

106TH CONGRESS  
1ST SESSION

# H. R. 3166

To establish a commission to study the impact of deregulation of the airline industry on small town America.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 28, 1999

Mr. BALDACCIO introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To establish a commission to study the impact of deregulation of the airline industry on small town America.

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. AIRLINE DEREGULATION STUDY COMMISSION.**

4       (a) ESTABLISHMENT OF COMMISSION.—

5               (1) ESTABLISHMENT.—There is established a  
6       commission to be known as the Airline Deregulation  
7       Study Commission (in this section referred to as the  
8       “Commission”).

9               (2) MEMBERSHIP.—

1 (A) COMPOSITION.—Subject to subpara-  
2 graph (B), the Commission shall be composed  
3 of 15 members of whom—

4 (i) 5 shall be appointed by the Presi-  
5 dent;

6 (ii) 5 shall be appointed by the Presi-  
7 dent pro tempore of the Senate, upon the  
8 recommendation of the Majority and Mi-  
9 nority leaders of the Senate; and

10 (iii) 5 shall be appointed by the  
11 Speaker of the House of Representatives,  
12 in consultation with the Minority leader of  
13 the House of Representatives.

14 (B) MEMBERS FROM RURAL AREAS.—

15 (i) REQUIREMENT.—Of the individ-  
16 uals appointed to the Commission under  
17 subparagraph (A)—

18 (I) one of the individuals ap-  
19 pointed under clause (i) of that sub-  
20 paragraph shall be an individual who  
21 resides in a rural area; and

22 (II) two of the individuals ap-  
23 pointed under each of clauses (ii) and  
24 (iii) of that subparagraph shall be in-  
25 dividuals who reside in a rural area.

1 (ii) GEOGRAPHIC DISTRIBUTION.—

2 The appointment of individuals under sub-  
3 paragraph (A) pursuant to the requirement  
4 in clause (i) of this subparagraph shall, to  
5 the maximum extent practicable, be made  
6 so as to ensure that a variety of geographic  
7 areas of the country are represented in the  
8 membership of the Commission.

9 (C) DATE.—The appointments of the  
10 members of the Commission shall be made not  
11 later than 60 days after the date of the enact-  
12 ment of this Act.

13 (3) PERIOD OF APPOINTMENT; VACANCIES.—  
14 Members shall be appointed for the life of the Com-  
15 mission. Any vacancy in the Commission shall not  
16 affect its powers, but shall be filled in the same  
17 manner as the original appointment.

18 (4) INITIAL MEETING.—Not later than 30 days  
19 after the date on which all members of the Commis-  
20 sion have been appointed, the Commission shall hold  
21 its first meeting.

22 (5) MEETINGS.—The Commission shall meet at  
23 the call of the Chairperson.

1           (6) QUORUM.—A majority of the members of  
2           the Commission shall constitute a quorum, but a  
3           lesser number of members may hold hearings.

4           (7) CHAIRPERSON.—The Commission shall se-  
5           lect a Chairman and Vice Chairperson from among  
6           its members.

7           (b) DUTIES OF THE COMMISSION.—

8           (1) STUDY.—

9           (A) DEFINITIONS.—In this subsection, the  
10          terms “air carrier” and “air transportation”  
11          have the meanings given those terms in section  
12          40102(a) of title 49, United States Code.

13          (B) CONTENTS.—The Commission shall  
14          conduct a thorough study of the impacts of de-  
15          regulation of the airline industry of the United  
16          States on—

17                 (i) the affordability, accessibility,  
18                 availability, and quality of air transpor-  
19                 tation, particularly in small-sized and me-  
20                 dium-sized communities;

21                 (ii) economic development and job cre-  
22                 ation, particularly in areas that are under-  
23                 served by air carriers;

24                 (iii) the economic viability of small-  
25                 sized airports; and

1 (iv) the long-term configuration of the  
2 United States passenger air transportation  
3 system.

4 (C) MEASUREMENT FACTORS.—In car-  
5 rying out the study under this subsection, the  
6 Commission shall develop measurement factors  
7 to analyze the quality of passenger air transpor-  
8 tation service provided by air carriers by identi-  
9 fying the factors that are generally associated  
10 with quality passenger air transportation serv-  
11 ice.

12 (D) BUSINESS AND LEISURE TRAVEL.—In  
13 conducting measurements for an analysis of the  
14 affordability of air travel, to the extent prac-  
15 ticable, the Commission shall provide for appro-  
16 priate control groups and comparisons with re-  
17 spect to business and leisure travel.

18 (2) REPORT.—Not later than 1 year after the  
19 date of the enactment of this Act, the Commission  
20 shall submit an interim report to the President and  
21 Congress, and not later than 18 months after the  
22 date of the enactment of this Act, the Commission  
23 shall submit a report to the President and the Con-  
24 gress. Each such report shall contain a detailed  
25 statement of the findings and conclusions of the

1 Commission, together with its recommendations for  
2 such legislation and administrative actions as it con-  
3 siderers appropriate.

4 (c) POWERS OF THE COMMISSION.—

5 (1) HEARINGS.—The Commission may hold  
6 such hearings, sit and act at such times and places,  
7 take such testimony, and receive such evidence as  
8 the Commission considers advisable to carry out the  
9 duties of the Commission under this section.

10 (2) INFORMATION FROM FEDERAL AGENCIES.—

11 The Commission may secure directly from any Fed-  
12 eral department or agency such information as the  
13 Commission considers necessary to carry out the du-  
14 ties of the Commission under this section. Upon re-  
15 quest of the Chairperson of the Commission, the  
16 head of such department or agency shall furnish  
17 such information to the Commission.

18 (3) POSTAL SERVICES.—The Commission may  
19 use the United States mails in the same manner and  
20 under the same conditions as other departments and  
21 agencies of the Federal Government.

22 (4) GIFTS.—The Commission may accept, use,  
23 and dispose of gifts or donations of services or prop-  
24 erty.

25 (d) COMMISSION PERSONNEL MATTERS.—

1           (1) TRAVEL EXPENSES.—The members of the  
2       Commission shall be allowed travel expenses, includ-  
3       ing per diem in lieu of subsistence, at rates author-  
4       ized for employees of agencies under subchapter I of  
5       chapter 57 of title 5, United States Code, while  
6       away from their homes or regular places of business  
7       in the performance of services for the Commission.

8           (2) STAFF.—

9           (A) IN GENERAL.—The Chairperson of the  
10       Commission may, without regard to the civil  
11       service laws and regulations, appoint and termi-  
12       nate an executive director and such other addi-  
13       tional personnel as may be necessary to enable  
14       the Commission to perform its duties. The em-  
15       ployment of an executive director shall be sub-  
16       ject to confirmation by the Commission.

17          (B) COMPENSATION.—The Chairperson of  
18       the Commission may fix the compensation of  
19       the executive director and other personnel with-  
20       out regard to the provisions of chapter 51 and  
21       subchapter III of chapter 53 of title 5, United  
22       States Code, relating to classification of posi-  
23       tions and General Schedule pay rates, except  
24       that the rate of pay for the executive director  
25       and other personnel may not exceed the rate

1 payable for level V of the Executive Schedule  
2 under section 5316 of such title.

3 (3) DETAIL OF GOVERNMENT EMPLOYEES.—  
4 Any Federal Government employee may be detailed  
5 to the Commission without reimbursement, and such  
6 detail shall be without interruption or loss of civil  
7 service status or privilege.

8 (4) PROCUREMENT OF TEMPORARY AND INTER-  
9 MITTENT SERVICES.—The Chairperson of the Com-  
10 mission may procure temporary and intermittent  
11 services under section 3109(b) of title 5, United  
12 States Code, at rates for individuals which do not  
13 exceed the daily equivalent of the annual rate of  
14 basic pay prescribed for level V of the Executive  
15 Schedule under section 5316 of such title.

16 (e) TERMINATION OF COMMISSION.—The Commis-  
17 sion shall terminate 90 days after the date on which the  
18 Commission submits its report under subsection (b).

19 (f) AUTHORIZATION OF APPROPRIATIONS.—

20 (1) IN GENERAL.—There is authorized to be  
21 appropriated \$1,500,000 for fiscal year 2000 to the  
22 Commission to carry out this section.



1           (2) AVAILABILITY.—Any sums appropriated  
2       pursuant to the authorization of appropriations in  
3       paragraph (1) shall remain available until expended.

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