

1 tions in fiscal year 2020, the purpose of which was for
2 administrative expenses.

3 **SEC. 348. EFFECTIVE DATE; APPLICABILITY.**

4 Except as otherwise provided in this Act, this Act and
5 the amendments made by this Act shall take effect on the
6 date of enactment of this Act and apply to loans and
7 grants made on or after the date of enactment of this Act.

8 **TITLE IV—TRANSPORTATION**
9 **Subtitle A—Airline Worker Support**
10 **Extension**

11 **SEC. 401. DEFINITIONS.**

12 Unless otherwise specified, the definitions in section
13 40102(a) of title 49, United States Code, shall apply to
14 this subtitle, except that in this subtitle—

15 (1) the term “catering functions” means prepa-
16 ration, assembly, or both, of food, beverages, provi-
17 sions and related supplies for delivery, and the deliv-
18 ery of such items, directly to aircraft or to a location
19 on or near airport property for subsequent delivery
20 to aircraft;

21 (2) the term “contractor” means—

22 (A) a person that performs, under contract
23 with a passenger air carrier conducting oper-
24 ations under part 121 of title 14, Code of Fed-
25 eral Regulations—

1 (i) catering functions; or

2 (ii) functions on the property of an
3 airport that are directly related to the air
4 transportation of persons, property, or
5 mail, including, but not limited to, the
6 loading and unloading of property on air-
7 craft, assistance to passengers under part
8 382 of title 14, Code of Federal Regula-
9 tions, security, airport ticketing and check-
10 in functions, ground-handling of aircraft,
11 or aircraft cleaning and sanitization func-
12 tions and waste removal; or

13 (B) a subcontractor that performs such
14 functions;

15 (3) the term “employee” means an individual,
16 other than a corporate officer, who is employed by
17 an air carrier or a contractor;

18 (4) the term “recall” means the dispatch of a
19 notice by a passenger air carrier or a contractor, via
20 mail, courier, or electronic mail, to an involuntarily
21 furloughed employee notifying the employee that—

22 (A) the employee must, within a specified
23 period of time, elect either—

24 (i) to return to employment or bypass
25 return to employment, in accordance with

1 an applicable collective bargaining agree-
2 ment or, in the absence of a collective bar-
3 gaining agreement, company policy; or

4 (ii) to permanently separate from em-
5 ployment with the passenger air carrier or
6 contractor; and

7 (B) failure to respond within such time pe-
8 riod specified shall be considered an election
9 under subparagraph (A)(ii);

10 (5) the term “returning employee” means an
11 involuntarily furloughed employee who has elected to
12 return to employment pursuant to a recall notice;
13 and

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

16 **SEC. 402. PANDEMIC RELIEF FOR AVIATION WORKERS.**

17 (a) **FINANCIAL ASSISTANCE FOR EMPLOYEE WAGES,**
18 **SALARIES, AND BENEFITS.**—Notwithstanding any other
19 provision of law, to preserve aviation jobs and compensate
20 air carrier industry workers, the Secretary shall provide
21 financial assistance that shall exclusively be used for the
22 continuation of payment of employee wages, salaries, and
23 benefits to—

24 (1) passenger air carriers, in an aggregate
25 amount up to \$15,000,000,000; and

1 (2) contractors, in an aggregate amount up to
2 \$1,000,000,000.

3 (b) ADMINISTRATIVE EXPENSES.—Notwithstanding
4 any other provision of law, the Secretary may use funds
5 made available under section 4112(b) of the CARES Act
6 (15 U.S.C. 9072(b)) for costs and administrative expenses
7 associated with providing financial assistance under this
8 subtitle.

9 **SEC. 403. PROCEDURES FOR PROVIDING PAYROLL SUP-**
10 **PORT.**

11 (a) AWARDABLE AMOUNTS.—The Secretary shall
12 provide financial assistance under this subtitle—

13 (1) to a passenger air carrier required to file re-
14 ports pursuant to part 241 of title 14, Code of Fed-
15 eral Regulations, as of March 27, 2020, in an
16 amount equal to—

17 (A) the amount such air carrier was ap-
18 proved to receive (without taking into account
19 any pro rata reduction) under section 4113 of
20 the CARES Act (15 U.S.C. 9073); or

21 (B) at the request of such air carrier, or
22 in the event such air carrier did not receive as-
23 sistance under section 4113 of the CARES Act
24 (15 U.S.C. 9073), the amount of the salaries
25 and benefits reported by the air carrier to the

1 Department of Transportation pursuant to such
2 part 241, for the period from October 1, 2019,
3 through March 31, 2020;

4 (2) to a passenger air carrier that was not re-
5 quired to transmit reports under such part 241, as
6 of March 27, 2020, in an amount equal to—

7 (A) the amount such air carrier was ap-
8 proved to receive (without taking into account
9 any pro rata reduction) under section 4113 of
10 the CARES Act (15 U.S.C. 9073), plus an ad-
11 ditional 15 percent of such amount;

12 (B) at the request of such air carrier, pro-
13 vided such air carrier received assistance under
14 section 4113 of the CARES Act (15 U.S.C.
15 9073), the sum of—

16 (i) the amount that such air carrier
17 certifies, using sworn financial statements
18 or other appropriate data, as the amount
19 of total salaries and related fringe benefits
20 that such air carrier incurred and would be
21 required to be reported to the Department
22 of Transportation pursuant to such part
23 241, if such air carrier was required to
24 transmit such information during the pe-

1 riod from April 1, 2019, through Sep-
2 tember 30, 2019; and

3 (ii) an additional amount equal to the
4 difference between the amount certified
5 under clause (i) and the amount the air
6 carrier received under section 4113 of the
7 CARES Act (15 U.S.C. 9073); or

8 (C) in the event such air carrier did not re-
9 ceive assistance under section 4113 of the
10 CARES Act (15 U.S.C. 9073), an amount that
11 such an air carrier certifies, using sworn finan-
12 cial statements or other appropriate data, as
13 the amount of total salaries and related fringe
14 benefits that such air carrier incurred and
15 would be required to be reported to the Depart-
16 ment of Transportation pursuant to such part
17 241, if such air carrier was required to trans-
18 mit such information during the period from
19 October 1, 2019, through March 31, 2020; and
20 (3) to a contractor in an amount equal to—

21 (A) the amount such contractor was ap-
22 proved to receive (without taking into account
23 any pro rata reduction) under section 4113 of
24 the CARES Act (15 U.S.C. 9073); or

1 (B) in the event such contractor did not
2 receive assistance under section 4113 of the
3 CARES Act (15 U.S.C. 9073), an amount that
4 the contractor certifies, using sworn financial
5 statements or other appropriate data, as the
6 amount of wages, salaries, benefits, and other
7 compensation that such contractor paid the em-
8 ployees of such contractor during the period
9 from October 1, 2019, through March 31,
10 2020.

11 (b) DEADLINES AND PROCEDURES.—

12 (1) IN GENERAL.—

13 (A) FORMS; TERMS AND CONDITIONS.—Fi-
14 nancial assistance provided to a passenger air
15 carrier or contractor under this subtitle shall—

16 (i) be, to the maximum extent prac-
17 ticable, in the same form and on the same
18 terms and conditions (including require-
19 ments for audits and the clawback of any
20 financial assistance provided upon failure
21 by a passenger air carrier or contractor to
22 honor the assurances specified in section
23 404), as agreed to by the Secretary and
24 the recipient for assistance received under
25 section 4113 of the CARES Act (15

1 U.S.C. 9073), except if inconsistent with
2 this subtitle; or

3 (ii) in the event such a passenger air
4 carrier or a contractor did not receive as-
5 sistance under section 4113 of the CARES
6 Act (15 U.S.C. 9073), be, to the maximum
7 extent practicable, in the same form and
8 on the same terms and conditions (includ-
9 ing requirements for audits and the
10 clawback of any financial assistance pro-
11 vided upon failure by a passenger air car-
12 rier or contractor to honor the assurances
13 specified in section 404), as agreed to by
14 the Secretary and similarly situated recipi-
15 ents of assistance under such section 4113.

16 (B) PROCEDURES.—The Secretary shall,
17 to the maximum extent practicable, publish
18 streamlined and expedited procedures not later
19 than 5 days after the date of enactment of this
20 subtitle for passenger air carriers and contrac-
21 tors to submit requests for financial assistance
22 under this subtitle.

23 (2) DEADLINE FOR IMMEDIATE PAYROLL AS-
24 SISTANCE.—Not later than 10 days after the date of
25 enactment of this subtitle, the Secretary shall make

1 initial payments to passenger air carriers and con-
2 tractors that submit requests for financial assistance
3 approved by the Secretary.

4 (3) SUBSEQUENT PAYMENTS.—The Secretary
5 shall determine an appropriate method for the timely
6 distribution of payments to passenger air carriers
7 and contractors with approved requests for financial
8 assistance from any funds remaining available after
9 providing initial financial assistance payments under
10 paragraph (2).

11 (c) PRO RATA REDUCTIONS.—The Secretary shall
12 have the authority to reduce, on a pro rata basis, the
13 amounts due to passenger air carriers and contractors
14 under subsection (a) in order to address any shortfall in
15 assistance that would otherwise be provided under such
16 subsection.

17 (d) AUDITS.—The Inspector General of the Depart-
18 ment of the Treasury shall audit certifications made under
19 subsection (a).

20 **SEC. 404. REQUIRED ASSURANCES.**

21 (a) IN GENERAL.—To be eligible for financial assist-
22 ance under this subtitle, a passenger air carrier or a con-
23 tractor shall enter into an agreement with the Secretary,
24 or otherwise certify in such form and manner as the Sec-

1 retary shall prescribe, that the passenger air carrier or
2 contractor shall—

3 (1) refrain from conducting involuntary fur-
4 loughs or reducing pay rates and benefits until—

5 (A) with respect to passenger air carriers,
6 March 31, 2021; or

7 (B) with respect to contractors, March 31,
8 2021, or the date on which the contractor ex-
9 pends such financial assistance, whichever is
10 later;

11 (2) ensure that neither the passenger air carrier
12 or contractor nor any affiliate of the passenger air
13 carrier or contractor may, in any transaction, pur-
14 chase an equity security of the passenger air carrier
15 or contractor or the parent company of the pas-
16 senger air carrier or contractor that is listed on a
17 national securities exchange through—

18 (A) with respect to passenger air carriers,
19 March 31, 2022; or

20 (B) with respect to contractors, March 31,
21 2022, or the date on which the contractor ex-
22 pends such financial assistance, whichever is
23 later;

24 (3) ensure that the passenger air carrier or con-
25 tractor shall not pay dividends, or make other cap-

1 ital distributions, with respect to common stock (or
2 equivalent interest) of the air carrier or contractor
3 through—

4 (A) with respect to passenger air carriers,
5 March 31, 2022; or

6 (B) with respect to contractors, March 31,
7 2022, or the date on which the contractor ex-
8 pends such financial assistance, whichever is
9 later; and

10 (4) meet the requirements of sections 405 and
11 406.

12 (b) **RECALLS OF EMPLOYEES.**—An agreement or cer-
13 tification under this section shall require a passenger air
14 carrier or contractor to perform the following actions:

15 (1) In the case of a passenger air carrier or
16 contractor that received financial assistance under
17 title IV of the CARES Act—

18 (A) recall (as defined in section 401), not
19 later than 72 hours after executing such agree-
20 ment or certification, any employees involun-
21 tarily furloughed by such passenger air carrier
22 or contractor between October 1, 2020, and the
23 date such passenger air carrier or contractor
24 enters into an agreement with the Secretary

1 with respect to financial assistance under this
2 subtitle;

3 (B) compensate returning employees for
4 lost pay and benefits (offset by any amounts re-
5 ceived by the employee from a passenger air
6 carrier or contractor as a result of the employ-
7 ee's furlough, including, but not limited to, fur-
8 lough pay, severance pay, or separation pay) be-
9 tween—

10 (i) in the case of a passenger air car-
11 rier, December 1, 2020, and the date on
12 which such passenger air carrier enters
13 into an agreement with the Secretary with
14 respect to financial assistance under this
15 subtitle; or

16 (ii) in the case of a contractor, the
17 date of enactment of this subtitle and the
18 date on which such contractor enters into
19 an agreement with the Secretary with re-
20 spect to financial assistance under this
21 subtitle; and

22 (C) restore the rights and protections for
23 such returning employees as if such employees
24 had not been involuntarily furloughed.

1 (2) In the case of a passenger air carrier or
2 contractor that did not receive financial assistance
3 under title IV of the CARES Act to—

4 (A) recall (as defined in section 401), with-
5 in 72 hours after executing such agreement or
6 certification, any employees involuntarily fur-
7 loughed by such passenger air carrier or con-
8 tractor between March 27, 2020, and the date
9 such passenger air carrier or contractor enters
10 into an agreement with the Secretary for finan-
11 cial assistance under this subtitle;

12 (B) compensate returning employees under
13 this paragraph for lost pay and benefits (offset
14 by any amounts received by the employee from
15 a passenger air carrier or contractor as a result
16 of the employee's furlough, including, but not
17 limited to, furlough pay, severance pay, or sepa-
18 ration pay) between—

19 (i) in the case of a passenger air car-
20 rier, December 1, 2020, and the date such
21 passenger air carrier enters into an agree-
22 ment with the Secretary for financial as-
23 sistance under this subtitle; or

24 (ii) in the case of a contractor, the
25 date of enactment of this subtitle and the

1 date on which such contractor enters into
2 an agreement with the Secretary with re-
3 spect to financial assistance under this
4 subtitle; and

5 (C) restore the rights and protections for
6 such returning employees as if such employees
7 had not been involuntarily furloughed.

8 **SEC. 405. PROTECTION OF COLLECTIVE BARGAINING**
9 **AGREEMENTS.**

10 (a) **IN GENERAL.**—Neither the Secretary, nor any
11 other actor, department, or agency of the Federal Govern-
12 ment, shall condition the issuance of financial assistance
13 under this subtitle on a passenger air carrier’s or contrac-
14 tor’s implementation of measures to enter into negotia-
15 tions with the certified bargaining representative of a craft
16 or class of employees of the passenger air carrier or con-
17 tractor under the Railway Labor Act (45 U.S.C. 151 et
18 seq.) or the National Labor Relations Act (29 U.S.C. 151
19 et seq.), regarding pay or other terms and conditions of
20 employment.

21 (b) **PASSENGER AIR CARRIER PERIOD OF EFFECT.**—
22 With respect to any passenger air carrier to which finan-
23 cial assistance is provided under this subtitle, this section
24 shall be in effect with respect to the passenger air carrier
25 for the period beginning on the date on which the pas-

1 senger air carrier is first issued such financial assistance
2 and ending on March 31, 2021.

3 (c) CONTRACTOR PERIOD OF EFFECT.—With respect
4 to any contractor to which financial assistance is provided
5 under this subtitle, this section shall be in effect with re-
6 spect to the contractor beginning on the date on which
7 the contractor is first issued such financial assistance and
8 ending on March 31, 2021, or until the date on which
9 all funds are expended, whichever is later.

10 **SEC. 406. LIMITATION ON CERTAIN EMPLOYEE COMPENSA-**
11 **TION.**

12 (a) IN GENERAL.—The Secretary may only provide
13 financial assistance under this subtitle to a passenger air
14 carrier or contractor after such carrier or contractor en-
15 ters into an agreement with the Secretary that provides
16 that, during the 2-year period beginning October 1, 2020,
17 and ending October 1, 2022—

18 (1) no officer or employee of the passenger air
19 carrier or contractor whose total compensation ex-
20 ceeded \$425,000 in calendar year 2019 (other than
21 an employee whose compensation is determined
22 through an existing collective bargaining agreement
23 entered into prior to the date of enactment of this
24 subtitle) will receive from the passenger air carrier
25 or contractor—

1 (A) total compensation that exceeds, dur-
2 ing any 12 consecutive months of such 2-year
3 period, the total compensation received by the
4 officer or employee from the passenger air car-
5 rier or contractor in calendar year 2019; or

6 (B) severance pay or other benefits upon
7 termination of employment with the passenger
8 air carrier or contractor which exceeds twice the
9 maximum total compensation received by the
10 officer or employee from the passenger air car-
11 rier or contractor in calendar year 2019; and

12 (2) no officer or employee of the passenger air
13 carrier or contractor whose total compensation ex-
14 ceeded \$3,000,000 in calendar year 2019 may re-
15 ceive during any 12 consecutive months of such pe-
16 riod total compensation in excess of the sum of—

17 (A) \$3,000,000; and

18 (B) 50 percent of the excess over
19 \$3,000,000 of the total compensation received
20 by the officer or employee from the passenger
21 air carrier or contractor in calendar year 2019.

22 (b) TOTAL COMPENSATION DEFINED.—In this sec-
23 tion, the term “total compensation” includes salary, bo-
24 nuses, awards of stock, and other financial benefits pro-

1 vided by a passenger air carrier or contractor to an officer
2 or employee of the passenger air carrier or contractor.

3 **SEC. 407. MINIMUM AIR SERVICE GUARANTEES.**

4 (a) **IN GENERAL.**—The Secretary of Transportation
5 is authorized to require, to the extent reasonable and prac-
6 ticable, an air carrier provided financial assistance under
7 this subtitle to maintain scheduled air transportation, as
8 the Secretary of Transportation determines necessary, to
9 ensure services to any point served by that air carrier be-
10 fore March 1, 2020.

11 (b) **REQUIRED CONSIDERATIONS.**—When considering
12 whether to exercise the authority provided by this section,
13 the Secretary of Transportation shall take into consider-
14 ation the air transportation needs of small and remote
15 communities, the need to maintain well-functioning health
16 care supply chains, including medical devices and supplies,
17 and pharmaceutical supply chains.

18 (c) **SUNSET.**—The authority provided under this sec-
19 tion shall terminate on March 1, 2022, and any require-
20 ments issued by the Secretary of Transportation under
21 this section shall cease to apply after that date.

22 (d) **SENSE OF CONGRESS.**—It is the sense of Con-
23 gress that, when implementing this section, the Secretary
24 of Transportation should take into consideration the fol-
25 lowing:

1 (1) A number of airports and communities have
2 lost air service as a result of consolidated operations
3 by covered air carriers, as permitted by the Depart-
4 ment of Transportation, including smaller airports
5 that are located near larger airports.

6 (2) Airports covering common points, as deter-
7 mined by the Department of Transportation, do not
8 align with the grouping commonly used by many air
9 carriers, other Federal agencies, and distribution
10 channels used by consumers to purchase air travel.

11 (3) The demographic, geographic, economic,
12 and other characteristics of an area and affected
13 communities when determining whether consolidated
14 operations at a single airport effectively serve the
15 needs of the point.

16 (4) Maintaining a robust air transportation sys-
17 tem, including maintaining air service to airports
18 throughout the United States, plays an important
19 role in the effective distribution of a coronavirus vac-
20 cine.

21 (5) The objections from community respondents
22 on whether a specific airport should or should not be
23 included in a consolidated point, including those ob-
24 jections noting the importance of the required con-
25 siderations set forth in subsection (b).

1 **SEC. 408. TAXPAYER PROTECTION.**

2 (a) CARES ACT ASSISTANCE RECIPIENTS.—With
3 respect to a recipient of financial assistance under section
4 4113 of the CARES Act (15 U.S.C. 9073) that receives
5 financial assistance under this subtitle, the Secretary may
6 receive warrants, options, preferred stock, debt securities,
7 notes, or other financial instruments issued by such recipi-
8 ent that are, to the maximum extent practicable, in the
9 same form and amount, and under the same terms and
10 conditions, as agreed to by the Secretary and such recipi-
11 ent to provide appropriate compensation to the Federal
12 Government for the provision of the financial assistance
13 under this subtitle.

14 (b) OTHER APPLICANTS.—With respect to a recipient
15 of financial assistance under this subtitle that did not re-
16 ceive financial assistance under section 4113 of the
17 CARES Act (15 U.S.C. 9073), the Secretary may receive
18 warrants, options, preferred stock, debt securities, notes,
19 or other financial instruments issued by such recipient in
20 a form and amount that are, to the maximum extent prac-
21 ticable, under the same terms and conditions as agreed
22 to by the Secretary and similarly situated recipients of fi-
23 nancial assistance under such section to provide appro-
24 priate compensation to the Federal Government for the
25 provision of the financial assistance under this subtitle.

1 **SEC. 409. REPORTS.**

2 (a) REPORT.—Not later than May 1, 2021, the Sec-
3 retary shall submit to the Committee on Transportation
4 and Infrastructure and the Committee on Financial Serv-
5 ices of the House of Representatives and the Committee
6 on Commerce, Science, and Transportation and the Com-
7 mittee on Banking, Housing, and Urban Affairs of the
8 Senate a report on the financial assistance provided to
9 passenger air carriers and contractors under this subtitle,
10 that includes—

11 (1) a description of any financial assistance
12 provided to passenger air carriers under this sub-
13 title;

14 (2) any audits of passenger air carriers or con-
15 tractors receiving financial assistance under this
16 subtitle;

17 (3) any reports filed by passenger air carriers
18 or contractors receiving financial assistance under
19 this subtitle;

20 (4) any instances of non-compliance by pas-
21 senger air carriers or contractors receiving financial
22 assistance under this subtitle with the requirements
23 of this subtitle or agreements entered into with the
24 Secretary to receive such financial assistance; and

1 (5) information relating to any clawback of any
2 financial assistance provided to passenger air car-
3 riers or contractors under this subtitle.

4 (b) INTERNET UPDATES.—The Secretary shall up-
5 date the website of the Department of the Treasury, at
6 minimum, on a weekly basis as necessary to reflect new
7 or revised distributions of financial assistance under this
8 subtitle with respect to each passenger air carrier or con-
9 tractor that receives such assistance, the identification of
10 any applicant that applied for financial assistance under
11 this subtitle, and the date of application for such assist-
12 ance.

13 (c) SUPPLEMENTAL UPDATE.—Not later than the
14 last day of the 1-year period following the date of enact-
15 ment of this subtitle, the Secretary shall update and sub-
16 mit to the Committee on Transportation and Infrastruc-
17 ture and the Committee on Financial Services of the
18 House of Representatives and the Committee on Com-
19 merce, Science, and Transportation and the Committee on
20 Banking, Housing, and Urban Affairs of the Senate, the
21 report submitted under subsection (a).

22 (d) PROTECTION OF CERTAIN DATA.—The Secretary
23 may withhold information that would otherwise be re-
24 quired to be made available under this section only if the

1 Secretary determines to withhold the information in ac-
2 cordance with section 552 of title 5, United States Code.

3 **SEC. 410. COORDINATION.**

4 In implementing this subtitle, the Secretary shall co-
5 ordinate with the Secretary of Transportation.

6 **SEC. 411. FUNDING.**

7 There is appropriated, out of amounts in the Treas-
8 ury not otherwise appropriated, \$16,000,000,000 to carry
9 out this subtitle, to remain available until expended.

10 **SEC. 412. CARES ACT AMENDMENTS.**

11 (a) CONTINUED APPLICATION OF REQUIRED ASSUR-
12 ANCES.—Section 4114 of the CARES Act (15 U.S.C.
13 9074) is amended by adding at the end the following new
14 subsections:

15 “(c) CONTINUED APPLICATION.—

16 “(1) IN GENERAL.—If, after the date of enact-
17 ment of this subsection, a contractor expends any
18 funds made available pursuant to section 4112 and
19 distributed pursuant to section 4113, the assurances
20 in paragraphs (1) through (3) of subsection (a) shall
21 continue to apply until the dates included in such
22 paragraphs, or the date on which the contractor
23 fully expends such financial assistance, whichever is
24 later.

1 “(2) SPECIAL RULE.—Not later than April 5,
2 2021, each contractor described in section
3 4111(3)(A)(i) that has received funds pursuant to
4 such section 4112 shall report to the Secretary on
5 the amount of such funds that the contractor has
6 expended through March 31, 2021. If the contractor
7 has expended an amount that is less than 100 per-
8 cent of the total amount of funds the contractor re-
9 ceived under such section, the Secretary shall ini-
10 tiate an action to recover any funds that remain un-
11 expended as of April 30, 2021.

12 “(d) RECALL OF EMPLOYEES.—

13 “(1) IN GENERAL.—Subject to paragraph (2),
14 any contractor that has unspent financial assistance
15 provided under this subtitle as of the date of enact-
16 ment of this subsection and conducted involuntary
17 furloughs or reduced pay rates and benefits, between
18 March 27, 2020, and the date on which the con-
19 tractor entered into an agreement with the Secretary
20 related to financial assistance under this subtitle,
21 shall recall (as defined in section 4111) employees
22 who were involuntarily furloughed during such pe-
23 riod by not later than January 4, 2021.

24 “(2) WAIVER.—The Secretary of the Treasury
25 shall waive the requirement under paragraph (1) for

1 a contractor to recall employees if the contractor
2 certifies that the contractor has or will have insuffi-
3 cient remaining financial assistance provided under
4 this subtitle to keep recalled employees employed for
5 more than two weeks upon returning to work.

6 “(3) AUDITS.—The Inspector General of the
7 Department of the Treasury shall audit certifi-
8 cations made under paragraph (2).”.

9 (b) DEFINITION OF RECALL.—Section 4111 of the
10 CARES Act (15 U.S.C. 9071) is amended—

11 (1) in paragraph (4) by striking “and” at the
12 end;

13 (2) by redesignating paragraph (5) as para-
14 graph (6); and

15 (3) by inserting after paragraph (4) the fol-
16 lowing:

17 “(5) the term ‘recall’ means the dispatch of a
18 notice by a contractor, via mail, courier, or electronic
19 mail, to an involuntarily furloughed employee noti-
20 fying the employee that—

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

24 “(i) to return to employment or by-
25 pass return to employment in accordance

1 with an applicable collective bargaining
2 agreement or, in the absence of a collective
3 bargaining agreement, company policy; or

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

6 “(B) failure to respond within such time
7 period specified will be deemed to be an election
8 under subparagraph (A)(ii); and”.

9 (c) DEFINITION OF BUSINESSES CRITICAL TO MAIN-
10 TAINING NATIONAL SECURITY.—Section 4002 of the
11 CARES Act (15 U.S.C. 9041) is amended by adding at
12 the end the following:

13 “(11) AEROSPACE-RELATED BUSINESSES CRIT-
14 ICAL TO MAINTAINING NATIONAL SECURITY.—The
15 term ‘businesses critical to maintaining national se-
16 curity’ means those businesses that manufacture or
17 produce aerospace-related products, civil or defense,
18 including those that design, integrate, assemble, sup-
19 ply, maintain, and repair such products, and other
20 businesses involved in aerospace-related manufac-
21 turing or production as further defined by the Sec-
22 retary, in consultation with the Secretary of Defense
23 and the Secretary of Transportation. For purposes
24 of the preceding sentence, aerospace-related products
25 include, but are not limited to, components, parts, or

1 systems of aircraft, aircraft engines, or appliances
2 for inclusion in an aircraft, aircraft engine, or appli-
3 ance.”.

4 **Subtitle B—Coronavirus Economic**
5 **Relief for Transportation Serv-**
6 **ices Act**

7 **SEC. 420. SHORT TITLE.**

8 This subtitle may be cited as the “Coronavirus Eco-
9 nomic Relief for Transportation Services Act”.

10 **SEC. 421. ASSISTANCE FOR PROVIDERS OF TRANSPOR-**
11 **TATION SERVICES AFFECTED BY COVID-19.**

12 (a) DEFINITIONS.—In this section:

13 (1) COVERED PERIOD.—The term “covered pe-
14 riod”, with respect to a provider of transportation
15 services, means the period—

16 (A) beginning on the date of enactment of
17 this Act; and

18 (B) ending on the later of—

19 (i) March 31, 2021; or

20 (ii) the date on which all funds pro-
21 vided to the provider of transportation
22 services under subsection (c) are expended.

23 (2) COVID-19.—The term “COVID-19”
24 means the Coronavirus Disease 2019.

25 (3) PAYROLL COSTS.—