

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.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|---|
| 41909 | 49 App.:1376(h)(2). | Aug. 23, 1958, Pub. L. 85-726, 72 Stat. 731, § 406(h)(2); added Jan. 3, 1975, Pub. L. 93-623, § 4, 88 Stat. 2103. |

The words “necessary and” are omitted as being included in the word “appropriate”. The words “each” and “all” are omitted as surplus. The words “transporting mail” are substituted for “such services” for consistency in this section. The word “reasonable” is substituted for “fair and reasonable” for consistency in the revised title and to eliminate an unnecessary word. See revision notes following 49:10101.

Editorial Notes

PRIOR PROVISIONS

A prior section 41906 was renumbered section 41905 of this title.

Statutory Notes and Related Subsidiaries

AMENDMENTS

2008—Pub. L. 110-405 renumbered section 41909 of this title as this section.

§ 41907. Weighing mail

The United States Postal Service may weigh mail transported by aircraft between places in Alaska and make statistical and administrative computations necessary in the interest of mail service. When the Secretary of Transportation decides that additional or more frequent weighings of mail are advisable or necessary to carry out this part, the Postal Service shall provide the weighings, but it is not required to provide them for continuous periods of more than 30 days.

(Pub. L. 103-272, § 1(e), July 5, 1994, 108 Stat. 1157, § 41910; renumbered § 41907 and amended Pub. L. 110-405, § 2(b)(6), (7)(B), Oct. 13, 2008, 122 Stat. 4289; Pub. L. 115-254, div. B, title V, § 539(g), Oct. 5, 2018, 132 Stat. 3370.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|--|--|
| 41910 | 49 App.:1376(f). 49 App.:1551(b)(1)(E). | Aug. 23, 1958, Pub. L. 85-726, § 406(f), 72 Stat. 764. Aug. 23, 1958, Pub. L. 85-726, 72 Stat. 731, § 1601(b)(1)(E); added Oct. 4, 1984, Pub. L. 98-443, § 3(e), 98 Stat. 1704. |

The text of 49 App.:1376(f) (2d sentence) is omitted as surplus because of 39:chs. 4 and 10. The words “upon request of the Board” are omitted as surplus because the Secretary of Transportation makes the determination. The words “therefor in like manner” are omitted as surplus.

Editorial Notes

PRIOR PROVISIONS

A prior section 41907, Pub. L. 103-272, § 1(e), July 5, 1994, 108 Stat. 1155, related to prices for foreign transportation of 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

2018—Pub. L. 115-254 substituted “and administrative” for “and –administrative”.

2008—Pub. L. 110-405, § 2(b)(7)(B), renumbered section 41910 of this title as this section.

Pub. L. 110-405, § 2(b)(6), substituted “The United States Postal Service may weigh mail transported by aircraft between places in Alaska and make statistical and –administrative computations necessary in the interest of mail service.” for “The United States Postal Service may weigh mail transported by aircraft and make statistical and administrative computations necessary in the interest of mail service.”

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.

§ 41908. Effect on foreign postal arrangements

This part does not—

(1) affect an arrangement made by the United States Government with the postal administration of a foreign country related to the transportation of mail by aircraft; or

(2) impair the authority of the United States Postal Service to make such an arrangement.

(Pub. L. 103-272, § 1(e), July 5, 1994, 108 Stat. 1157, § 41912; renumbered § 41908, 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> |
|------------------------|---------------------------|---|
| 41912 | 49 App.:1375(e)(1). | Aug. 23, 1958, Pub. L. 85-726, § 405(e)(1), 72 Stat. 761. |

In clause (1), the words “abrogate or” are omitted as being included in “affect”.

Editorial Notes

PRIOR PROVISIONS

A prior section 41908, Pub. L. 103-272, § 1(e), July 5, 1994, 108 Stat. 1156, related to prices for transporting mail of foreign countries, 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, which directed the amendment of this chapter by renumbering section 49112 as this section, was executed by renumbering section 41912 of this title as this section to reflect the probable intent of Congress.

[§ 41909. Renumbered § 41906]

[§ 41910. Renumbered § 41907]

[§ 41911. Repealed. Pub. L. 110-405, § 2(b)(7)(A), Oct. 13, 2008, 122 Stat. 4289]

Section, Pub. L. 103-272, § 1(e), July 5, 1994, 108 Stat. 1157, related to evidence of providing mail service.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

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