

words “additional periods totaling not more than 30 days” are substituted for “an additional period or periods of up to 30 days each” for clarity because the amendment made by section 10111 of the Omnibus Trade and Competitiveness Act of 1988 (Public Law 100-418, 102 Stat. 1573) changed the additional period within which the Secretary had to act to only 30 days. The word “initial” is added for clarity.

In subsection (d)(2)(A), the words “the Secretaries of Commerce and State and the United States Trade Representative” are substituted for “the Department of State, the Department of Commerce, and the Office of the United States Trade Representative” because of 15:1501, 22:2651, and 19:2171, respectively.

In subsection (d)(2)(B), the words “as is consistent with acting on the complaint” are omitted as surplus.

In subsection (e)(1), before clause (A), the text of 49 App.:1159b(a) (1st, 2d sentences) is omitted as executed. The words “The Secretaries of State, the Treasury, and Transportation” are substituted for “The Department of State, the Department of the Treasury, the Department of Transportation” because of 22:2651, 31:301(b), and 49:102(b), respectively. The words “the heads of” and “instrumentalities of the Government” are added for consistency in the revised title and with other titles of the Code. The word “jurisdictions” is substituted for “respective functions” for clarity and consistency. In clause (A), the words “within its jurisdiction . . . such forms of” are omitted as surplus. Clause (B) is substituted for 49 App.:1159b(c) to eliminate unnecessary words.

In subsection (e)(2), the words “faced by United States carriers in foreign air transportation”, “as may be”, and “required by this subsection” are omitted as surplus.

AMENDMENTS

2000—Subsec. (d)(1). Pub. L. 106-181, §741(b)(1)(A), (B), in first sentence of introductory provisions, substituted “air carrier, computer reservations system firm,” for “air carrier” and “subsection (c) or (g)” for “subsection (c)”.

Subsec. (d)(1)(B). Pub. L. 106-181, §741(b)(1)(C), substituted “air carrier or computer reservations system firm” for “air carrier”.

Subsec. (e)(1). Pub. L. 106-181, §741(b)(2), inserted “or a computer reservations system firm is subject when providing services with respect to airline service” before period at end of first sentence.

Subsec. (g). Pub. L. 106-181, §741(a), added subsec. (g). 1996—Subsec. (f). Pub. L. 104-287 substituted “Transportation and Infrastructure” for “Public Works and Transportation”.

EFFECTIVE DATE OF 2000 AMENDMENT

Amendment by Pub. L. 106-181 applicable only to fiscal years beginning after Sept. 30, 1999, see section 3 of Pub. L. 106-181, set out as a note under section 106 of this title.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (e)(2) of this section relating to the requirement that the Secretary of Transportation report annually to Congress, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and the 21st item on page 132 of House Document No. 103-7.

§ 41311. Gambling restrictions

(a) IN GENERAL.—An air carrier or foreign air carrier may not install, transport, or operate, or permit the use of, any gambling device on board an aircraft in foreign air transportation.

(b) DEFINITION.—In this section, the term “gambling device” means any machine or mechanical device (including gambling applications on electronic interactive video systems installed on board aircraft for passenger use)—

(1) which when operated may deliver, as the result of the application of an element of chance, any money or property; or

(2) by the operation of which a person may become entitled to receive, as the result of the application of an element of chance, any money or property.

(Added Pub. L. 103-305, title II, §205(a)(1), Aug. 23, 1994, 108 Stat. 1583.)

STUDY OF GAMBLING ON COMMERCIAL AIRCRAFT

Pub. L. 103-305, title II, §205(b), Aug. 23, 1994, 108 Stat. 1583, provided that: “Not later than 1 year after the date of the enactment of this Act [Aug. 23, 1994], the Secretary shall complete a study of—

“(1) the aviation safety effects of gambling applications on electronic interactive video systems installed on board aircraft for passenger use, including an evaluation of the effect of such systems on the navigational and other electronic equipment of the aircraft, on the passengers and crew of the aircraft, and on issues relating to the method of payment;

“(2) the competitive implications of permitting foreign air carriers only, but not United States air carriers, to install, transport, and operate gambling applications on electronic interactive video systems on board aircraft in the foreign commerce of the United States on flights over international waters, or in fifth freedom city-pair markets; and

“(3) whether gambling should be allowed on international flights, including proposed legislation to effectuate any recommended changes in existing law.

The Secretary shall, within 5 days after the completion of the study, submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Public Works and Transportation [now Committee on Transportation and Infrastructure] of the House of Representatives on the results of the study.”

§ 41312. Ending or suspending foreign air transportation

(a) GENERAL.—An air carrier holding a certificate issued under section 41102 of this title to provide foreign air transportation—

(1) may end or suspend the transportation to a place under the certificate only when the carrier gives at least 90 days notice of its intention to end or suspend the transportation to the Secretary of Transportation, any community affected by that decision, and the State authority of the State in which a community is located; and

(2) if it is the only air carrier holding a certificate to provide non-stop or single-plane foreign air transportation between 2 places, may end or suspend the transportation between those places only when the carrier gives at least 60 days notice of its intention to end or suspend the transportation to the Secretary and each community directly affected by that decision.

(b) TEMPORARY SUSPENSION.—The Secretary may authorize the temporary suspension of foreign air transportation under subsection (a) of this section when the Secretary finds the suspension is in the public interest.

(Added Pub. L. 103-429, §6(51)(A), Oct. 31, 1994, 108 Stat. 4384; amended Pub. L. 104-287, §5(72), Oct. 11, 1996, 110 Stat. 3396.)