

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5720

To amend title 49, United States Code, relating to foreign air transportation.

---

## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 13, 2002

Mr. LIPINSKI (for himself, Mr. MORAN of Kansas, and Mr. SULLIVAN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

---

## A BILL

To amend title 49, United States Code, relating to foreign air transportation.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. LIMITATION ON FOREIGN AIR TRANSPOR-**  
4       **TATION PERMITS.**

5       Section 41301 of title 49, United States Code, is  
6       amended—

7               (1) by inserting “(a) IN GENERAL.—” before  
8       “A foreign”; and

9               (2) by adding at the end the following:

1       “(b) LIMITATION ON FOREIGN AIR TRANSPOR-  
2 TATION PERMITS.—No permit shall be issued under this  
3 chapter to authorize a foreign air carrier to perform air  
4 transportation of passengers for compensation between  
5 the United States and a foreign country on any flight that  
6 does not stop in the country under the laws of which the  
7 foreign air carrier is organized, unless the right to perform  
8 such air transportation has been specifically granted by  
9 an applicable international agreement for both scheduled  
10 and charter service.”.

11 **SEC. 2. LIMITATION ON EXEMPTION OF FOREIGN AIR CAR-**  
12 **RIERS.**

13       Section 40109 of title 49, United States Code, is  
14 amended—

15           (1) by redesignating subsection (h) as sub-  
16 section (i); and

17           (2) by inserting after subsection (g) the fol-  
18 lowing:

19       “(h) LIMITATION ON EXEMPTION OF FOREIGN AIR  
20 CARRIERS.—The Secretary may not exempt a foreign air  
21 carrier from section 41301(b), except upon a showing that  
22 no United States air carrier is willing and able to provide  
23 the equivalent air transportation at a commercially fea-  
24 sible price.”.