and delivery service to patrons of the postal service;

“contract motor vehicle service” means a formal contract for a fixed term for service in accordance with section 6403 of this title;

“mail messenger service” means service performed in accordance with section 6403 of this title under an informal agreement without term.

§ 6402. Authority to contract for mail transportation

(a) The Postmaster General may contract for necessary domestic or foreign transportation of mail, except that—

(1) transportation of mail by railroad shall be procured as provided in chapter 95 of this title and otherwise provided by law;

(2) transportation of mail by air shall be obtained in accordance with chapter 97 of this title;

(3) highway post office service shall be obtained in accordance with chapter 99 of this title;

(4) delivery and collection service may not be established or extended under a star route contract if a majority of the patrons on the route has been served by a rural delivery route for which a qualified rural carrier can be obtained; and

(5) if possible, mail consigned between an airport and a post office at which there is Government-owned motor vehicle service, shall be transported by Government-owned motor vehicles, when the distance is not more than 35 miles.

(b) Subsection (a) (5) of this section does not prohibit the transportation of mail by helicopter or similar aircraft between airports and post offices.

§ 6403. Mail messenger and contract motor vehicle service

(a) Subject to subsection (a) (5) of section 6402 of this title, the Postmaster General may enter into informal agreements for mail messenger service without term or into formal contracts for motor vehicle service for the carriage of mail in connection with transportation service in cases where, by law or the regulations of the Department, rail, air, water and other carriers are not required to deliver into and take from postal facilities the mails carried by them. The Postmaster General may use such service as transfer service between such points as he deems necessary including service within, between and among carriers, depots, airports, piers, post offices, branch post offices or stations or other postal facilities and over bridges and ferries.

(b) Postmasters, officers, and employees, may enter into agreements for the performance of mail messenger service when the Postmaster General determines that the performance of the service will not interfere with their regular duties or with the operations of the postal service. Except as provided in subsection (c) of this section the total amount payable under an agreement may not exceed \$900 in any one year.

(c) Special delivery messengers at post offices of all classes may enter into agreements for mail messenger service without regard to the amount payable in any one year.

§ 6404. Sea post service

The Postmaster General may maintain sea post service on ocean vessels conveying mail to and from the United States.

§ 6405. Duration of contracts

(a) The Postmaster General may make contracts for the transportation of mail by vessel between the United States and foreign ports for terms of not more than two years. When the foreign office is not more than 200 miles from the domestic office he may make contracts for domestic and foreign transportation of mail by vessels, combined in one route, for terms of not more than four years. He may make other contracts for the transportation of mail for four-year terms.

(b) This section does not apply to mail messenger service or to contracts made under sections 6408, 6413, 6415, 6427 of this title.

§ 6406. Termination of contracts for foreign transportation

Contracts for the transportation of mail by vessel between the United States and a foreign port shall be made subject to cancellation by the Postmaster General or the Congress.

§ 6407. Extension of contracts

(a) The Postmaster General may continue in force beyond its express terms any regular contract for the transportation of mail until a new contract is made, but not longer than six months.

(b) This section does not apply to temporary contracts made under section 6415 of this title.

§ 6408. Transportation by vessel under noncompetitive contracts

(a) When the Postmaster General deems it necessary to make a new contract for the transportation of mail by vessel on waters, or between ports, of the United States he may contract without advertising for terms of not more than four years at a rate of compensation not to exceed the average compensation paid under the existing contract or under the last preceding contract for the transportation of mail on that route. When there has been no prior contract for the transportation of mail on a route on waters, or between ports, of the United States, the Postmaster General may contract for a term of one year for the transportation of mail on that route without advertising, or for terms of not more than four years after advertising.

(b) The Postmaster General may contract for the transportation of all classes of mail by vessel of United States registry on the route from Seward to points on Kanai Peninsula, Kodiak Island, Alaska Peninsula, the Aleutian Islands, Umnak Island, and points on Bristol Bay, Alaska, and vicinity. He may make the contract without advertisement for a term of not more than four years, at an annual cost not to exceed \$250,000. The Postmaster General shall require the contractor to furnish and use in the service a safe and seaworthy vessel of sufficient size to provide adequate space for mail, passengers and freight.

§ 6409. Transportation by vessel under informal arrangements

(a) The Postmaster General without advertising may provide for the transportation of mail by vessel between—

- (1) the United States, its possessions, the Territory of Hawaii, the Commonwealth of Puerto Rico, and a foreign port;
- (2) the United States and its possessions, its Armed Forces abroad, the Commonwealth of Puerto Rico; or
- (3) any possession or the Armed Forces of the United States, or the Commonwealth of Puerto Rico, and any other possession or Armed Forces of the United States.

(b) The Postmaster General for transportation obtained under this section by a—

- (1) vessel of United States registry, may pay compensation not to exceed eighty cents a pound for letters, post cards and postal cards, and eight cents a pound for other articles; and
- (2) vessel of foreign registry, may pay compensation not to exceed the sea transit rates fixed from time to time by the Universal Postal Union Convention.

§ 6410. Transportation of mail by vessel as freight or express

The Postmaster General may require that mail be transported as freight or express when—

- (1) there is no competition on a water route and the rate of compensation asked is excessive; or
- (2) no proposal is received.

A common carrier by water that refuses to transport the mail when required to do so under this section shall be fined not more than \$500 for each day of refusal.

§ 6411. Requirements of contracts let after competitive bidding

(a) Formal contracts for transportation of mail which are required to be made after advertising shall—

- (1) be awarded to the lowest responsible bidder with sufficient guarantee for faithful performance in accordance with the terms of the advertisement; and

(2) require due celerity, certainty, and security in the performance of the service.

(b) The Postmaster General may disregard the bid of a person who willfully or negligently failed to perform a former contract.

§ 6412. Advertisements for mail transportation contracts

When advertising is required by law, the Postmaster General shall advertise, for a period of not less than 30 days, for bids for a contract for transporting the mails, unless he shall publish with the advertisement a finding that the public exigencies surrounding the particular contract require a shorter period. The advertisement shall be conspicuously posted in each post office to be served under the contract.

§ 6413. Exceptions from advertisement requirements

Section 6412 does not apply to contracts for the transportation of mail—

(a) by mail messengers under sections 6403 and 6423 of this title;

(b) by highway post office service under sections 6351 to 6355 of this title; or

(c) by steamships under sections 6405 and 6408 of this title.

§ 6414. Procedures after default of bidder or contractor

(a) If an accepted bidder or contractor for the transportation of mail defaults on his bid or contract, the Postmaster General shall contract with the next lowest bidder who will enter into a contract for the service in accordance with his bid, unless he considers the bid too high. If he considers the bid too high, he may contract with any person, giving preference to regular bidders for the service, who will enter into a contract to perform the service at a lower price.

(b) The Postmaster General shall require each person contracting under this section to furnish a bond of like tenor, effect, and penalty as that required in the advertisement of the route. Contracts made under this section shall contain the same terms and provisions as those prescribed for similar service.

(c) If a satisfactory contract cannot be secured under this section, the Postmaster General may procure temporary service in accordance with section 6412 or 6415 of this title.

§ 6415. Temporary mail contracts

(a) The Postmaster General may make temporary contracts without advertising for the transportation of mail on routes for terms of not more than one year, if—

(1) a new route is established;

(2) a new service is required; or

(3) for any other reason there is no regular contract for service on the route.

(b) Temporary service rendered necessary by reason of the default of an accepted bidder or of a contractor may be obtained at a rate which the Postmaster General deems reasonable and the cost shall be charged to the bidder or contractor.

§ 6416. Renewal of contracts

(a) The Postmaster General, by mutual agreement with the holder of a star route, contract motor vehicle service or water route contract and without advertising may renew the contract for successive terms, of not more than four years each, at the rate of compensation prevailing at the end of the preceding contract term. The contractor shall give such bond as the Postmaster General requires.

(b) If a contractor has sublet the service in accordance with law and does not indicate in writing to the Postmaster General at

least 90 days before the end of the contract term that he desires to renew the contract, the Postmaster General may enter into a contract with the subcontractor then, and for 6 months prior thereto, performing the service under the contract to the satisfaction of the Postmaster General. Contracts made under this subsection—

(1) shall be upon the terms prevailing at the end of the preceding contract term;

(2) may be made without advertising; and

(3) shall be accompanied by such bond as the Postmaster General requires.

(c) A contract under this section may be terminated at the end of any four-year term at the option of the Postmaster General or of the contractor, or at any time by operation of law.

§ 6417. Bids for mail contracts

(a) Bids for transportation of mail shall be sealed. The Postmaster General shall keep them sealed until the bidding is closed, and then they shall be opened and marked in the presence of two or more officers or employees of the Department designated by the Postmaster General. A bidder may withdraw his bid at any time up to twenty-four hours before the time fixed for the opening of bids, by serving upon the Postmaster General notice in writing.

(b) The Postmaster General shall have recorded a true abstract of the details of all bids made for carrying the mail. He shall preserve the originals of the bids until disposed of as provided by law.

§ 6418. Bond of bidder

(a) Every bid for transporting the mail shall be accompanied by the bond of the bidder in the sum designated by the Postmaster General in the advertisement.

(b) The bond required by this section shall contain a condition that if the bidder, within such time after his bid is accepted as the Postmaster General prescribes, enters into a contract with the United States of America with good and sufficient sureties to be approved by the Postmaster General to perform the service proposed in his bid, and further if he performs the service according to his contract, then the said obligation on the bond is void, otherwise it remains in full force and obligation in law.

(c) If a bidder fails to enter into the prescribed contract or if after executing a contract fails to perform the service in accordance with his contract, he and his sureties are liable for the amount of the bond as liquidated damages to be recovered in a civil action.

(d) The Postmaster General may not consider a bid unless it is accompanied by the bond required by this section, and there is affixed to it the signed statement of the bidder that he has the pecuniary ability to fulfill his obligations, and that the bid is made in good faith with the intention to enter into a contract and perform the service if the bid is accepted.

§ 6419. Justification of sureties on bonds of bidders

(a) The Postmaster General shall direct the manner in which the sureties on the bond of a bidder for the transportation of mail are approved.

(b) Before the bond of a bidder is approved the sureties shall submit signed statements that they are owners of real estate worth in the aggregate a sum double the amount of the bond, over and above all debts due and owing by them, and all judgments, mortgages, and executions against them, after allowing all exemptions of every character whatever. Accompanying the statement and as a part thereof,

there shall be a series of written interrogatories, prescribed by the Postmaster General, and answered by the sureties showing—

- (1) the amount of real estate owned by them;
- (2) a brief description and the probable value thereof; and
- (3) where it is situated, and in what county and State evidence of ownership is recorded.

(c) If a surety knowingly submits a false statement under the provisions of this section he shall be punished in accordance with the provisions of section 1001 of title 18.

(d) Subsections (b) and (c) of this section do not apply to corporate sureties qualifying under title 6.

62 Stat. 749.

§ 6420. Qualifications of bidder

(a) The Postmaster General may not consider the bid of an individual for a star route contract unless the bidder is a legal resident of the county in which part of the route lies or of an adjoining county. He may not consider the bid of a firm, company, or corporation for such a contract unless it is actually engaged in business within the county in which part of the route lies or in an adjoining county.

(b) Except as provided in section 6403 of this title, a postmaster or employee of the Department may not be concerned in a contract for the transportation of mail.

§ 6421. Combinations to prevent bids for carrying the mail

The Postmaster General may not make a contract for transportation of mail with a person who—

- (1) enters, or proposes to enter, into a combination to prevent the making of a bid for transportation of mail; or
- (2) makes an agreement, or gives or performs, or promises to give or perform, any consideration whatever to induce another person not to bid for the contract.

The Postmaster General may annul the contract of any contractor so offending. For the first offense the person shall be disqualified for five years to contract for transporting mail, and for the second offense shall be disqualified forever.

§ 6422. Additional compensation for increased travel

The Postmaster General may allow additional compensation to a star route contractor for necessary increased travel caused by—

- (1) obstruction of roads;
- (2) destruction of bridges;
- (3) discontinuance of ferries; or
- (4) any other cause occurring during the contract term.

He may not allow additional compensation under this section at a rate proportionately greater than the rate established by the contract involved.

§ 6423. Readjustment of compensation of contractors and mail messengers

(a) The Postmaster General with the consent of the contractor may readjust the compensation under a star route, motor vehicle service, or water route contract for increased or decreased costs occasioned by changed conditions occurring during the contract term which could not reasonably have been anticipated at the time—

- (1) the original bid was made; or
- (2) the bond for a renewed contract was executed in accordance with section 6416 of this title.

(b) The Postmaster General may readjust the compensation under an agreement for the performance of mail messenger service on account of increased or decreased costs occasioned by changed conditions which

could not reasonably have been anticipated at the time the agreement was made.

§ 6424. Additional compensation for extension of route or additional service

(a) The Postmaster General, in cases where the mail service would be improved, may obtain additional service or extend routes under contract. Extensions ordered during a contract term may not, in the aggregate, increase the one-way length of a route more than fifty miles.

(b) The Postmaster General may not allow additional compensation under this section at a rate proportionately greater than the rate established by the contract involved.

(c) When additional service is ordered, the Postmaster General shall state the sum allowed therefor in the order, and enter it in the records of the Department. He may not pay compensation for additional regular service rendered before he issues the order.

(d) Subsection (c) of this section does not apply to service authorized under sections 6415, and 6422 of this title.

§ 6425. Release of contractors

(a) The Postmaster General, in the interest of the postal service, may readvertise and make new contracts for the transportation of mail in order to release contractors and their sureties when—

(1) a change is ordered in the service involving a material increase or decrease in the amount of service required to such an extent as to impose undue hardship on the contractor;

(2) an abnormal or sustained increase in the quantity of mail develops during a contract period or after a bid has been submitted necessitating larger capacity equipment to maintain the service;

(3) a change in schedule is ordered that will necessitate the contractor being away from the initial terminal for an excessively longer or shorter period than required in the advertised schedule; or

(4) the contractor complies with subsection (b) of this section and it is found, after full investigation, that the compensation of the contractor is wholly inadequate and that the continuation of the contract would impose undue hardship upon the contractor.

(b) A contractor who desires to be released from his contract under the fourth condition of subsection (a) of this section shall give 90 days' notice to the Postmaster General and waive any extra pay provided under his contract or by law as indemnity for cancellation.

§ 6426. Substitutions of sureties

The Postmaster General, whenever he deems it consistent with the public interest, may accept or require new surety upon a contract for the transportation of mail in substitution for and release of an existing surety.

§ 6427. Contracts for transmission of mail by mechanical devices

(a) The Postmaster General may enter into contracts, for terms of not more than ten years, for the transmission of mail by pneumatic tubes or other mechanical devices.

(b) Except as otherwise provided in this section contracts for the transmission of mail by pneumatic tubes or other mechanical devices are subject to the provisions of laws relating to the making of contracts for the transportation of mail. Advertisements shall state in general terms only the requirements of the service and shall be in the

form best calculated to invite competitive bidding. The Postmaster General may reject any and all bids. A contract may be awarded only to the lowest responsible bidder tendering full and sufficient guaranties to the satisfaction of the Postmaster General of his ability to perform satisfactory service.

§ 6428. Limitation on rate payable for transmission of mail by mechanical devices

Until December 31, 1960, the Postmaster General may not pay a rate of more than \$15,500 a year for each mile of double line pneumatic-tube facilities in the city of New York, N. Y. Thereafter the annual rate of expenditures per mile may not exceed \$12,000. This rate includes maintenance expenses but excludes all operating expenses.

§ 6429. Transfer of mail contracts

A contractor holding a contract for the transportation of mail may not sublet, assign or transfer his contract without the consent in writing from the Postmaster General. Whenever the Postmaster General determines that a contractor has sublet, assigned or transferred his contract without consent, he shall consider the contract as breached and may again advertise the service as provided by law. The contractor and his sureties are liable to the United States for damage resulting to the United States from the termination of the contract.

§ 6430. Settlements with subcontractors

If the holder of a contract for the transportation of mail lawfully sublets his contract or lawfully employs other persons to perform the service covered by the contract or any part thereof, he shall file in the Department a copy of his contract with those persons. Upon receipt of the contract, the Postmaster General shall withhold the amount fixed therein as compensation to the subcontractor from the amount due to the original contractor, and pay the subcontractor under the rules and regulations governing payments made to original contractors. Upon satisfactory evidence that the original contractor has paid off and discharged the amount due under his contract to the subcontractor, the Postmaster General shall settle with the original contractor.

§ 6431. New contract with subcontractors

If a contractor or subcontractor sublets his contract for the transportation of the mail for a sum less than that for which he contracted to perform the service, the Postmaster General, whenever he deems it for the good of the service, may cancel the contract. The Postmaster General may enter into a contract with the last subcontractor to perform the service under the terms of his subcontract. The original contractor may not be released from his contract until a good and sufficient bond has been made by the new contractor and accepted by the Postmaster General. When a contract is cancelled under this section the contractor is not entitled to indemnity therefor.

§ 6432. Lien on compensation of contractor

(a) A person who—

(1) performs service for a contractor or subcontractor in the transportation of mail;

(2) files his contract for service with the Department; and

(3) files satisfactory evidence of performance with the Department

shall have a lien on money due the contractor or subcontractor for the service.

(b) The Postmaster General may pay the person establishing a lien under subsection (a) of this section the sum due him, when the contractor or subcontractor fails to pay the person the amount of his lien within two months after the expiration of the month in which the service was performed. He shall charge the amount so paid to the contract. The payments may not exceed the annual rate of pay of the contractor or subcontractor.

§ 6433. Free transportation of postal officials

Every person engaged in the transportation of mail by vessel and, unless otherwise provided in the contract, every other contractor engaged in the transportation of mail shall carry on any vessel or vehicle he operates upon exhibiting their credentials and without extra charge therefor—

- (1) persons in charge of the mails when on duty and traveling to and from duty, and
- (2) accredited agents and officers, including postal inspectors, of the Department while traveling on official business.

§ 6434. Liability of contractor for breach

(a) The Postmaster General may make deductions from the compensation of contractors for failure to perform service according to contracts for the transportation of the mail, and he may impose fines upon them for other delinquencies. He may deduct the price of the trip in all cases where the trip is not performed and not exceeding three times the price if the failure is occasioned by the fault of the contractor or carrier. The Postmaster General may change or remit deductions or fines.

(b) Contractors are also answerable in damages to the United States for the proper care and transportation of the mail. They are accountable to the United States for loss of or damage to the mail or any part of it due to the failure of any of the contractor's officers, agents, or employees to exercise due care in the custody, handling, or transportation thereof.

§ 6435. Fines on ocean carriers

The Postmaster General may impose or remit fines on carriers transporting mail by vessel on routes extending beyond the borders of the United States for—

- (1) unreasonable or unnecessary delay to the mail; and
- (2) other delinquencies in the transportation of the mail.

§ 6436. Default of contractor having several routes

Where a person having contracts for the transportation of mail upon more than one route fails to perform the service according to the contract on any of the routes, the Postmaster General shall withhold payments on all contracts with him until the failure has been removed and all penalties therefor fully satisfied.

§ 6437. Unreasonable bids

When the Postmaster General believes that the bids for the performance of star route service are unreasonable, or that there is a combination of bidders to fix the rate for star route service, he may use such means or methods to provide the desired service as he deems expedient, without reference to laws respecting the employment of personal service or the procurement of conveyances, materials, or supplies. He may pay the cost thereof from any appropriation available for the transportation of mail.

§ 6438. Newspapers out of the mail

Mail carriers and contractors for the transportation of mail may convey, out of the mail, newspapers for sale or distribution to subscribers.

§ 6439. Initial payment under contract

The Postmaster General may not make payments to a person whose bid for a contract for the transportation of mail is accepted until the bidder has executed the contract according to law and the regulations of the Department.

§ 6440. Special service

The Postmaster General may provide for the transportation of mail to supply a post office that is not on an established route. He may not pay compensation, under the contract, in excess of two-thirds of the salary of the postmaster at such an office.

SEC. 2. If a part of title 39, United States Code, as enacted by section 1 of this Act, is held invalid the remainder of the title is not affected thereby.

Savings clause.

SEC. 3. Orders, rules and regulations in effect under provisions of law superseded or amended by this Act shall, to the extent they would have been authorized under this Act, remain in force and effect as the regulations and orders under the provisions of this Act and shall be administered and enforced under this Act as nearly as may be until specifically repealed, amended or revised.

Outstanding rules, regulations, etc.

SEC. 4. (a) The benefits granted to postal employees by sections 403, 504 and 808 of the Act of June 10, 1955 (69 Stat. 88), and by sections 402, 406, and 407 (a) of the Act of May 27, 1958 (72 Stat. 146, 147), are continued to the same effect as though the sections had remained in force and effect.

Continuation of certain employee benefits.

(b) Postal employees on the rolls of the Post Office Department on the date of the enactment of this Act, who are entitled to the benefits of section 2 of the Act of May 3, 1950 (64 Stat. 102), and to the benefits of sections 1 and 3 of the Act of May 29, 1958 (72 Stat. 150), which are repealed by section 12 of this Act, shall retain the benefits to the same extent as though those sections had remained in force and effect.

SEC. 5. Whenever reference is made in another law to a law or part of law which is repealed by section 12 of this Act, the reference shall be considered to mean the appropriate section of title 39, United States Code, as codified by section 1 of this Act.

Cross references.

SEC. 6. An inference of a legislative construction is not to be drawn by reason of the chapter in title 39, United States Code, as set out in section 1 of this Act, in which a section is placed nor by reason of the caption or catch line.

Caveat.

AMENDMENTS OF TITLE 18

SEC. 7. Chapter 83 of Title 18, United States Code, is amended by adding the following new sections:

18 USC 1691 et seq.

“§ 1733. Affidavits relating to second class mail

“(a) Whoever, being a publisher or news agent or employee, fails or refuses to make the affidavit when required under section 4368 of title 39, and thereafter tenders for mailing any second class mail without having first made the affidavit shall be fined not more than \$1,000 for each refusal.

“(b) Whoever knowingly mails any second class mail without the payment of postage, or being a postmaster or postal official knowingly permits any second class mail to be mailed without prepayment of postage, shall be fined not more than \$1,000, or imprisoned not more than one year, or both.

“§ 1734. Editorials and other matter as ‘advertisements’

“Whoever, being an editor or publisher, prints in a publication entered as second class mail, editorial or other reading matter for which he has been paid or promised a valuable consideration, without plainly marking the same ‘advertisement’ shall be fined not more than \$500.”

SEC. 8. The analysis of chapter 83, preceding § 1691 of title 18, United States Code, is amended by adding the following items:

“1733. Affidavits relating to second class mail.

“1734. Editorials and other matter as ‘advertisements’.”

AMENDMENTS OF TITLE 28

SEC. 9. Title 28, United States Code, is amended by adding the following new chapter:

“CHAPTER 173.—ATTACHMENT IN POSTAL SUITS

“Sec.

“2710. Right of attachment.

“2711. Application for warrant.

“2712. Issue of warrant.

“2713. Trial of ownership of property.

“2714. Investment of proceeds of attached property.

“2715. Publication.

“2716. Personal notice.

“2717. Discharge.

“2718. Interest on balances due department.

“§ 2710. Right of attachment

“(a) Where debts are due from a defaulting or delinquent postmaster, contractor, or other officer, agent or employee of the Post Office Department, a warrant of attachment may issue against all property and legal and equitable rights belonging to him, and his sureties, or either of them, where he—

“(1) is a nonresident of the district where he was appointed, or has departed from that district for the purpose of permanently residing outside thereof, or of avoiding the service of civil process; and

“(2) has conveyed away, or is about to convey away any of his property, or has removed or is about to remove the same from the district wherein it is situated, with intent to defraud the United States.

“(b) When the property has been removed, the marshal of the district into which it has been removed, upon receipt of certified copies of the warrant, may seize the property and convey it to a convenient place within the jurisdiction of the court which issued the warrant. Alias warrants may be issued upon due application. The warrant first issued remains valid until the return day thereof.

“§ 2711. Application for warrant

“A United States attorney or assistant United States attorney or a person authorized by the Attorney General—

“(1) upon his own affidavit or that of another credible person, stating the existence of either of the grounds of attachments enumerated in section 2710 of this title and

“(2) upon production of legal evidence of the debt may apply for a warrant of attachment to a judge, or, in his absence, to the clerk of any court of the United States having original jurisdiction of the cause of action.

“§ 2712. Issue of warrant

“Upon an order of a judge of a court, or, in his absence and upon the clerk's own initiative, the clerk shall issue a warrant for the attachment of the property belonging to the person specified in the affidavit. The marshal shall execute the warrant forthwith and take the property attached, if personal, in his custody, subject to the interlocutory or final orders of the court.

“§ 2713. Trial of ownership of property

“Not later than twenty days before the return day of a warrant issued under section 2712 of this title, the party whose property is attached, on notice to the United States Attorney, may file a plea in abatement, denying the allegations of the affidavit, or denying ownership in the defendant of the property attached. The court, upon application of either party, shall order a trial by jury of the issues. Where the parties, by consent, waive a trial by jury, the court shall decide the issues. A party claiming ownership of the property attached and seeking its return is limited to the remedy afforded by this section, but his right to an action of trespass, or other action for damages, is not impaired.

“§ 2714. Investment of proceeds of attached property

“When the property attached is sold on an interlocutory order or is producing revenue, the money arising from the sale or revenue shall be invested, under the order of the court, in securities of the United States. The accretions therefrom are subject to the order of the court.

“§ 2715. Publication

“The marshal shall cause publication of an executed warrant of attachment—

“(1) for two months in case of an absconding debtor, and

“(2) for four months in case of a nonresident debtor

in a newspaper published in the district where the property is situated pursuant to the details of the order under which the warrant is issued.

“§ 2716. Personal notice

“After the first publication of the notice of attachment, a person indebted to, or having possession of property of a defendant and having knowledge of the notice, shall answer for the amount of his debt or the value of the property. Any disposal or attempted disposal of the property, to the injury of the United States, is unlawful. When the person indebted to, or having possession of the property of a

defendant, is known to the United States attorney or marshal, the officer shall cause a personal notice of the attachment to be served upon him, but the lack of the notice does not invalidate the attachment.

“§ 2717. Discharge

“The court, or a judge thereof, upon—

“(1) application of the party when property has been attached and

“(2) execution to the United States of a penal bond, approved by a judge, in double the value of the property attached and conditioned upon the return of the property or the payment of any judgment rendered by the court

may discharge the warrant of attachment as to the property of the applicant.

“§ 2718. Interest on balances due department

“In suits for balances due the Post Office Department may recover interest at the rate of 6 per centum per year from the time of default.”

SEC. 10. The analysis of part VI of title 28 United States Code immediately preceding chapter 151 is amended by adding the following:

“173. Attachment in postal suits..... Sec. 2710.”

EFFECTIVE DATE

SEC. 11. This Act takes effect on September 1, 1960. Laws enacted after January 7, 1959, that are inconsistent with this Act shall supersede it to the extent of the inconsistency.

REPEALS

68 Stat. 1014.

SEC. 12. (a) Section 10 of title 13, United States Code, is hereby repealed.

62 Stat. 782.

(b) Subsection (c) of section 1717, title 18, United States Code is hereby repealed.

(c) The sections or parts thereof of the Revised Statutes or Statutes at Large enumerated in the following schedule are hereby repealed. Rights or liabilities now existing under the sections or parts thereof repealed are not affected by this repeal:

(1) for two months in case of an attachment...
(2) for four months in case of a nonreturn...
in a return published in the district where the property is located...
pursuant to the details of the order under which the warrant is issued...
Personal notice
“After the first publication of the notice of attachment, a person...
indicated to or having possession of property of a defendant and hav-
ing knowledge of the notice shall answer for the amount of his debt...
or the value of the property. Any disposal or attempted disposal of...
the property to the injury of the United States is unlawful. When...
the person indicated to or having possession of the property of a

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¹ Only the first proviso and the first sentence of the second proviso in section 3 on page 201.

² Only the last sentence of section 4 on page 202.

³ Only that part preceding the proviso, reading as follows: " * * * and that thenceforth all official correspondence, of whatever nature, and other mailable matter sent from or addressed to any officer of the government or person now authorized to frank such matter, shall be chargeable with the same rates of postage as may be lawfully imposed upon like matter sent by or addressed to other persons: * * *".

⁴ The proviso in section 4 on page 542.

⁵ Only the last proviso on page 557.

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⁶ Only that part of the first proviso in the appropriation item "For pay of letter carriers" preceding the last semicolon before the words "and for this purpose", on page 231.

⁷ Only the proviso under the appropriation item "For stamped envelopes and wrappers".

⁸ Only that part of section 12 which amends sections 245, 246, 251, and 253 of the Act of June 8, 1872, ch. 335, 17 Stat. 313, 314.

⁹ Only the last paragraph on page 319.

¹⁰ Only the first paragraph on page 320.

¹¹ Only the clause after the semicolon in the appropriation item "For pay of postmasters" under the heading "Office of the First Assistant Postmaster General" reading as follows: " * * * and the salary of the postmaster of the city of New York is hereby fixed at eight thousand dollars per annum.", on page 340.

¹² Only the fourth paragraph on page 377.

¹³ Only that part of the Act which amends subsections 246 and 251 of section 12 of the Act of June 23, 1874 (ch. 456, 18 Stat. 235), through the period in line 43 on page 130.

¹⁴ Only that part contained in the second complete paragraph on page 250.

¹⁵ Only the proviso in the last paragraph under the heading "Office of the Postmaster General" on page 383.

¹⁶ Only the first proviso under the heading "Office of the Postmaster General" on page 140.

¹⁷ The third proviso under the heading "Office of the Postmaster General".

^{18a} The second paragraph under heading "Office of the First Assistant Postmaster General".

¹⁹ Only that part of the third paragraph which precedes the semicolon under the heading "Office of the First Assistant Postmaster General" on page 141.

²⁰ Only the first and second provisos in the appropriation item "For transportation by railroad" under the heading "Office of the Second Assistant Postmaster General" on page 142.

²¹ Only the first, second, and third provisos of section 2 on page 143.

²² Only the fourth paragraph on page 240.

²³ Only the first proviso under the heading "Office of the Postmaster General" and only the second proviso under the heading "Office of the First Assistant Postmaster General" on page 356.

²⁴ Only the proviso in the fifth paragraph under the heading "Office of the Second Assistant Postmaster General" on page 357.

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³⁵ Only the proviso in section 2 on page 72.

³⁷ Only the last two clauses following the first semicolon in the first paragraph under the heading "Office of the Postmaster General".

³⁹ Only the second sentence of the first paragraph on page 179.

³³ Only the clause after the semicolon in the second sentence of the first paragraph under the heading "Office of the Postmaster General", reading as follows: "and hereafter the superintendent of railway mail service and the chief of post office inspectors shall be paid their actual expenses while traveling on the business of the department."

³⁴ The first, second, third, fourth and fifth provisos in the third paragraph under the heading "Office of the Second Assistant Postmaster General".

³⁶ Only the clause following the semicolon in the paragraph reading as follows: "and the Postmaster General is authorized to designate postmasters at Presidential post offices as disbursing officers for the payment of the salaries of the officers and employees of the postal service concerned in the transportation of mails or in their distribution in transit, and for such other payments as they are now authorized to make from postal revenues" in the fourth complete paragraph on page 54.

³⁸ Only the clause reading as follows: "and hereafter the annual report of the Postmaster General shall not be published in the said Official Postal Guide" in the second complete paragraph on page 253.

³⁹ All of that portion of the first paragraph under the heading "Office of the Third Assistant Postmaster General" following the first semicolon on page 455.

⁴⁰ All of the second sentence of section 2 on page 527.

⁴¹ All of the language after the semicolon in the last paragraph under the heading "Office of the First Assistant Postmaster General".

⁴³ All but the last sentence of section 3 on page 158.

⁴⁴ All of the second sentence in the second paragraph under the heading "Office of the First Assistant Postmaster General".

⁴⁵ All of the second sentence of the third full paragraph on page 386.

⁴⁶ The second sentence of the fourth complete paragraph under the heading "Office of the Second Assistant Postmaster General" on page 386 of volume 23.

⁴⁷ Only the second sentence of the first paragraph under the heading "Office of the Third Assistant Postmaster General".

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⁴⁴ Only the third sentence of the first paragraph under the heading "Office of the Third Assistant Postmaster General".

⁴⁵ The second complete paragraph under the heading "Office of the Third Assistant Postmaster General".

⁴⁶ The proviso in the 8th paragraph under the heading "Office of the First Assistant Postmaster General".

⁴⁷ The sixth paragraph under the heading "Office of the First Assistant Postmaster General".

⁴⁸ The last paragraph under the heading "Office of the Third Assistant Postmaster General".

⁴⁹ That portion which precedes the last semicolon, and the proviso in said chapter.

⁵⁰ The material under the heading "Office of the First Assistant Postmaster General" beginning after the semicolon in the second paragraph and ending at the beginning of the first complete paragraph on page 844.

⁵¹ The proviso in the fifth complete paragraph on said page.

⁵² The last paragraph of section 1.

⁵³ The last sentence of the penultimate paragraph under the heading "Office of the First Assistant Postmaster General".

⁵⁴ The three provisos in the third paragraph under the heading "Office of the Third Assistant Postmaster General".

⁵⁵ Only that part of section 6 preceding the last comma therein.

⁷⁰ Only the proviso under the heading "Office of the Third Assistant Postmaster-General".

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⁷¹ Only that part of section 1 following the words "and the same are hereby repealed", which appear in the sixth line on said page.

⁷⁴ The first two provisos under the heading "Office of the Second Assistant Postmaster General".

⁷⁶ That part of section 4 which precedes the proviso.

⁷⁹ Only the second full paragraph on said page.

⁸¹ The first proviso under the heading "Office of the Second Assistant Postmaster General".

⁸³ That part of the last sentence of the penultimate paragraph under the heading "Post Office Department", which precedes the semicolon.

⁸⁴ The last sentence in the antepenultimate paragraph under the heading "Post Office Department".

⁸⁵ The first three provisos under the heading "Office of the First Assistant Postmaster-General".

⁸⁸ The second proviso under the heading "International Bureau of American Republics".

⁸⁹ The third and fourth paragraphs on said page.

⁹⁰ Only the proviso in the second paragraph under the heading "Office of the First Assistant Postmaster General".

⁹² The second proviso in the third paragraph under the heading "Office of the First Assistant Postmaster General".

¹⁰¹ That portion of the proviso in the fourth paragraph under the heading "Office of the Second Assistant Postmaster General" which follows the words "are entered into".

¹⁰⁴ The first two provisos under the heading "Office of the Third Assistant Postmaster General".

¹⁰⁵ The third proviso under the heading "Office of the Third Assistant Postmaster General".

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¹⁰⁷ Only the second proviso on said page.

¹⁰⁸ The proviso in the fourth complete paragraph on said page.

¹¹¹ The two provisos under the heading "Office of the Third Assistant Postmaster General".

¹¹² The proviso in the first paragraph under the heading "Office of the Fourth Assistant Postmaster General".

¹¹³ Only the last sentence in Section 2.

¹¹⁴ Only the last paragraph of said section.

¹¹⁵ Only the first sentence.

¹¹⁶ Only that portion which follows the words "is hereby repealed".

¹¹⁹ The first proviso under "Free-Delivery Service".

¹²⁰ The proviso in the fourth complete paragraph on said page.

¹²³ The proviso in the first paragraph under the heading "Office of the Third Assistant Postmaster-General".

¹²⁴ The first proviso under the heading "Office of the Fourth Assistant Postmaster-General".

¹²⁵ Only the second sentence of said section.

¹²⁶ The proviso in the first complete paragraph on said page.

¹³⁰ The proviso in the fifth complete paragraph on said page.

¹³³ The first proviso on said page.

¹³⁴ The last paragraph of section 1 under the heading "Office of the Fourth Assistant Postmaster-General".

¹³⁷ That part of the proviso under the heading "Rural Free Delivery Service" contained on said page.

¹³⁸ The first paragraph on said page.

¹³⁹ The second paragraph on said page.

¹⁴⁰ The third paragraph on said page.

¹⁴¹ The fourth paragraph on said page.

¹⁴³ The seventh paragraph on said page.

¹⁴⁸ The fourth paragraph on said page.

¹⁴⁴ The second clause of the first complete paragraph on said page.

¹⁴⁵ The first proviso under the subheading "Railway Mail Service".

¹⁴⁶ The first proviso on said page.

¹⁴⁹ The first proviso under the heading "Office of the Third Assistant Postmaster General".

¹⁵⁰ The second proviso under the heading "Office of the Third Assistant Postmaster General".

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¹⁸¹ The first proviso under the heading "Office of the Fourth Assistant Postmaster General".
¹⁸² The last sentence of section 2.
¹⁸³ The first proviso under the heading "Salary and Allowance Division".
¹⁸⁷ The second proviso under the subheading "Free Delivery Service".
¹⁸⁸ The proviso in the first full paragraph on the page.
¹⁸¹ The first proviso under the heading "Office of the Third Assistant Postmaster General".
¹⁸² The first and second provisos on said page.
¹⁸³ Only the last sentence of said section.
¹⁸⁸ The fourth proviso under the heading "Office of the Second Assistant Postmaster General".
¹⁸⁹ The proviso in the third paragraph under the subheading "Railway Mail Service".
¹⁹⁰ The proviso in the second complete paragraph on said page.
¹⁹¹ The provisos in the second paragraph under the heading "Office of the Fourth Assistant Postmaster General".
¹⁹⁴ The proviso in the sixth complete paragraph under the subheading "Rural Free Delivery Service".
¹⁹⁵ The fourth paragraph under the subheading "Rural Free Delivery Service".
¹⁹⁶ The last sentence of the first proviso and all of the second proviso in the first paragraph on said page.
¹⁹⁷ Only the last sentence of section 5.
¹⁹⁹ The provisos in the second paragraph under the subheading "Salaries of Post Office Inspectors".
¹⁸⁰ The paragraph beginning on page 1085 and ending on page 1086.
¹⁸³ Only the third paragraph under the subheading "Railway Mail Service".
¹⁸⁴ The proviso in the fifth paragraph under the subheading "Railway Mail Service".
¹⁸⁵ The proviso in the third complete paragraph on said page.
¹⁸⁸ The last sentence in the last paragraph of section 1.
¹⁸⁹ The first proviso in the first paragraph under the subheading "Salaries of Post-Office Inspectors".
¹⁹¹ The provisos in the second paragraph under the subheading "Salaries of Post-Office Inspectors".

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- ¹⁹³ The proviso in the fourth paragraph under the heading "Office of the Second Assistant Postmaster-General".
- ¹⁹⁴ The second sentence of the first complete paragraph on said page.
- ¹⁹⁷ The first proviso on said page.
- ¹⁹⁸ The second complete paragraph on said page.
- ¹⁹⁹ The proviso in the fourth complete paragraph on said page.
- ²⁰⁰ The proviso in the eighth complete paragraph on page 474.
- ²⁰² The proviso in the first paragraph under the heading "Office of the Third Assistant Postmaster-General".
- ²⁰³ That part of the third paragraph under the heading "Office of the Fourth Assistant Postmaster-General" between the semicolon and the proviso.
- ²⁰⁴ The proviso in the third paragraph under the heading "Office of the Fourth Assistant Postmaster-General".
- ²⁰⁵ The eighth paragraph on said page.
- ²⁰⁶ The ninth paragraph on said page.
- ²⁰⁷ The provisos in the third paragraph under the heading "Office of the Postmaster-General".
- ²⁰⁸ The second complete paragraph on said page.
- ²⁰⁹ The third paragraph under the heading "Office of the First Assistant Postmaster General".
- ²¹⁰ The fourth paragraph under the heading "Office of the First Assistant Postmaster General".
- ²¹¹ The fifth paragraph under the heading "Office of the First Assistant Postmaster General".
- ²¹² The sixth paragraph under the heading "Office of the First Assistant Postmaster General".
- ²¹³ The seventh paragraph under the heading "Office of the First Assistant Postmaster General".
- ²¹⁴ The second complete paragraph on said page.
- ²¹⁶ The third complete paragraph on said page.
- ²¹⁸ The second sentence of the fifth complete paragraph on said page.
- ²¹⁹ The first two provisos on said page.
- ²²⁰ The proviso in the third complete paragraph on said page.
- ²²¹ The fourth complete paragraph on said page.
- ²²² The sixth complete paragraph on said page.
- ²²⁴ The fourth proviso on said page.
- ²²⁵ The first proviso on page 1215.
- ²²⁶ The last proviso on page 1215.
- ²²⁷ The second complete paragraph on said page.
- ²²⁸ The provisos in the fifth paragraph under the heading "Office of the Postmaster-General".
- ²²⁹ The second paragraph under the heading "Office of the First Assistant Postmaster-General".
- ²³⁰ The proviso beginning at the top of page 408.
- ²³¹ The second sentence of the paragraph beginning on page 412 and ending on page 413.
- ²³² The proviso in the first paragraph under the subheading "Railway Mail Service".
- ²³³ The third paragraph under the subheading "Railway Mail Service".
- ²³⁴ The proviso in the sixth paragraph under the subheading "Railway Mail Service".
- ²³⁵ The seventh paragraph under the subheading "Railway Mail Service".

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³³³ The second sentence of the sixth complete paragraph on said page.
³³⁹ That portion under the heading "Office of the Third Assistant Postmaster-General" which amends R. S. 3847.
³⁴⁰ That portion under the heading "Office of the Third Assistant Postmaster-General" which amends R. S. Secs. 3646 and 3647.
³⁴³ The second proviso in the fifth complete paragraph on said page.
³⁴⁴ The first complete paragraph on said page.
³⁴⁵ The second and third provisos in Chapter 174.
³⁴⁶ The provisos in the fifth paragraph under the heading "Office of the Postmaster-General."
³⁴⁹ The second sentence in the ninth complete paragraph on page 666.
³⁵⁰ The first two provisos on said page.
³⁵³ The last proviso on said page.
³⁵⁴ The second paragraph on said page.
³⁵⁵ The provisos in the second paragraph under the subheading "For salaries of post-office inspectors".
³⁵⁶ The proviso beginning on page 359 and ending on page 360.
³⁵⁷ The second complete paragraph on page 360.
³⁶¹ That portion of the last complete paragraph on page 360 beginning with the words "and the Postmaster-General" through the remainder of the paragraph.
³⁶³ The proviso in the tenth paragraph on page 361.
³⁶⁵ The sentence beginning on page 362 and ending on page 363.
³⁶⁷ The proviso in the second complete paragraph on page 365.
³⁶⁸ The first sentence of the fourteenth paragraph on page 366.
^{368a} That portion of section 14 following the semicolon.
³⁶⁹ The provisos in the second complete paragraph under the subheading "For salaries of Post-Office Inspectors".
³⁷⁰ The second sentence in the first paragraph under the heading "Office of the First Assistant Postmaster General".
³⁷¹ The third paragraph on page 1332.
³⁷² The proviso in the fourth paragraph on page 1332.
³⁷⁴ Only that part of the proviso in the sixth paragraph on page 1332 preceding the semicolon.
³⁷³ The proviso in the paragraph which begins on page 1332 and ends on page 1333.

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- 376 The ninth complete paragraph on page 1333.
- 377 The first proviso in the seventh complete paragraph on page 1334.
- 378 The penultimate paragraph on page 1337.
- 384 The last proviso in the fifth complete paragraph on page 1339.
- 385 The seventh paragraph on page 1339.
- 386 Only the third proviso and the last sentence of section 5.
- 387 All of the third paragraph under the subheading "Office of the Treasurer" after the first colon except those portions reading "not exceeding \$18,000 for the fiscal year nineteen hundred and thirteen" and "for the fiscal year nineteen hundred and fourteen and".
- 388 The first three provisos on said page.
- 389 The proviso in the eleventh paragraph on page 543.
- 390 Only that part of the proviso in the eighth complete paragraph on page 544 preceding the proviso.
- 391 The proviso in the paragraph which begins on page 544 and ends on page 545.
- 392 That portion which amends section 233 of the Postal Laws and Regulations.
- 393 The proviso in the last complete paragraph on page 546.
- 394 The second paragraph under the subheading "Railway Mail Service".
- 395 The first two provisos in the paragraph beginning on page 549 and ending on page 550.
- 396 The last two paragraphs under the heading "Office of the Third Assistant Postmaster General"
- 397 The second paragraph of section 2.
- 398 The last paragraph of section 2.
- 399 The portion of section 4 which precedes the first proviso.
- 400 The first paragraph of section 7.
- 401 The second paragraph of section 7.
- 402 The first sentence of the third paragraph of section 7.
- 403 The fourth paragraph of section 7.
- 404 The fifth paragraph of section 7.
- 405 The sixth paragraph of section 7.
- 406 The seventh paragraph of section 7.
- 407 The eighth paragraph of section 7.
- 408 The ninth paragraph of section 7.
- 409 The tenth paragraph of section 7.
- 410 The first paragraph of section 8.
- 411 Paragraphs two to ten, inclusive, of section 8.
- 412 Paragraph eleven of section 8.
- 413 Paragraphs twelve to twenty-one, inclusive, of section 8.
- 414 Only that part of paragraph twenty-two which precedes the semicolon.
- 415 The twenty-third paragraph of section 8.
- 416 The twenty-fourth paragraph of section 8.
- 417 The twenty-fifth paragraph of section 8.
- 418 The twenty-seventh paragraph of section 8.

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²²¹ All except the last sentence of section 10.
²²² The fourth paragraph under the subheading "Office of Auditor for Post Office Department".
²²³ The first proviso under the heading "Office of the Postmaster General".
²²⁴ The proviso in the sixth paragraph on page 794.
²²⁵ The proviso in the first complete paragraph on page 795.
²²⁶ The proviso in the third complete paragraph on page 795.
²²⁷ The proviso in the paragraph which begins on page 795 and ends on page 796.
²²⁸ The first complete paragraph on page 796.
²²⁹ The second proviso on page 798.
²³⁰ The first and second provisos in the first complete paragraph on page 799.
^{230a} Only that part of the fourth paragraph under "Out of Postal Revenues" preceding the comma following "District of Columbia."
²³¹ All of the fourth paragraph under the heading "Office of the Postmaster General" except the figure in the last line thereof reading "\$261,400".
²³² The proviso in the first paragraph under the heading "Office of the First Assistant Postmaster General".
²³³ That part of the eighth complete paragraph on page 298 following the language "in all, \$44,470,000".
²³⁴ The proviso in the paragraph beginning on page 298 and ending on page 299.
²³⁵ The proviso which constitutes the eighth complete paragraph on page 299.
²³⁷ The fourth proviso on said page.
²³⁸ That part of the fourth complete paragraph on page 301 which precedes the words "and the Postmaster General".
²³⁹ That part of the fourth complete paragraph on page 301 beginning with "and the Postmaster General" continuing to but not including the last sentence.
²⁴⁰ The last sentence of the sixth complete paragraph on page 301.
²⁴⁴ The second proviso in the sixth complete paragraph on page 304.
²⁴⁵ The second proviso in the sixth complete paragraph on page 304.
²⁴⁶ The last paragraph on page 304.
²⁴⁷ The first proviso on page 438.
²⁴⁸ That part of the second proviso in the first paragraph under the subheading "Appropriation for the Office of the Attorney General" which precedes the comma.
²⁴⁹ The last two provisos in said resolution.
²⁵⁰ The last two provisos in Chapter 52.
²⁵¹ Only the tenth complete paragraph on said page.
^{251a} That portion of section 4 which precedes the comma in line 16 on page 161.
^{252a} The proviso in the section.
²⁵³ The provisos in the fifth paragraph under the heading "Office of the Postmaster General" except the figure in the last line reading "\$262,800".
²⁵⁴ The first sentence of the fourth paragraph on page 413.
²⁵⁵ The fifth paragraph on said page.
²⁵⁶ The proviso in the first paragraph under the heading "Office of the First Assistant Postmaster General".

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- 337 The provisos in the fifth paragraph on page 416.
- 338 The provisos in the tenth paragraph on page 416.
- 339 Only that part of the proviso in the second paragraph on page 417 preceding the semicolon.
- 340 The provisos in the fourth paragraph on page 417.
- 341 The provisos in the sixth paragraph on page 417.
- 342 The first proviso in the paragraph beginning on page 417 and ending on page 418.
- 343 The proviso beginning in the first line on said page.
- 344 The first proviso in the first complete paragraph on page 418.
- 345 The second and third provisos in the first complete paragraph on page 418.
- 346 That language on page 418 which amends R. S. 3938.
- 347 The second and third provisos in the first complete paragraph on page 419.
- 348 The second proviso in the fourth complete paragraph on page 419.
- 349 That portion of the second paragraph under the heading "Railway Mail Service" which precedes the first semicolon.
- 350 The provisos in the paragraph beginning on page 419 and ending on page 420.
- 351 The proviso in the paragraph beginning on page 420 and ending on page 421.
- 352 The second proviso in the first complete paragraph on page 423.
- 353 The second, third and fourth complete paragraphs and that portion of the fifth complete paragraph through the words "the standards herein prescribed" in line 32, page 423.
- 354 The second proviso in the fifth complete paragraph on page 423.
- 355 The third proviso in the fifth complete paragraph on page 423.
- 356 The fourth proviso in the fifth complete paragraph on page 423.
- 357 The fifth proviso in the fifth complete paragraph on page 423.
- 358 That portion of the paragraph which begins on page 423 and ends on page 424 through the first proviso.
- 359 The first sentence of the first complete paragraph on page 424.
- 360 All material after the word "repealed" in the seventh line of section 2 to the end of section 2.
- 361 All of section 5 except the seventh complete paragraph on page 428, and the third and eighth complete paragraphs on page 430 of Volume 39 of the United States Statutes at Large.
- 362 That portion of the fourth sentence of section 36 which reads "and the franking privilege granted Members of Congress".
- 363 The provisos in the fourth paragraph under the heading "Office of the Postmaster General" except the figures in the last line which read "\$262,860".
- 364 That part of the proviso in the seventh complete paragraph on page 1062 which precedes the semicolon.
- 365 The eighth complete paragraph on page 1062.
- 366 The ninth and twelfth complete paragraphs on page 1062.
- 367 The proviso which constitutes the sixth paragraph on page 1063.
- 368 Only that part of the proviso in the eighth paragraph on page 1063.
- 369 The first proviso on page 1065 preceding the semicolon.
- 370 The second proviso on page 1065.
- 371 The third proviso on page 1065.
- 372 That portion of the fourth proviso on page 1065 which precedes the first comma.
- 373 The first and second provisos in the first complete paragraph on page 1066.
- 374 The second complete paragraph on page 1110.

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⁴⁰⁵ The provisos in the third paragraph under the heading "Office of the Postmaster General", except the figures "\$350,000" in the last line.

⁴⁰⁶ That portion of the proviso in the penultimate paragraph on page 745 which precedes the semicolon.

⁴⁰⁷ The first two provisos in the last paragraph on page 745.

⁴⁰⁸ The last proviso on page 745.

⁴⁰⁹ That portion of the third proviso on page 746 which precedes the first semicolon.

⁴¹⁰ The second proviso in the third paragraph under the heading "Office of the Second Assistant Postmaster General" and that part of the last sentence as precedes the proviso therein.

⁴¹¹ The last two provisos in the paragraph beginning on page 748 and ending on page 749.

⁴¹² The proviso in the second complete paragraph on page 751.

⁴¹³ The last two provisos in the third complete paragraph on page 751.

⁴¹⁴ All of section 2 except the last sentence thereof which appears at the top of page 753.

⁴¹⁵ The first and second complete paragraphs on page 800.

⁴¹⁶ That portion of section 1401 following the words "July 1, 1919" up to but excluding the proviso.

⁴¹⁷ The first two provisos in section 1, excluding the figure "\$350,000".

⁴¹⁸ The first two provisos under the heading "Office of the First Assistant Postmaster General".

⁴¹⁹ The second proviso on page 1192.

⁴²⁰ The fourth proviso on page 1192.

⁴²¹ The first proviso on page 1193.

⁴²² The third proviso on page 1193.

⁴²³ The first proviso on page 1195.

⁴²⁴ The proviso in the first complete paragraph on page 1195.

⁴²⁵ The first proviso in the paragraph beginning on page 1197 and ending on page 1198.

⁴²⁶ That part of the second complete paragraph on page 1198 through the words "as the Postmaster General may prescribe".

⁴²⁷ All but the last sentence of section 2.

⁴²⁸ The first sentence and that part of the second sentence which precedes the semicolon in the paragraph beginning on page 1252 and ending on page 1253.

⁴²⁹ The provisos in the third paragraph under the heading "Office of the Postmaster General", but excluding the figure "\$363,500".

⁴³⁰ The proviso and the last two sentences in the first paragraph under the heading "Office of the First Assistant Postmaster General".

⁴³¹ The last proviso in the paragraph beginning on page 577 and ending on page 578.

⁴³² The provisos in the sixth complete paragraph on page 578.

⁴³³ The first proviso in the eighth complete paragraph on page 578.

⁴³⁴ The second proviso in the third paragraph under the heading "Office of the Second Assistant Postmaster General".

⁴³⁵ The first proviso on page 580.

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⁴³⁹ The proviso in the third complete paragraph on page 580.

⁴⁴⁰ The first two provisos in the fifth complete paragraph on page 580.

⁴⁴¹ The proviso in the sixth paragraph under the heading "Office of the Third Assistant Postmaster General".

⁴⁴² The proviso in the last complete paragraph on page 582.

⁴⁴³ The third paragraph under the heading "Government Printing Office".

⁴⁴⁴ The first six paragraphs of Chapter 254.

⁴⁴⁵ The paragraph beginning on page 1045 and the first three complete paragraphs on page 1046.

⁴⁴⁷ Beginning with the fourth complete paragraph on page 1046 and extending to the first complete paragraph on page 1047.

⁴⁴⁸ The first two complete paragraphs on page 1047.

⁴⁴⁹ Beginning with the penultimate paragraph on page 1047 to the last paragraph on page 1049.

⁴⁵⁰ The last paragraph on page 1049.

⁴⁵¹ The first paragraph on page 1050.

⁴⁵² The second paragraph on page 1050.

⁴⁵³ The third, fourth and fifth paragraphs on page 1050.

⁴⁵⁴ The sixth paragraph on page 1050.

⁴⁵⁵ The seventh paragraph on page 1050.

⁴⁵⁶ The eighth and ninth paragraphs on page 1050.

⁴⁵⁷ The tenth paragraph on page 1050.

⁴⁵⁸ The eleventh paragraph on page 1050.

⁴⁵⁹ The twelfth paragraph on page 1050.

⁴⁶⁰ The paragraph beginning on page 1050 and ending on page 1051 and the first two complete paragraphs on page 1051.

⁴⁶¹ The third and fourth complete paragraphs on page 1051.

⁴⁶² The fifth complete paragraph on page 1051.

⁴⁶³ The paragraph beginning on page 1051 and ending on page 1052.

⁴⁶⁴ The first complete paragraph on page 1052.

⁴⁶⁵ The second complete paragraph on page 1052.

⁴⁶⁶ The third complete paragraph on page 1052.

⁴⁶⁷ The fourth complete paragraph and the first sentence of the fifth complete paragraph on page 1052.

⁴⁶⁸ The sixth complete paragraph on page 1052.

⁴⁶⁹ The seventh complete paragraph on page 1052.

⁴⁷⁰ The paragraph beginning on page 1052 and ending on page 1053 and the first complete paragraph on page 1053.

⁴⁷¹ The second complete paragraph on page 1053.

⁴⁷² That portion of the third complete paragraph on page 1053 through the words "service is performed".

⁴⁷³ The fourth complete paragraph on page 1053.

⁴⁷⁴ The sixth complete paragraph on page 1053.

⁴⁷⁵ The proviso and the remainder of the first paragraph under the heading "Office of the First Assistant Postmaster General".

⁴⁷⁶ The second proviso on page 1151.

⁴⁷⁷ The paragraph beginning on page 1151 and ending on page 1152.

⁴⁷⁸ The second proviso in the third paragraph under the heading "Office of the Second Assistant Postmaster General".

^{479a} The second sentence of the eighth paragraph under "Contingent Expenses, Post Office Department" on page 1295.

⁴⁸⁰ The first, second, third and fifth sentences of the second paragraph of section 304.

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⁴⁸¹ That part of the paragraph under the heading "Postal Service" which precedes the semicolon.

⁴⁸² The proviso in the first paragraph under the subheading "Office of Chief Inspector".

⁴⁸³ The provisos in the penultimate paragraph under the heading "Office of the First Assistant Postmaster General".

⁴⁸⁴ The first proviso under the subheading "Office of Chief Inspector".

⁴⁸⁵ That portion of Chapter 237 which precedes the first proviso.

⁴⁸⁶ The provisos in chapter 237.

⁴⁸⁷ The first proviso under the subheading "Office of Chief Inspector" on page 784.

⁴⁸⁸ The second proviso in the third paragraph on page 786.

⁴⁸⁹ The first paragraph of section 207 (b).

⁴⁹⁰ All but the proviso in section 207 (c).

⁴⁹¹ All but the last sentence of section 217.

⁴⁹² The first proviso under the subheading "Office of Chief Inspector".

⁴⁹³ The first proviso under the subheading "Office of Chief Inspector".

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⁴⁹⁷ The reference in the first paragraph to sections 240 and 293 of title 39, and all that part of the amended language of section 207 of the Act of February 28, 1925, except the paragraph commencing on page 942 and ending on page 943.

⁴⁹⁸ All but the last sentence of Chapter 206.

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¹¹³ The first sentence of Chapter 450.

¹¹⁷ The first proviso under the heading "Public Buildings, Maintenance and Operation".

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^{417a} The proviso in section 4.

⁴¹⁸ That portion of section 5 which follows the words "hereby repealed and".

⁴¹⁹ The first sentence in subsection (a) preceding the first proviso on page 437, and the remainder of subsection (a) beginning with the words "and thereafter the gross postal receipts" in the first proviso.

⁴²⁰ Only paragraph (b) of cited section.

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⁴¹ That portion of section 4 (d) which amends subsection (e) of R. S. 3646, as amended.

⁴² The first proviso in section 202.

⁴³ Only items (10), (11), (12), (13), (14) and that part of item (18) following the portion reading "By striking out the matter relating to grades 10 and 11 in the table in section 19 (a), and".

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¹³³ All but paragraph "(3)" of section 2 (f).

¹³⁴ Only the first and second provisos in the paragraph under the heading "Facilities".

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JOINT RESOLUTION
 Passed by the Senate and House of Representatives of the United States of America in Congress assembled, July 2, 1960.
 Approved September 2, 1960.
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²³⁷ Only subsec. (b) of sec. 206.

²³⁸ Only that part of subsec. (b) of sec. 214 which follows the comma after the words "is hereby repealed."

Approved September 2, 1960.

Public Law 86-683

JOINT RESOLUTION

Providing for the establishment of the New Jersey Tercentenary Celebration Commission to formulate and implement plans to commemorate the three hundredth anniversary of the State of New Jersey, and for other purposes.

Whereas the year 1964 will mark the tercentenary of the patent conveying all the lands between the Connecticut River and the east side of the Delaware River from Charles II to James, Duke of York; and