

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.

## [§ 41912. Renumbered § 41908]

**CHAPTER 421—LABOR-MANAGEMENT PROVISIONS****SUBCHAPTER I—EMPLOYEE PROTECTION PROGRAM<sup>1</sup>**

Sec.	
42101.	Definitions.
42102.	Payments to eligible protected employees.
42103.	Duty to hire protected employees.
42104.	Congressional review of regulations.
42105.	Airline Employees Protective Account.
42106.	Ending effective date.

**SUBCHAPTER II—MUTUAL AID AGREEMENTS AND LABOR REQUIREMENTS OF AIR CARRIERS**

42111.	Mutual aid agreements.
42112.	Labor requirements of air carriers.

**SUBCHAPTER III—WHISTLEBLOWER PROTECTION PROGRAM**

42121.	Protection of employees providing air safety information.
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**AMENDMENTS**

2000—Pub. L. 106-181, title V, §519(b), Apr. 5, 2000, 114 Stat. 149, added heading for subchapter III and item 42121.

**[SUBCHAPTER I—REPEALED]****[[§§ 42101 to 42106. Repealed. Pub. L. 105-220, title I, § 199(a)(6), Aug. 7, 1998, 112 Stat. 1059]**

Section 42101, Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1157, defined terms in subchapter.

Section 42102, Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1158, related to payments to eligible protected employees.

Section 42103, Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1159, related to duty to hire protected employees.

Section 42104, Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1159; Pub. L. 104-287, §5(9), Oct. 11, 1996, 110 Stat. 3389, related to congressional review of regulations.

Section 42105, Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1160, related to Airline Employees Protective Account.

Section 42106, Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1160, provided ending effective date for subchapter.

**SUBCHAPTER II—MUTUAL AID AGREEMENTS AND LABOR REQUIREMENTS OF AIR CARRIERS****§ 42111. Mutual aid agreements**

An air carrier that will receive payments from another air carrier under an agreement between the air carriers for the time the one air carrier is not providing foreign air transportation, or is providing reduced levels of foreign air transportation, because of a labor strike must file a true copy of the agreement with the Secretary of Transportation and have it approved by the Secretary under section 41309 of this title. Notwithstanding section 41309, the Secretary shall approve the agreement only if it provides that—

(1) the air carrier will receive payments of not more than 60 percent of direct operating expenses, including interest expenses, but not depreciation or amortization expenses;

(2) benefits may be paid for not more than 8 weeks, and may not be for losses incurred during the first 30 days of a strike; and

(3) on request of the striking employees, the dispute will be submitted to binding arbitration under the Railway Labor Act (45 U.S.C. 151 et seq.).

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1160.)

**HISTORICAL AND REVISION NOTES**

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
42111 .....	49 App.:1382(c).	Aug. 23, 1958, Pub. L. 85-726, 72 Stat. 731, §412(c); added Oct. 24, 1978, Pub. L. 95-504, §29(a), 92 Stat. 1730; Feb. 15, 1980, Pub. L. 96-192, §11(2), 94 Stat. 39; Oct. 4, 1984, Pub. L. 98-443, §9(s), 98 Stat. 1708.
	49 App.:1551(b)(1)(C) (related to 49 App.:1382(c)).	Aug. 23, 1958, Pub. L. 85-726, 72 Stat. 731, §1601(b)(1)(C) (related to §412(c)); added Oct. 24, 1978, Pub. L. 95-504, §40(a), 92 Stat. 1745; Oct. 14, 1982, Pub. L. 97-309, §4(b), 96 Stat. 1454; Oct. 4, 1984, Pub. L. 98-443, §3(a), 98 Stat. 1703.

In this section, before clause (1), the text of 49 App.:1382(c)(1) is omitted as executed. The words “For purposes of this subsection, the term . . . (A) ‘mutual aid agreement’ means” are omitted because of the restatement. The words “contract or”, “which are parties to such contract or agreement”, and “during which” are omitted as surplus. The word “providing” is substituted for “engaging in” for consistency. The words “service in” are omitted as surplus. The words “No air carrier shall enter into any mutual aid agreement with any other air carrier” are omitted as surplus. In clause (1), the words “For purposes of this subsection, the term . . . (B) ‘direct operating expenses’ includes” are omitted because of the restatement. The words “for any period” and “during such period” are omitted as surplus. In clause (2), the words “under the agreement” and “during any labor strike” are omitted as surplus.

**Editorial Notes****REFERENCES IN TEXT**

The Railway Labor Act, referred to in par. (3), is act May 20, 1926, ch. 347, 44 Stat. 577, which is classified principally to chapter 8 (§151 et seq.) of Title 45, Railroads. For complete classification of this Act to the Code, see section 151 of Title 45 and Tables.

**§ 42112. Labor requirements of air carriers**

(a) **DEFINITIONS.**—In this section—

(1) “copilot” means an employee whose duties include assisting or relieving the pilot in manipulating an aircraft and who is qualified to serve as, and has in effect an airman certificate authorizing the employee to serve as, a copilot.

(2) “pilot” means an employee who is—

(A) responsible for manipulating or who manipulates the flight controls of an aircraft when under way, including the landing and takeoff of an aircraft; and

(B) qualified to serve as, and has in effect an airman certificate authorizing the employee to serve as, a pilot.

(b) **DUTIES OF AIR CARRIERS.**—An air carrier shall—

(1) maintain rates of compensation, maximum hours, and other working conditions and relations for its pilots and copilots who are providing interstate air transportation in the

<sup>1</sup>Subchapter I repealed by Pub. L. 105-220 without corresponding amendment of chapter analysis.