

(A) SCHEDULE.—The Secretary shall establish a repayment schedule for each direct loan under this subsection.

(B) COMMENCEMENT.—Scheduled loan repayments of principal or interest on a direct loan under this subsection shall commence no later than 3 years after the date of the first draw on the line of credit and shall be repaid, with interest, not later than 18 years after the date of the first draw.

(e) RISK ASSESSMENT.—Before entering into an agreement under this section to make available a Federal credit instrument, the Secretary, in consultation with the Director of the Office of Management and Budget, shall determine an appropriate capital reserve subsidy amount for the Federal credit instrument based on such credit evaluations as the Secretary deems necessary.

(f) CONDITIONS.—Subject to subsection (h), the Secretary may only make a Federal credit instrument available under this section if the Secretary finds that—

(1) the aircraft to be purchased with the Federal credit instrument is a regional jet aircraft needed to improve the service and efficiency of operation of a commuter air carrier or new entrant air carrier;

(2) the commuter air carrier or new entrant air carrier enters into a legally binding agreement that requires the carrier to use the aircraft to provide service to underserved markets; and

(3) the prospective earning power of the commuter air carrier or new entrant air carrier, together with the character and value of the security pledged, including the collateral value of the aircraft being acquired and any other assets or pledges used to secure the Federal credit instrument, furnish—

(A) reasonable assurances of the air carrier's ability and intention to repay the Federal credit instrument within the terms established by the Secretary—

(i) to continue its operations as an air carrier; and

(ii) to the extent that the Secretary determines to be necessary, to continue its operations as an air carrier between the same route or routes being operated by the air carrier at the time of the issuance of the Federal credit instrument; and

(B) reasonable protection to the United States.

(g) LIMITATION ON COMBINED AMOUNT OF FEDERAL CREDIT INSTRUMENTS.—The Secretary shall not allow the combined amount of Federal credit instruments available for any aircraft purchase under this section to exceed—

(1) 50 percent of the cost of the aircraft purchase; or

(2) \$100,000,000 for any single obligor.

(h) REQUIREMENT.—Subject to subsection (i), no Federal credit instrument may be made under this section for the purchase of any regional jet aircraft that does not comply with the stage 3 noise levels of part 36 of title 14 of the Code of Federal Regulations, as in effect on January 1, 1999.

(i) OTHER LIMITATIONS.—No Federal credit instrument shall be made by the Secretary under

this section for the purchase of a regional jet aircraft unless the commuter air carrier or new entrant air carrier enters into a legally binding agreement that requires the carrier to provide scheduled passenger air transportation to the underserved market for which the aircraft is purchased for a period of not less than 36 consecutive months after the date that aircraft is placed in service.

(Added Pub. L. 106–181, title II, §210(a), Apr. 5, 2000, 114 Stat. 97.)

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Section applicable only to fiscal years beginning after Sept. 30, 1999, see section 3 of Pub. L. 106–181, set out as an Effective Date of 2000 Amendments note under section 106 of this title.

#### § 41764. Use of Federal facilities and assistance

(a) USE OF FEDERAL FACILITIES.—To permit the Secretary of Transportation to make use of such expert advice and services as the Secretary may require in carrying out this subchapter, the Secretary may use available services and facilities of other agencies and instrumentalities of the United States Government—

(1) with the consent of the appropriate Federal officials; and

(2) on a reimbursable basis.

(b) ASSISTANCE.—The head of each appropriate department or agency of the United States Government shall exercise the duties and powers of that head in such manner as to assist in carrying out the policy specified in section 41761.

(c) OVERSIGHT.—The Secretary shall make available to the Comptroller General of the United States such information with respect to any Federal credit instrument made under this subchapter as the Comptroller General may require to carry out the duties of the Comptroller General under chapter 7 of title 31, United States Code.

(Added Pub. L. 106–181, title II, §210(a), Apr. 5, 2000, 114 Stat. 101.)

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Section applicable only to fiscal years beginning after Sept. 30, 1999, see section 3 of Pub. L. 106–181, set out as an Effective Date of 2000 Amendments note under section 106 of this title.

#### § 41765. Administrative expenses

In carrying out this subchapter, the Secretary shall use funds made available by appropriations to the Department of Transportation for the purpose of administration, in addition to the proceeds of any fees collected under this subchapter, to cover administrative expenses of the Federal credit instrument program under this subchapter.

(Added Pub. L. 106–181, title II, §210(a), Apr. 5, 2000, 114 Stat. 101.)

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Section applicable only to fiscal years beginning after Sept. 30, 1999, see section 3 of Pub. L. 106–181, set

out as an Effective Date of 2000 Amendments note under section 106 of this title.

**§ 41766. Funding**

Of the amounts appropriated under section 106(k) for each of fiscal years 2001 through 2003, such sums as may be necessary may be used to carry out this subchapter, including administrative expenses.

(Added Pub. L. 106-181, title II, §210(a), Apr. 5, 2000, 114 Stat. 101.)

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE**

Section applicable only to fiscal years beginning after Sept. 30, 1999, see section 3 of Pub. L. 106-181, set out as an Effective Date of 2000 Amendments note under section 106 of this title.

**§ 41767. Termination**

(a) **AUTHORITY TO ISSUE FEDERAL CREDIT INSTRUMENTS.**—The authority of the Secretary of Transportation to issue Federal credit instruments under section 41763 shall terminate on the date that is 5 years after the date of the enactment of this subchapter.

(b) **CONTINUATION OF AUTHORITY TO ADMINISTER PROGRAM FOR EXISTING FEDERAL CREDIT INSTRUMENTS.**—On and after the termination date, the Secretary shall continue to administer the program established under this subchapter for Federal credit instruments issued under this subchapter before the termination date until all obligations associated with such instruments have been satisfied.

(Added Pub. L. 106-181, title II, §210(a), Apr. 5, 2000, 114 Stat. 101.)

**Editorial Notes**

**REFERENCES IN TEXT**

The date of the enactment of this subchapter, referred to in subsec. (a), is the date of enactment of Pub. L. 106-181, which was approved Apr. 5, 2000.

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE**

Section applicable only to fiscal years beginning after Sept. 30, 1999, see section 3 of Pub. L. 106-181, set out as an Effective Date of 2000 Amendments note under section 106 of this title.

**CHAPTER 419—TRANSPORTATION OF MAIL**

Sec.	
41901.	General authority.
41902.	Schedules for certain transportation of mail.
41903.	Duty to provide certain transportation of mail.
41904.	Noncitizens transporting mail to or in foreign countries. <sup>1</sup>
41905.	Regulating air carrier transportation of foreign mail. <sup>2</sup>
41905.	Emergency mail transportation.
41907.	Prices for foreign transportation of mail. <sup>2</sup>
41908.	Prices for transporting mail of foreign countries. <sup>2</sup>

<sup>1</sup>Section catchline amended by Pub. L. 110-405 without corresponding amendment of chapter analysis.

<sup>2</sup>Section repealed by Pub. L. 110-405 without corresponding amendment of chapter analysis.

Sec.	
41906.	Duty to oppose unreasonable prices under the Universal Postal Union Convention.
41907.	Weighing mail.
41911.	Evidence of providing mail service. <sup>2</sup>
41908.	Effect on foreign postal arrangements.

**Editorial Notes**

**AMENDMENTS**

2008—Pub. L. 110-405, §2(b)(8), Oct. 13, 2008, 122 Stat. 4289, redesignated items 41906, 41909, and 41910 as 41905 “Emergency mail transportation”, 41906, and 41907 “Weighing mail”, respectively.

Pub. L. 110-405, §2(b)(8), Oct. 13, 2008, 122 Stat. 4289, which directed redesignation of item 49112 as 41908, was executed by redesignating item 41912 as 41908 “Effect of foreign postal arrangements” to reflect the probable intent of Congress.

**§ 41901. General authority**

(a) **TITLE 39.**—The United States Postal Service may provide for the transportation of mail by aircraft in interstate air transportation under section 5402(e) and (f) of title 39, and in foreign air transportation under section 5402(b) and (c) of title 39.

(b) **AUTHORITY TO PRESCRIBE PRICES.**—Except as provided in section 5402 of title 39, on the initiative of the Secretary of Transportation or on petition by the Postal Service or an air carrier, the Secretary shall prescribe and publish—

(1) after notice and an opportunity for a hearing on the record, reasonable prices to be paid by the Postal Service for the transportation of mail by aircraft between places in Alaska, the facilities used in and useful for the transportation of mail, and the services related to the transportation of mail for each carrier holding a certificate that authorizes that transportation;

(2) the methods used, whether by aircraft-mile, pound-mile, weight, space, or a combination of those or other methods, to determine the prices for each air carrier or class of air carriers; and

(3) the effective date of the prices.

(c) **OTHER TRANSPORTATION.**—In prescribing prices under subsection (b) of this section, the Secretary may include transportation other than by aircraft that is incidental to transportation of mail by aircraft or necessary because of emergency conditions related to aircraft operations.

(d) **AUTHORITY TO PRESCRIBE DIFFERENT PRICES.**—Considering conditions peculiar to transportation by aircraft and to particular air carriers or classes of air carriers, the Secretary may prescribe different prices under this section for different air carriers or classes of air carriers and for different classes of service. In prescribing a price for a carrier under this section, the Secretary shall consider, among other factors, the following:

(1) the condition that the carrier may hold and operate under a certificate authorizing the transportation of mail only by providing necessary and adequate facilities and service for the transportation of mail.

(2) standards related to the character and quality of service to be provided that are prescribed by or under law.