

(B) does not adopt available measures to prevent the illegal importation of a controlled substance into the United States on its aircraft; and

(2) when appropriate, shall amend, modify, suspend, or revoke the permit of the carrier issued under this chapter.

(d) RESPONSES.—An interested person may file a response with the Secretary opposing or supporting the amendment, modification, suspension, or revocation of a permit under subsection (a) of this section.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1127.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
41304(a) .....	49 App.:1372(e) (related to duration of permits). 49 App.:1372(f)(1) (1st sentence). 49 App.:1551(b)(1)(E).	Aug. 23, 1958, Pub. L. 85-726, §402(e) (related to duration of permits), 72 Stat. 758. Aug. 23, 1958, Pub. L. 85-726, §402(f)(1), 72 Stat. 758; Feb. 15, 1980, Pub. L. 96-192, §9, 94 Stat. 38. 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.
41304(b) .....	49 App.:1372(f)(2).	Aug. 23, 1958, Pub. L. 85-726, 72 Stat. 731, §402(f)(2); added Feb. 15, 1980, Pub. L. 96-192, §9, 94 Stat. 38.
41304(c) .....	49 App.:1551(b)(1)(E). 49 App.:1371a (related to permit).	Aug. 15, 1985, Pub. L. 99-88, §100 (1st complete par. related to permit on p. 352), 99 Stat. 352.
41304(d) .....	49 App.:1372(f)(1) (last sentence). 49 App.:1551(b)(1)(E).	

In subsection (a), the words “altered” and “cancelled” are omitted as surplus.

In subsection (b)(1), before clause (A), the words “alter” and “condition” are omitted as surplus. In clause (B)(i) and (ii), the words “United States” before “air carriers” and “carriers” are omitted as surplus and for consistency because only a citizen of the United States may be an “air carrier” as defined in section 40102(a) of the revised title. In clause (B)(i), the word “impaired” is omitted as surplus.

In subsection (c), before clause (1), the words “Notwithstanding any other provision of law” are omitted as surplus. The words “on and after August 15, 1985” are omitted as executed. In clause (1), before subclause (A), the words “law enforcement and other” are omitted as surplus. The words “departments, agencies, and instrumentalities of the Government” are substituted for “agencies” for consistency in the revised title and with other titles of the Code. The words “a foreign air carrier” are substituted for “any carrier” for clarity. In clause (2), the words “of public convenience and necessity” are omitted as surplus. The word “amend” is added for consistency. The words “issued under this chapter” are added for clarity.

In subsection (d), the word “response” is substituted for “protest or memorandum” to eliminate unnecessary words. The words “alteration” and “cancellation” are omitted as surplus.

**§ 41305. Applications for permits**

(a) FORM, CONTENTS, NOTICE, RESPONSE, AND ACTIONS ON APPLICATIONS.—(1) A person must apply in writing to the Secretary of Transportation to be issued a permit under section 41302 of this title. The Secretary shall prescribe regulations to require that the application be—

(A) verified;

(B) in a certain form and contain certain information;

(C) served on interested persons; and

(D) accompanied by proof of service on those persons.

(2) When an application is filed, the Secretary shall post a notice of the application in the office of the Secretary and give notice of the application to other persons as required by regulations of the Secretary. An interested person may file a response with the Secretary opposing or supporting the issuance of the permit. The Secretary shall act on an application as expeditiously as possible.

(b) TERMS.—The Secretary may impose terms for providing foreign air transportation under the permit that the Secretary finds may be required in the public interest.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1127.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
41305(a)(1) ..	49 App.:1372(c).  49 App.:1551(b)(1)(E).	Aug. 23, 1958, Pub. L. 85-726, §402(c), (e) (related to terms, conditions, or limitations of permits), 72 Stat. 758. 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.
41305(a)(2) ..	49 App.:1372(d).	Aug. 23, 1958, Pub. L. 85-726, §402(d), 72 Stat. 758; Feb. 15, 1980, Pub. L. 96-192, §8, 94 Stat. 38.
41305(b) .....	49 App.:1551(b)(1)(E). 49 App.:1372(e) (related to terms, conditions, or limitations of permits). 49 App.:1551(b)(1)(E).	

In subsection (a)(1), before clause (A), the words “A person must apply . . . to the Secretary of Transportation to be issued a permit under section 41302 of this title” are added for clarity. Clause (C) is added for clarity.

In subsection (a)(2), the words “give due notice thereof to the public by” are omitted as surplus. The word “response” is substituted for “protest or memorandum” to eliminate unnecessary words. The word “expeditiously” is substituted for “speedily” for consistency in this chapter.

In subsection (b), the words “reasonable” and “conditions, or limitations” are omitted as surplus. The words “for providing foreign air transportation” are added for clarity.

**§ 41306. Simplified procedure to apply for, amend, modify, and suspend permits**

(a) REGULATIONS.—The Secretary of Transportation shall prescribe regulations that simplify the procedure for—

(1) acting on an application for a permit to provide foreign air transportation under section 41302 of this title; and

(2) amending, modifying, or suspending any part of that permit under section 41304(a) or (b) of this title.

(b) NOTICE AND OPPORTUNITY TO RESPOND.—Regulations under this section shall provide for notice and an opportunity for each interested person to file appropriate written evidence and argument. An oral evidentiary hearing is not required to be provided under this section.