

loughed employee notifying the employee that—

(A) the employee must, within a specified period of time that is not less than 14 days, elect either—

(i) to return to employment or bypass return to employment in accordance with an applicable collective bargaining agreement or, in the absence of a collective bargaining agreement, company policy; or

(ii) to permanently separate from employment with the contractor; and

(B) failure to respond within such time period specified will be deemed to be an election under subparagraph (A)(ii); and

(6) the term “Secretary” means the Secretary of the Treasury.

(Pub. L. 116–136, div. A, title IV, §4111, Mar. 27, 2020, 134 Stat. 497; Pub. L. 116–260, div. N, title IV, §412(b), Dec. 27, 2020, 134 Stat. 2061.)

Editorial Notes

AMENDMENTS

2020—Pars. (5), (6). Pub. L. 116–260 added par. (5) and redesignated former par. (5) as (6).

§ 9072. Pandemic relief for aviation workers

(a) Financial assistance for employee wages, salaries, and benefits

Notwithstanding any other provision of law, to preserve aviation jobs and compensate air carrier industry workers, the Secretary shall provide financial assistance that shall exclusively be used for the continuation of payment of employee wages, salaries, and benefits to—

(1) passenger air carriers, in an aggregate amount up to \$25,000,000,000;

(2) cargo air carriers, in the aggregate amount up to \$4,000,000,000; and

(3) contractors, in an aggregate amount up to \$3,000,000,000.

(b) Administrative expenses

Notwithstanding any other provision of law, the Secretary, may use \$67,000,000 of the funds made available under section 9080(a)¹ of this title for costs and administrative expenses associated with providing financial assistance under this part.

(Pub. L. 116–136, div. A, title IV, §4112, Mar. 27, 2020, 134 Stat. 498; Pub. L. 117–328, div. LL, §102(d)(1)(B), Dec. 29, 2022, 136 Stat. 6103.)

Editorial Notes

AMENDMENTS

2022—Subsec. (b). Pub. L. 117–328 substituted “\$67,000,000” for “\$100,000,000”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2022 AMENDMENT

Amendment by Pub. L. 117–328 effective upon issuance of guidance or the promulgation of a rule by the Secretary of the Treasury, in consultation with the Secretary of Transportation, see section 102(c) of Pub.

¹ So in original. There is no subsec. (a) in section 9080 of this title.

L. 117–328, set out as a note under section 802 of Title 42, The Public Health and Welfare.

§ 9073. Procedures for providing payroll support

(a) Awardable amounts

The Secretary shall provide financial assistance under this part—

(1) to an air carrier in an amount equal to the salaries and benefits reported by the air carrier to the Department of Transportation pursuant to part 241 of title 14, Code of Federal Regulations, for the period from April 1, 2019, through September 30, 2019; and

(2) to an air carrier that does not transmit reports under such part 241, in an amount that such air carrier certifies, using sworn financial statements or other appropriate data, as the amount of wages, salaries, benefits, and other compensation that such air carrier paid the employees of such air carrier during the period from April 1, 2019, through September 30, 2019; and

(3) to a contractor, in an amount that the contractor certifies, using sworn financial statements or other appropriate data, as the amount of wages, salaries, benefits, and other compensation that such contractor paid the employees of such contractor during the period from April 1, 2019, through September 30, 2019.

(b) Deadlines and procedures

(1) In general

(A) Forms; terms and conditions

Financial assistance provided to an air carrier or contractor under this part shall be in such form, on such terms and conditions (including requirements for audits and the clawback of any financial assistance provided upon failure by a passenger air carrier, cargo air carrier, or contractor to honor the assurances specified in section 9074 of this title), as the Secretary determines appropriate.

(B) Procedures

The Secretary shall publish streamlined and expedited procedures not later than 5 days after March 27, 2020, for air carriers and contractors to submit requests for financial assistance under this part.

(2) Deadline for immediate payroll assistance

Not later than 10 days after March 27, 2020, the Secretary shall make initial payments to air carriers and contractors that submit requests for financial assistance approved by to the Secretary.

(3) Subsequent payments

The Secretary shall determine an appropriate method for timely distribution of payments to air carriers and contractors with approved requests for financial assistance from any funds remaining available after providing initial financial assistance payments under paragraph (2).

(c) Pro rata authority

The Secretary shall have the authority to reduce, on a pro rata basis, the amounts due to air carriers and contractors under the applicable