There was no objection.

AIR TRANSPORTATION SAFETY AND SYSTEM STABILIZATION ACT

Mr. YOUNG of Alaska. Mr. Speaker, pursuant to House Resolution 244, I call up the bill (H.R. 2926) to preserve the continued viability of the United States air transportation system, and ask for its consideration.

The Clerk read the title of the bill.

The text of H.R. 2926 is as follows:

H.R. 2926

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

SECTION 1. SHORT TITLE.

This Act may be cited as the “Air Transportation Safety and System Stabilization Act.”

TITLE I—AIRLINE STABILIZATION

SEC. 101. AVIATION DISASTER RELIEF.

(a) In General.—Notwithstanding any other provision of law, the President shall take the following actions to compensate air carriers for losses incurred by the air carriers as a result of the terrorist attacks on the United States that occurred on September 11, 2001:

(1) Subject to such terms and conditions as the President determines necessary, issue Federal credit instruments to air carriers that do not, in the aggregate, exceed $10,000,000,000 and provide the subsidy amounts necessary for such instruments in accordance with the provisions of the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

(2) Compensate air carriers in an aggregate amount equal to $5,000,000,000 for—

(A) direct losses incurred beginning on September 11, 2001, by air carriers as a result of any Federal ground stop order issued by the Secretary of Transportation or any subsequent order which continues or renews such a stoppage; and

(B) incremental losses incurred beginning September 11, 2001, and ending December 31, 2001, by air carriers as a direct result of such attacks.

(b) Emergency Designation.—Congress designates that amount of new budget authority and outlays in all fiscal years resulting from this title as an emergency requirement pursuant to (B) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(e)). Such amount shall be available only to the extent that a request, that includes designation of such amount as an emergency requirement as defined in such Act, is transmitted by the President to Congress.

SEC. 102. AIR TRANSPORTATION STABILIZATION BOARD.

(a) Definitions.—In this section, the following definitions apply:

(1) Board.—The term “Board” means the Air Transportation Stabilization Board established under subsection (b).

(2) Financial Obligation.—The term “financial obligation” means any note, bond, debenture, obligation issued by an obligor in connection with financing under this subsection and section 101(a)(1).

(3) Lender.—The term “lender” means any non-Federal institutional buyer (as defined by section 230.144A(a) of title 17, Code of Federal Regulations (or any successor regulation) known as Rule 144A(a) of the Securities and Exchange Commission) and issued under the Security Act of 1933, including—

SEC. 103. SPECIAL RULES FOR COMPENSATION.

(a) Documentation.—Subject to subsection (b), the amount of compensation payable to an air carrier under section 101(a)(2) may not exceed the amount of losses described in section 101(a)(2) that the air carrier demonstrates to the satisfaction of the President, using sworn financial statements or other appropriate data, that the air carrier incurred. The Secretary of Transportation and the Comptroller General of the United States may audit such statements and may request any information that the Secretary and the Comptroller General deems necessary to conduct such audit.

(b) Maximum Amount of Compensation Payable Per Air Carrier.—The maximum total amount of compensation payable to an air carrier under section 101(a)(2) may not exceed the lesser of—

(1) the amount of such air carrier’s direct and incremental losses described in section 101(a)(2); or

(2) in the case of—

(A) flights involving passenger-only or cargo and transportation, the product of—

(i) $4,500,000,000; and

(ii) the ratio of—

(I) the revenue ton miles or other auditable measure of all such air carriers for the quarter for which data is available as reported to the Secretary; to

(II) the total available seat miles of all such air carriers for such quarter as reported to the Secretary; and

(B) flights involving cargo-only transportation, the product of—

(i) $500,000,000; and

(ii) the ratio of—

(I) the revenue ton miles or other auditable measure of the air carrier for cargo for the later quarter for which data is available as reported to the Secretary; to

(II) the total revenue ton miles or other auditable measure of all such air carriers for the later quarter as reported to the Secretary.

(c) Payments.—The President may provide compensation to air carriers under section 101(a)(2) in 1 or more payments up to the amount authorized by this title.

SEC. 104. LIMITATION ON CERTAIN EMPLOYEE COMPENSATION.

(a) In General.—The President may only issue a Federal credit instrument under section 101(a)(1) to an air carrier after the air carrier enters into a legally binding agreement with the President that, during the 2-year period beginning September 11, 2001, and ending September 11, 2003, no officer or employee of the air carrier whose total compensation exceeded $300,000 in calendar year 2000 (other than an employee whose compensation is determined through an existing collective bargaining agreement entered into prior to September 11, 2001)—

(1) will receive from the air carrier total compensation which exceeds, during any 12 consecutive months of such 2-year period, the total compensation received by the officer or employee from the air carrier in calendar year 2000; and

(2) will receive from the air carrier severance pay or other benefits upon termination or its security holders through the use of such instruments as warrants, stock options, convertible preferred stock, or other appropriate equity instruments.

(b) Deposit in Treasury.—All amounts collected by the Secretary of the Treasury under this subsection shall be deposited in the Treasury as miscellaneous receipts.