

Thune - #

  
S.L.C.

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To provide for the opportunity to submit an essential air service community petition for review.

**IN THE SENATE OF THE UNITED STATES—118th Cong., 1st Sess.**

(no.) \_\_\_\_\_

(title) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. THUNE

Viz:

1 At the appropriate place, insert the following:

2 **SEC. \_\_\_\_\_. ESSENTIAL AIR SERVICE COMMUNITY PETI-**  
3 **TION FOR REVIEW.**

4 (a) IN GENERAL.—Section 41733 of title 49, United  
5 States Code, is amended by adding at the end the fol-  
6 lowing new subsection:

7 “(i) COMMUNITY PETITION FOR REVIEW.—

8 “(1) PETITION.—An appropriate representative  
9 of the community in which an eligible place is lo-  
10 cated may submit to the Secretary a petition ex-  
11 pressing no confidence in the air carrier providing  
12 basic essential air service under this section and re-

1       questing a review by the Secretary. A petition sub-  
2       mitted under this subsection shall demonstrate that  
3       the air carrier—

4               “(A) is unwilling or unable to meet the  
5       operational specifications outlined in the order  
6       issued by the Secretary specifying the terms of  
7       basic essential air service to the community;

8               “(B) is experiencing reliability challenges  
9       with the potential to adversely affect air service  
10      to the community; or

11              “(C) is no longer able to provide service to  
12      the community at the rate of compensation  
13      specified by the Secretary.

14              “(2) REVIEW.—Not later than 2 months after  
15      the date on which the Secretary receives a petition  
16      under paragraph (1), the Secretary shall review the  
17      operational performance of the air carrier providing  
18      basic essential air service to the community that  
19      submitted the petition and determine whether the  
20      air carrier is fully complying with the obligations  
21      specified in the order issued by the Secretary speci-  
22      fying the terms of basic essential air service to the  
23      community.

24              “(3) TERMINATION.—If based on a review  
25      under paragraph (2), the Secretary determines non-

1 compliance by an air carrier with an order specifying  
2 the terms for basic essential air service to the com-  
3 munity, the Secretary may—

4 “(A) terminate the order issued to that air  
5 carrier; and

6 “(B) issue a notice under subsection (c)  
7 that an air carrier may apply to provide basic  
8 essential air service to the community for com-  
9 pensation under this section and select an ap-  
10 plicant under that subsection.

11 “(4) CONTINUATION OF SERVICE.—If the Sec-  
12 retary makes a determination under paragraph (3)  
13 to terminate an order issued to an air carrier under  
14 this section, the Secretary shall ensure continuity in  
15 air service to the affected community.”.