

103D CONGRESS  
1ST SESSION

# S. 366

To amend the Airport and Airway Safety, Capacity, Noise Improvement, and Intermodal Transportation Act of 1992 with respect to the establishment of the National Commission to Ensure a Strong Competitive Airline Industry.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 16, (legislative day, JANUARY 5), 1993

Mr. EXON (for himself and Mr. HOLLINGS) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To amend the Airport and Airway Safety, Capacity, Noise Improvement, and Intermodal Transportation Act of 1992 with respect to the establishment of the National Commission to Ensure a Strong Competitive Airline Industry.

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. NATIONAL COMMISSION TO ENSURE A STRONG**  
4 **COMPETITIVE AIRLINE INDUSTRY.**

5 (a) APPOINTMENT OF MEMBERS.—Paragraph (1) of  
6 subsection (e) of section 204 of the Airport and Airway  
7 Safety, Capacity, Noise Improvement, and Intermodal

1 Transportation Act of 1992 (49 U.S.C. App. 1371 note)  
2 is amended to read as follows:

3 “(1) APPOINTMENT.—The Commission shall be  
4 composed of 15 voting members and 9 nonvoting  
5 members as follows:

6 “(A) 5 voting members and 1 nonvoting  
7 member appointed by the President.

8 “(B) 3 voting members and 3 nonvoting  
9 members appointed by the Speaker of the  
10 House of Representatives.

11 “(C) 2 voting members and 1 nonvoting  
12 member appointed by the minority leader of the  
13 House of Representatives.

14 “(D) 3 voting members and 3 nonvoting  
15 members appointed by the majority leader of  
16 the Senate.

17 “(E) 2 voting members and 1 nonvoting  
18 member appointed by the minority leader of the  
19 Senate.”.

20 (b) QUALIFICATIONS OF MEMBERS.—Paragraph (2)  
21 of subsection (e) of such section is amended to read as  
22 follows:

23 “(2) QUALIFICATIONS.—Voting members ap-  
24 pointed pursuant to paragraph (1) shall be ap-  
25 pointed from among individuals who are experts in

1 aviation economics, finance, international trade, and  
2 related disciplines and who can represent airlines,  
3 passengers, shippers, airline employees, aircraft  
4 manufacturers, general aviation, and the financial  
5 community.”.

6 (c) TRAVEL EXPENSES.—Paragraph (5) of sub-  
7 section (e) of such section is amended by striking “sec-  
8 tions 5702 and 5703” and inserting “subchapter I of  
9 chapter 57”.

10 (d) CHAIRMAN.—Paragraph (6) of subsection (e) of  
11 such section is amended to read as follows:

12 “(6) CHAIRMAN.—The President, in consulta-  
13 tion with the Speaker of the House of Representa-  
14 tives and the majority leader of the Senate, shall  
15 designate the Chairman of the Commission from  
16 among its voting members.”.

17 (e) COMMISSION PANELS.—

18 (1) IN GENERAL.—Such section is further  
19 amended by inserting after subsection (e) the follow-  
20 ing new subsection:

21 “(f) COMMISSION PANELS.—The Chairman shall es-  
22 tablish such panels consisting of voting members of the  
23 Commission as the Chairman determines appropriate to  
24 carry out the functions of the Commission.”.

1           (2) CONFORMING AMENDMENT.—Subsections  
2           (f), (g), (h), (i), (j), and (k) of such section are re-  
3           designated as subsections (g), (h), (i), (k), (l), and  
4           (m), respectively.

5           (f) STAFF AND OTHER SUPPORT.—Such section is  
6           further amended by inserting after subsection (i) (as re-  
7           designated by subsection (e)(2) of this section) the follow-  
8           ing new subsection:

9           “(j) STAFF AND OTHER SUPPORT.—Upon the re-  
10          quest of the Commission or a panel of the Commission,  
11          the Secretary of Transportation shall provide the Commis-  
12          sion or panel with staff and other support to assist the  
13          Commission or panel in carrying out its responsibilities.”.

14          (g) REPORT.—Subsection (l) of such section (as re-  
15          designated by subsection (e)(2) of this section) is amended  
16          by striking “6 months” and inserting “90 days”.

17          (h) TERMINATION.—Subsection (m) of such section  
18          (as redesignated by subsection (e)(2) of this section) is  
19          amended)—

20                 (1) by striking “180th day” and inserting  
21                 “30th day”; and

22                 (2) by striking “subsection (j)” and inserting  
23                 “subsection (l)”.

1 (i) COMMISSION EXPENDITURES.—Such section is  
2 further amended by adding at the end the following new  
3 subsection:

4 “(n) COMMISSION EXPENDITURES.—Amounts ex-  
5 pended to carry out this section shall not be considered  
6 expenses of advisory committees for purposes of section  
7 312 of the Department of Transportation and Related  
8 Agencies Appropriations Act, 1993.”.

9 (j) PREVIOUSLY APPOINTED MEMBERS.—Such sec-  
10 tion is further amended by adding at the end the following  
11 new subsection:

12 “(o) PREVIOUSLY APPOINTED MEMBERS.—Any ap-  
13 pointment made to the Commission before the date of the  
14 enactment of this subsection shall not be effective after  
15 such date of enactment.”.

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