

**339. Register of statutes and reports distributed.**—A register of the statutes of the United States and reports of the Supreme Court shall be kept, under the authority of the head of the Department of Justice, showing the quantity of each kind received by him from the Secretary of the Interior; and it shall be his duty to cause to be entered in such register, and at the proper time, when, where, and to whom the same, or any part of them, have been distributed and delivered, and to report the same to Congress in his annual report. (R. S. § 387.)

#### Chapter 6.—POST OFFICE DEPARTMENT.

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**Section 361. Establishment.**—There shall be at the seat of government an executive department to be known as the Post Office Department, and a Postmaster General, who shall be the head thereof, and who shall be appointed by the President, by and with the advice and consent of the Senate, and who may be removed in the same manner; and the term of the Postmaster General shall be for and during the term of the President by whom he is appointed, and for one month thereafter, unless sooner removed. (R. S. § 388.)

Cross reference: Salary of Postmaster General, see section 3 of this title.

**362. Seal.**—The Postmaster General shall keep the seal adopted for his department, which shall be affixed to all commissions of postmasters and others, and used to authenticate all transcripts and copies which may be required from his department. (R. S. § 395.)

**363. Assistant Postmasters General.**—There shall be in the Post Office Department four Assistant Postmasters General, who shall be appointed by the President, by and with the advice and consent of the Senate, and who may be removed in the same manner. (R. S. § 389; Mar. 3, 1891, c. 841, § 1, 26 Stat. 914.)

**364. Solicitor for Post Office Department.**—There shall be employed in the Post Office Department a Solicitor for the Post Office Department, who shall be appointed by the Postmaster General. (R. S. § 390; July 16, 1914, c. 141, § 1, 38 Stat. 497.)

Cross reference: Special assistant to Attorney General to assist in postal cases; see section 298 of this title.

**365. Oath of office.**—Before entering upon the duties, and before they shall receive any salary, the Postmaster General, and all persons employed in the postal service, shall respectively take and subscribe before some magistrate or other competent officer authorized to administer oaths by the laws of the United States, or of any State or Territory, the following oath or affirmation:

"I, A. B. 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."

This oath or affirmation may be taken before any officer civil or military holding a commission under the United States, and such officer is authorized to administer and certify such oath or affirmation. (R. S. §§ 391, 392; Mar. 5, 1874, c. 46, 18 Stat. 19.)

**366. Purchasing agent.**—There shall be appointed by the President, by and with the advice and consent of the Senate, a purchasing agent for the Post Office Department, who shall hold office for four years unless sooner removed by the President, and who shall give bond to the United States in such sum as the Postmaster General may determine, and report direct to the Postmaster General; and who shall, under such regulations, not inconsistent with existing law, as the Postmaster General shall prescribe, and subject to his direction and control, have supervision of the purchase of all supplies for the Postal Service.

The purchasing agent, in making purchases for supplies necessary for the Post Office Department, shall advertise, as provided by law, and award contracts for such supplies to the lowest responsible bidder in pursuance of existing law. The purchasing agent shall have recorded in a book to be kept for that purpose a true and faithful abstract of all bids made for furnishing supplies to the Post Office Department, giving the name of the party bidding, the terms of the offer, the sum to be paid, and he shall keep on file and preserve all such bids until the end of the contract term to which they relate. Each bidder shall have the right to be present, either in person or by attorney, when the bids are opened, and shall have the right to examine and inspect all bids. All purchases, advertisements, and contracts for supplies for the Post Office Department shall be made by the purchasing agent in the name of the Postmaster General subject to his approval, and in purchasing such supplies preference shall be given to articles of domestic production and manufacture, conditions of price and quality being equal. There shall be separate proposals and separate contracts for each class of material furnished. These records shall be open at all times for the inspection of Congress, and for the inspection of those who may be interested in such contracts made, or to be made, to furnish supplies to the Post Office Department. (Apr. 28, 1904, c. 1759, § 3, 33 Stat. 440.)

**367. No postal material or supplies manufactured by convict labor.**—No contract shall be entered into by the Post Office Department for purchase of material or supplies to be manufactured by convict labor. (Apr. 28, 1904, c. 1759, § 1, 33 Stat. 435.)

**368. District and central offices for distribution of supplies.**—In order to promote economy in the distribution of supplies, and in auditing and accounting, the Postmaster General may designate districts and central offices in such districts through which supplies shall be distributed and accounts audited, but in no case shall the postmaster at the central station be given

authority to abolish offices, to change officers or employees in offices included in such district. (Mar. 3, 1917, c. 163, § 1, 39 Stat. 1110.)

**369. Duties of Postmaster General.**—It shall be the duty of the Postmaster General:

First. To establish and discontinue post offices.

Second. To instruct all persons in the Postal Service with reference to their duties.

Third. To decide on the forms of all official papers.

Fourth. To prescribe the manner of keeping and stating accounts.

Fifth. To enforce the prompt rendition of returns relative to accounts.

Sixth. To control, according to law, and subject to the settlement of the General Accounting Office, all expenses incident to the service of the department.

Seventh. To superintend the disposal of the moneys of the department.

Eighth. To direct the manner in which balances shall be paid over; issue warrants to cover money into the Treasury; and to pay out the same.

Ninth. To superintend generally the business of the department and execute all laws relative to the Postal Service. (R. S. § 396; June 10, 1921, c. 18, § 304, 42 Stat. 24.)

**370. Detail of clerks from Postal Service to department.**—It shall not be lawful to detail clerks or other employees, paid from general appropriations for the postal service, from any branch of said postal service, whether located at the seat of government or elsewhere, to any of the offices or bureaus of the Post Office Department at Washington. (Mar. 15, 1898, c. 68, § 9, 30 Stat. 317.)

**371. Property in charge of department.**—The Postmaster General shall make out and keep, in proper books, full and complete inventories and accounts of all the property belonging to the United States in the buildings, rooms, offices, and grounds occupied by him and under his charge; and shall add thereto, from time to time, an account of such property as may be procured subsequently to the taking of the same, and also an account of the sale or disposal of any such property, and to report the same to Congress during the first week of each annual session. But this section shall not apply to the supplies of stationery and fuel. (R. S. § 397.)

**372. Postal arrangements with foreign countries.**—For the purpose of making better postal arrangements with foreign 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 on mail matter conveyed between the United States and foreign countries. (R. S. § 398.)

**373. Same; publication.**—The Postmaster General shall transmit a copy of each postal convention concluded with foreign governments to the Secretary of State, who shall furnish a copy of the same to the Public Printer for publication; and the printed proof sheets of all such conventions shall be revised at the Post Office Department. (R. S. § 399.)

**374. Blank agency.**—The Postmaster General may establish a blank agency for the Post Office Department, to be located at Washington, District of Columbia. (R. S. § 400.)

**375. Foreign dead letters.**—The action of the Post Office Department respecting foreign dead letters shall be subject to conventional stipulations with the respective foreign administrations. (R. S. § 401.)

**376. Date of orders, entries, contracts.**—Every order, entry, or memorandum whatever, on which any action is to be based, allowance made, or money paid, and every contract, paper, or

obligation made by or with the Post Office Department, shall have its true date affixed to it; and every paper relating to contracts or allowances filed in the department shall have the date when it was filed indorsed upon it. (R. S. § 402.)

**377. Form of bonds and contracts.**—All bonds taken and contracts entered into by the Post Office Department shall be made to and with the United States of America. (R. S. § 403.)

**378. Orders and regulations as to accounts.**—All orders and regulations of the Postmaster General which may originate a claim, or in any manner affect the accounts of the Postal Service, shall be certified to the General Accounting Office. (R. S. § 405; June 10, 1921, c. 18, § 304, 42 Stat. 24.)

**379. Warrant on quarterly statement of General Accounting Office.**—Upon the certified quarterly statement by the General Accounting Office of the payments by postmasters on account of the Postal Service, the Postmaster General shall issue his warrant to the Treasurer to carry the amount to the credit of the postal revenues and to the debit of the proper appropriations upon the books of the Bureau of Accounts in the Post Office Department. (R. S. § 406; June 10, 1921, c. 18, § 304, 42 Stat. 24.)

**380. Revenues and collections.**—The postal revenues and all debts due the Post Office Department shall, when collected, be paid into the Treasury of the United States under the direction of the Postmaster General, and the Treasurer, Assistant Treasurer, or designated depository receiving such payment shall give the depositor a duplicate receipt therefor, to be retained by him in his office as a voucher, and shall forward the original to the Bureau of Accounts in the Post Office Department, to be placed to the credit of the depositor in audit of his accounts by the General Accounting Office. (R. S. § 407; Jan. 22, 1894, c. 17, 28 Stat. 28; June 10, 1921, c. 18, § 304, 42 Stat. 24.)

**381. Deposits into Treasury.**—All deposits on account of the Postal Service shall be brought into the Treasury by warrants of the Postmaster General, countersigned by the Comptroller General of the United States; and no credit shall be allowed for any deposit until such warrant has been issued. (R. S. § 408; June 10, 1921, c. 18, § 304, 42 Stat. 24.)

**382. Signing warrants and drafts.**—The Postmaster General may from time to time designate any officer in the Post Office Department and employees in the office of the Third Assistant Postmaster General to sign warrants, collection and transfer drafts in his stead, and such warrants and drafts when so signed shall be of the same validity as if signed by the Postmaster General. (Mar. 3, 1903, c. 1009, § 6, 32 Stat. 1176; Mar. 2, 1907, c. 2513, 34 Stat. 1206.)

**383. Remitting fines, penalties, and forfeitures.**—In all cases of fine, penalty, forfeiture, or 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 may prescribe such general rules and modes of proceeding as shall appear to be expedient, for the government of the Bureau of Accounts in the Post Office Department, in ascertaining the fact in each case in which the Comptroller of the Bureau of Accounts shall certify to him that the interests of the department probably require the exercise of his powers over fines, penalties, forfeitures and liabilities; and upon the fact being ascertained, the General Accounting Office may, with the written consent of the Postmaster General, mitigate or remit such fine, penalty, or forfeiture, remove such disability, or compromise, release, or discharge such claim for such sum of money and damages, and on such terms as the Comptroller of the Bureau of Accounts in the Post Office Department shall deem just and expedient. (R. S. § 409; June 10, 1921, c. 18, § 306, 42 Stat. 24.)

**384. Same; balances due United States for public moneys under laws relating to Postal Service.**—The provisions of section 383 of this title shall extend in all cases pending on March 4, 1925, or which may thereafter arise to balances due to the United States through accountability for public moneys under any provision of law in relation to the officers, employees, operations, or business of the Postal Service, excepting the class of cases cognizable under section 49 of Title 39. (Mar. 4, 1925, c. 531, 43 Stat. 1266.)

**385. Discharge of judgment debtors.**—The Postmaster General may discharge from imprisonment any person confined in jail on any judgment in a civil case, obtained in behalf of the department, if it be made to appear that the defendant has no property of any description. (R. S. § 410.)

**386. Same; subsequent execution.**—The release provided for by section 385 of this title shall not bar a subsequent execution against the property of the defendant on the same judgment. (R. S. § 411.)

**387. Reports of Postmaster General.**—The Postmaster General shall make the following annual reports to Congress:

First. A report of the finances of the department for the preceding year, showing the amount of balance due the department at the beginning of the year, the amount of postage which accrued within the year, the amount of engagements and liabilities and the amount actually paid during the year for carrying the mail, showing how much of the amount was for carrying the mail in preceding years.

Second. A report of the amount expended in the department for the preceding fiscal year, including detailed statements of expenditures made from the contingent fund.

The Postmaster General shall cause all of such reports to be printed at the Government Printing Office, either together or separately, and in such numbers as may be required by the exigencies of the service or by law. (R. S. § 413; Mar. 3, 1897, c. 385, § 1, 29 Stat. 647.)

**388. Same; estimates of revenues and expenditures.**—The Postmaster General shall each year prepare and submit in his annual report to Congress estimates of the revenue and expenditures in the Postal Service for the fiscal year current, and also for the fiscal year next ensuing at the time said report is submitted, together with a statement of the receipts and expenditures for the preceding completed fiscal year. (May 27, 1908, c. 206, 35 Stat. 418.)

**389. Same; mail transportation.**—The Postmaster General shall request all railroad companies transporting the mails to furnish, under seal, such data relating to the operating, receipts and expenditures of such roads as may, in his judgment be deemed necessary to enable him to ascertain the cost of mail transportation and the proper compensation to be paid for the same; and he shall, in his annual report to Congress, make such recommendations, founded on the information obtained under this section, as shall, in his opinion, be just and equitable. (Mar. 3, 1879, c. 180, § 6, 20 Stat. 358.)

**390. Same; cost of mail matter franked by departments and independent establishments.**—The Postmaster General shall in his annual report submit a detailed statement of the cost to the postal establishment of the matter mailed under frank by each department and independent establishment of the Government and the revenue which would be derived therefrom if carried at the ordinary rates of postage. (June 5, 1920, c. 253, § 1, 41 Stat. 1037.)

**391. Same; publication in Official Postal Guide.**—The annual report of the Postmaster General shall not be published in the Official Postal Guide. (Aug. 5, 1882, c. 359, § 1, 22 Stat. 253.)

**392. Adjustment and settlement of certain claims for damages to person or property by Postmaster General.**—When any damage is done to person or property by or through the operation of the Post Office Department in any branch of its serv-

ice and such damage is found by the Postmaster General upon investigation to be a proper charge against the United States, the Postmaster General is invested with power to adjust and settle any claim for such damage when his award for such damage in any case does not exceed \$500. (June 16, 1921, c. 23, § 4, 42 Stat. 63.)

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