

(A) provide an opportunity for comment on such report by any interested party; and
 (B) appoint an officer of the Commission to represent the interests of the general public.

(2) DETERMINATION OF COMPLIANCE OR NON-COMPLIANCE.—Not later than 90 days after receiving a report required under subsection (a), the Postal Regulatory Commission shall make a written determination as to whether the activities carried out pursuant to this chapter during the applicable year were or were not in compliance with the provisions of this chapter. For purposes of this paragraph, any case in which the requirements for coverage of costs attributable have not been met shall be considered to be a case of noncompliance. If, with respect to a year, no instance of non-compliance is found to have occurred, the determination shall be to that effect. Such determination of noncompliance shall be included with the annual compliance determination required under section 3653.

(3) NONCOMPLIANCE.—If a timely written determination of noncompliance is made under paragraph (2), the Postal Regulatory Commission shall take appropriate action. If the requirements for coverage of costs attributable specified by this chapter are not met, the Commission shall, within 60 days after the determination, prescribe remedial action to restore compliance as soon as practicable, including the full restoration of revenue shortfalls during the following year. The Commission may order the Postal Service to discontinue a nonpostal service under section 3703 that persistently fails to meet cost coverage requirements.

(4) DELIBERATE NONCOMPLIANCE.—In the case of deliberate noncompliance by the Postal Service with the requirements of this chapter, the Postal Regulatory Commission may order, based on the nature, circumstances, extent, and seriousness of the noncompliance, a fine (in the amount specified by the Commission in its order) for each incidence of such non-compliance. All receipts from fines imposed under this subsection shall be deposited in the general fund of the Treasury.

(f) REGULATIONS REQUIRED.—The Postal Regulatory Commission shall issue such regulations as are necessary to carry out this section.

(g) EXPERIMENTAL PRODUCT AUTHORITY.—The Postal Service may conduct market tests of agreements pursuant to section 3703 and section 3704 of this chapter subject to the same terms and conditions described in section 3641 of this title. For the purposes of a market test, the cost coverage requirements in sections 3703 and 3704 of this chapter shall not apply.

(Added Pub. L. 117–108, title I, §103(a)(1), Apr. 6, 2022, 136 Stat. 1142.)

PART V—TRANSPORTATION OF MAIL

| | | |
|--------------|--------------------------------------------|-------------|
| Chap. | | Sec. |
| 50. | General | 5001 |
| [52.] | Repealed] | 5201 |
| 54. | Transportation of Mail by Air | 5401 |

| | | |
|------------|----------------------------------------------|-------------|
| Chap. | | Sec. |
| 56. | Transportation of Mail by Vessel | 5601 |

Editorial Notes

AMENDMENTS

2006—Pub. L. 109–435, title X, §1002(c), Dec. 20, 2006, 120 Stat. 3255, struck out item relating to chapter 52 “Transportation of Mail by Surface Carrier”.

CHAPTER 50—GENERAL

| | |
|-------|--------------------------------------------------------------------------|
| Sec. | |
| 5001. | Provisions for carrying mail. |
| 5002. | Transportation of mail of adjoining countries through the United States. |
| 5003. | Establishment of post roads. |
| 5004. | Discontinuance of service on post roads. |
| 5005. | Mail transportation. |
| 5006. | Lien on compensation of contractor. |
| 5007. | Free transportation of postal employees. |

§ 5001. Provisions for carrying mail

The Postal Service shall provide for the transportation of mail in accordance with the policies established under section 101(e) and (f) of this title and the provisions of this chapter. Notwithstanding any other provision of this title, the Postal Service may make arrangements on a temporary basis for the transportation of mail when, as determined by the Postal Service, an emergency arises. Such arrangements shall terminate when the emergency ceases and the Postal Service is promptly able to secure transportation services under other provisions of this title.

(Pub. L. 91–375, Aug. 12, 1970, 84 Stat. 766.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective July 1, 1971, pursuant to Resolution No. 71–9 of the Board of Governors. See section 15(a) of Pub. L. 91–375, set out as a note preceding section 101 of this title.

§ 5002. Transportation of mail of adjoining countries through the United States

The Postal Service, with the 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 United States mail through the country to which the privilege is granted.

(Pub. L. 91–375, Aug. 12, 1970, 84 Stat. 766.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective July 1, 1971, pursuant to Resolution No. 71–9 of the Board of Governors. See section 15(a) of Pub. L. 91–375, set out as a note preceding section 101 of this title.

§ 5003. Establishment of post roads

The following are post roads:

- (1) the waters of the United States, during the time the mail is carried thereon;