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TITLE 49--TRANSPORTATION  
SUBTITLE VII--AVIATION PROGRAMS  
PART A--AIR COMMERCE AND SAFETY  
subpart ii--economic regulation  
CHAPTER 413--FOREIGN AIR TRANSPORTATION

Sec. 41302. Permits of foreign air carriers

The Secretary of Transportation may issue a permit to a person (except a citizen of the United States) authorizing the person to provide foreign air transportation as a foreign air carrier if the Secretary finds that--

- (1) the person is fit, willing, and able to provide the foreign air transportation to be authorized by the permit and to comply with this part and regulations of the Secretary; and
- (2)(A) the person is qualified, and has been designated by the government of its country, to provide the foreign air transportation under an agreement with the United States Government; or
- (B) the foreign air transportation to be provided under the permit will be in the public interest.

(Pub. L. 103-272, Sec. 1(e), July 5, 1994, 108 Stat. 1126.)

Historical and Revision Notes

Revised Section Source (Statutes at Large)	Source (U.S. Code)	
41302..... 23, 1958, Pub. L. 85-726, Sec.	49 App.:1372(b).	Aug.
402(b), 72 Stat. 758; restated Feb.		15,
1980, Pub. L. 96-192, Sec. 7, 94		Stat.
38.		
23, 1958, Pub. L. 85-726, 72 Stat.	49 App.:1551(b)(1)(E).	Aug.
Sec. 1601(b)(1)(E); added Oct.		731,
1984, Pub. L. 98-443, Sec. 3(e),		4,
Stat. 1704.		98

In this section, before clause (1), the words ``person (except a citizen of the United States)'' and ``person'' are substituted for ``applicant'' for clarity and consistency because only a person other

than a United States citizen may be a ``foreign air carrier'' as defined in section 40102(a) of the revised title. In clauses (1) and (2), the word ``provide'' is substituted for ``perform'' for consistency in the revised title. In clause (1), the word ``properly'' is omitted as surplus. The word ``comply'' is substituted for ``conform'' for consistency in the revised title. The word ``rules'' is omitted as being synonymous with ``regulations''. The word ``requirements'' is omitted as surplus. In clause (2)(A), the words ``government of its country'' are substituted for ``its government'' for consistency in the revised title and with other titles of the United States Code.

#### Section Referred to in Other Sections

This section is referred to in sections 41303, 41304, 41305, 41306, 41307, 41310, 41313, 41703, 41709, 44901, 46316 of this title.