

(12) The term “Civil Reserve Air Fleet program” means the program developed by the Department of Defense through which the Department of Defense augments its airlift capability by use of civil aircraft.

(Added Pub. L. 97–86, title IX, §915(2), Dec. 1, 1981, 95 Stat. 1125; amended Pub. L. 100–180, div. A, title XII, §1231(17), Dec. 4, 1987, 101 Stat. 1161; Pub. L. 100–456, div. A, title XII, §1233(k)(2), Sept. 29, 1988, 102 Stat. 2058; Pub. L. 101–189, div. A, title XVI, §1636(a), Nov. 29, 1989, 103 Stat. 1609; Pub. L. 103–272, §5(b)(2), July 5, 1994, 108 Stat. 1373; Pub. L. 103–355, title III, §3031, Oct. 13, 1994, 108 Stat. 3334; Pub. L. 114–92, div. A, title X, §1085(b)(3), Nov. 25, 2015, 129 Stat. 1005; Pub. L. 114–328, div. A, title X, §1081(b)(4)(C), Dec. 23, 2016, 130 Stat. 2419; Pub. L. 117–81, div. A, title X, §1083(a)(1), (c)(1)(B), Dec. 27, 2021, 135 Stat. 1922, 1923.)

### Editorial Notes

#### AMENDMENTS

2021—Pars. (7), (9). Pub. L. 117–81, §1083(c)(1)(B), substituted “section 9513” for “section 9512”.

Par. (10). Pub. L. 117–81, §1083(a)(1), amended par. (10) generally. Prior to amendment, par. (10) read as follows: “The term ‘Secretary’ means the Secretary of the Air Force.”

2016—Par. (6). Pub. L. 114–328 substituted “(50 U.S.C. 4511)” for “(50 U.S.C. App. 2071)”.

2015—Par. (12). Pub. L. 114–92 added par. (12).

1994—Pub. L. 103–355, §3031(c), substituted “In this chapter:” for “In this subchapter:” in introductory provisions.

Par. (1). Pub. L. 103–355, §3031(b)(1)(C), which directed substitution of “section 40102 of title 49” for “section 101 of the Federal Aviation Act of 1958 (49 U.S.C. 1301)”, could not be executed because of the intervening amendment by Pub. L. 103–272 which substituted “section 40102(a) of title 49” for “section 101 of the Federal Aviation Act of 1958 (49 U.S.C. 1301)”, see below.

Pub. L. 103–355, §3031(b)(1)(A), (B), inserted “‘civil aircraft,’” before “‘person,’” and substituted “‘meanings’” for “‘meaning’”.

Pub. L. 103–272 substituted “section 40102(a) of title 49” for “section 101 of the Federal Aviation Act of 1958 (49 U.S.C. 1301)”.

Par. (6). Pub. L. 103–355, §3031(b)(2), (3), redesignated par. (7) as (6) and struck out former par. (6) which read as follows: “The term ‘civil aircraft’ means an aircraft other than a public aircraft.”

Par. (7). Pub. L. 103–355, §3031(b)(3), redesignated par. (8) as (7). Former par. (7) redesignated (6).

Par. (8). Pub. L. 103–355, §3031(b)(3), redesignated par. (9) as (8). Former par. (8) redesignated (7).

Pub. L. 103–355, §3031(a)(1), inserted “under section 9512 of this title” after “and who contracts with the Secretary” in subpar. (A) and added subpar. (C).

Pars. (9), (10). Pub. L. 103–355, §3031(b)(3), redesignated pars. (10) and (11) as (9) and (10), respectively. Former par. (9) redesignated (8).

Par. (11). Pub. L. 103–355, §3031(b)(3), (4), redesignated par. (12) as (11), substituted “compatibility” for “interoperability”, and inserted “an aeromedical aircraft or” before “a cargo-convertible”. Former par. (11) redesignated (10).

Par. (12). Pub. L. 103–355, §3031(b)(3), redesignated par. (12) as (11).

1989—Par. (2). Pub. L. 101–189, §1636(a)(1), amended par. (2) generally. Prior to amendment, par. (2) read as follows: “The term ‘cargo air service’ means the carriage of property or mail on the main deck of a civil aircraft.”

Par. (5). Pub. L. 101–189, §1636(a)(2), amended par. (5) generally. Prior to amendment, par. (5) read as follows:

“The term ‘cargo-convertible feature’ means equipment or design features included or incorporated in a passenger aircraft that can readily enable all or substantially all of that aircraft’s main deck to be used for the carriage of property or mail.”

Par. (8)(A). Pub. L. 101–189, §1636(a)(3), substituted “a new or existing aircraft and who contracts with the Secretary to modify that aircraft by including or incorporating specified defense features” for “a civil aircraft and who contracts with the Secretary of the Air Force to modify that aircraft by including or incorporating cargo-convertible features suitable for defense purposes”.

Par. (12). Pub. L. 101–189, §1636(a)(4), added par. (12).

1988—Par. (1). Pub. L. 100–456 substituted “The terms” for “The term”.

1987—Pars. (1) to (11). Pub. L. 100–180 inserted “The term” after each par. designation, and revised first word in quotes in pars. (1) to (6) and (8) to (10) to make initial letter of each word lowercase.

### Statutory Notes and Related Subsidiaries

#### EFFECTIVE DATE OF 1994 AMENDMENT

For effective date and applicability of amendment by Pub. L. 103–355, see section 10001 of Pub. L. 103–355, set out as a note under section 8752 of this title.

#### [§ 9511a. Renumbered § 9512]

#### § 9512. Civil Reserve Air Fleet contracts: payment rate

(a) **AUTHORITY.**—The Secretary shall determine a fair and reasonable rate of payment for airlift services provided to the Department of Defense by air carriers who are participants in the Civil Reserve Air Fleet program.

(b) **REGULATIONS.**—The Secretary shall prescribe regulations for purposes of subsection (a). The Secretary may exclude from the applicability of those regulations any airlift services contract made through the use of competitive procedures.

(c) **COMMITMENT OF AIRCRAFT AS A BUSINESS FACTOR.**—The Secretary may, in determining the quantity of business to be received under an airlift services contract for which the rate of payment is determined in accordance with subsection (a), use as a factor the relative amount of airlift capability committed by each air carrier to the Civil Reserve Air Fleet.

(d) **INAPPLICABLE PROVISIONS OF LAW.**—An airlift services contract for which the rate of payment is determined in accordance with subsection (a) shall not be subject to the provisions of chapter 271 of this title or to the provisions of subsections (a) and (b) of section 1502 of title 41.

(Added Pub. L. 112–81, div. A, title III, §366(a), Dec. 31, 2011, 125 Stat. 1380, §9511a; amended Pub. L. 116–283, div. A, title XVIII, §1831(j)(6), Jan. 1, 2021, 134 Stat. 4217; renumbered §9512 and amended Pub. L. 117–81, div. A, title X, §1083(a)(2)(A), (c)(1)(A), Dec. 27, 2021, 135 Stat. 1922, 1923.)

### Editorial Notes

#### PRIOR PROVISIONS

A prior section 9512 was renumbered section 9513 of this title.

#### AMENDMENTS

2021—Pub. L. 117–81 renumbered section 9511a of this title as this section and substituted “Secretary” for “Secretary of Defense” in subsecs. (a) and (b).