

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
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.

PRIOR PROVISIONS

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

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 administrative¹ 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.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
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.

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

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.”

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

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
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”.

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.

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 PROGRAM¹

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.

¹ Subchapter I repealed by Pub.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

¹ So in original.

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.

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 Ac-
count.

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

SUBCHAPTER II—MUTUAL AID AGREE-
MENTS 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 transpor-
tation, because of a labor strike must file a true
copy of the agreement with the Secretary of
Transportation and have it approved by the Sec-
retary under section 41309 of this title. Notwith-
standing section 41309, the Secretary shall ap-
prove 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 dur-
ing the first 30 days of a strike; and

(3) on request of the striking employees, the
dispute will be submitted to binding arbitra-
tion 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

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
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 re-
statement. The words “contract or”, “which are par-
ties 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 agree-
ment with any other air carrier” are omitted as sur-
plus. In clause (1), the words “For purposes of this sub-
section, 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.

REFERENCES IN TEXT

The Railway Labor Act, referred to in par. (3), is act
May 20, 1926, ch. 347, 44 Stat. 577, as amended, 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 du-
ties include assisting or relieving the pilot in
manipulating an aircraft and who is qualified
to serve as, and has in effect an airman certifi-
cate 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 air-
craft 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 em-
ployee to serve as, a pilot.

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

(1) maintain rates of compensation, maxi-
mum hours, and other working conditions and
relations for its pilots and copilots who are
providing interstate air transportation in the
48 contiguous States and the District of Co-
lumbia to conform with decision number 83,
May 10, 1934, National Labor Board, notwith-
standing any limitation in that decision on
the period of its effectiveness;

(2) maintain rates of compensation for its pi-
lots and copilots who are providing foreign air
transportation or air transportation only in
one territory or possession of the United
States; and