

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-405 effective Oct. 1, 2008, see section 2(c) of Pub. L. 110-405, set out as a note under section 101 of Title 39, Postal Service.

EFFECTIVE DATE OF 1999 AMENDMENT

Pub. L. 106-31, title VI, §6003, May 21, 1999, 113 Stat. 113, provided that the amendment made by section 6003 is effective Dec. 31, 1998.

§ 41904. Noncitizens transporting mail

When the United States Postal Service decides that it may be necessary to have a person not a citizen of the United States transport mail by aircraft between two points outside the United States, the Postal Service may make an arrangement with the person, without advertising, to provide the transportation. Nothing in this section shall affect the authority of the Postal Service to make arrangements with noncitizens for the carriage of mail in foreign air transportation under subsections 5402(b) and (c) of title 39.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1155; Pub. L. 110-405, §2(b)(5), Oct. 13, 2008, 122 Stat. 4289.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
41904	49 App.:1375(e)(2).	Aug. 23, 1958, Pub. L. 85-726, §405(e)(2), 72 Stat. 761.

The words “who may not be obligated to transport the mail for a foreign country” are omitted for simplicity and clarity because the omitted words impose no requirement or qualification that is meaningful.

Editorial Notes

AMENDMENTS

2008—Pub. L. 110-405 struck out “to or in foreign countries” after “mail” in section catchline, substituted “between two points outside the United States” for “to or in a foreign country”, and inserted “Nothing in this section shall affect the authority of the Postal Service to make arrangements with noncitizens for the carriage of mail in foreign air transportation under subsections 5402(b) and (c) of title 39.” after “transportation.”

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-405 effective Oct. 1, 2008, see section 2(c) of Pub. L. 110-405, set out as a note under section 101 of Title 39, Postal Service.

§ 41905. Emergency mail transportation

(a) **CONTRACT AUTHORITY.**—In an emergency caused by a flood, fire, or other disaster, the United States Postal Service may make a contract without advertising to transport mail by aircraft to or from a locality affected by the emergency when the available facilities of persons authorized to transport mail to or from the locality are inadequate to meet the requirements of the Postal Service during the emergency. The contract may be only for periods necessary to maintain mail service because of the inadequacy of the facilities. Payment for

transportation provided under the contract shall be made at prices provided in the contract.

(b) **TRANSPORTATION NOT AIR TRANSPORTATION.**—Transportation provided under a contract made under subsection (a) of this section is not air transportation within the meaning of this part.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1155, §41906; renumbered §41905, Pub. L. 110-405, §2(b)(7)(B), Oct. 13, 2008, 122 Stat. 4289.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
41906(a)	49 App.:1375(h) (1st, 2d, last sentences).	Aug. 23, 1958, Pub. L. 85-726, §405(h), 72 Stat. 762.
41906(b)	49 App.:1375(h) (3d sentence).	

In subsection (a), the word “disaster” is substituted for “calamitous visitation” for consistency in the revised title and with other titles of the United States Code. The words “any or all classes of” and “of compensation” are omitted as surplus. The words “from appropriations for the transportation of mail by the means normally used for transporting the mail transported under such contracts” are omitted as superseded by 39:chs. 20 and 24. The authority of the Postal Service under this section is in addition to the authority of the Postal Service under 39:5001.

In subsection (b), the words “Transportation provided” are substituted for “operation” for consistency in this chapter.

Editorial Notes

PRIOR PROVISIONS

A prior section 41905, Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1155, related to regulating air carrier transportation of foreign mail, prior to repeal by Pub. L. 110-405, §2(b)(7)(A), (c), Oct. 13, 2008, 122 Stat. 4289, 4290, effective Oct. 1, 2008.

AMENDMENTS

2008—Pub. L. 110-405 renumbered section 41906 of this title as this section.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-405 effective Oct. 1, 2008, see section 2(c) of Pub. L. 110-405, set out as a note under section 101 of Title 39, Postal Service.

§ 41906. Duty to oppose unreasonable prices under the Universal Postal Union Convention

The Secretary of State and the United States Postal Service shall—

(1) take appropriate action to ensure that the prices paid for transporting mail under the Universal Postal Union Convention are not higher than reasonable prices for transporting mail; and

(2) oppose any existing or proposed Universal Postal Union price that is higher than a reasonable price for transporting mail.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1156, §41909; renumbered §41906, Pub. L. 110-405, §2(b)(7)(B), Oct. 13, 2008, 122 Stat. 4289.)