

AMENDMENT TO H.R. 4
OFFERED BY MR. COHEN OF TENNESSEE

At the end of title IV, add the following:

1 **SEC. 4___ . PROHIBITION ON UNFAIR AND DECEPTIVE**
2 **PRACTICES BY AIR CARRIERS DURING DISAS-**
3 **TERS.**

4 (a) IN GENERAL.—Section 41712 of title 49, United
5 States Code, is further amended by adding at the end the
6 following:

7 “(g) FLIGHTS DEPARTING FROM DISASTER
8 AREAS.—

9 “(1) IN GENERAL.—It shall be an unfair or de-
10 ceptive practice under subsection (a) for any ticket
11 agent, air carrier, foreign air carrier, or other person
12 offering to sell tickets for air transportation on a
13 covered flight to impose any increase in the price of
14 such tickets, as compared to ticket prices in effect
15 before the applicable disaster period.

16 “(2) DEFINITIONS.—In this subsection, the fol-
17 lowing definitions apply:

18 “(A) COVERED FLIGHT.—The term ‘cov-
19 ered flight’ means a flight of an air carrier or
20 foreign air carrier departing from an airport

1 servicing a disaster area during a disaster pe-
2 riod.

3 “(B) DISASTER AREA.—The term ‘disaster
4 area’ means an area for which—

5 “(i) a major disaster or emergency
6 has been declared by the President under
7 the Robert T. Stafford Disaster Relief and
8 Emergency Assistance Act (42 U.S.C.
9 5121 et seq.); and

10 “(ii) State or local authorities have
11 ordered a mandatory evacuation, as deter-
12 mined by the Secretary.

13 “(C) DISASTER PERIOD.—The term ‘dis-
14 aster period’, with respect to a disaster area,
15 means the period—

16 “(i) beginning on the first day on
17 which the criteria specified in subpara-
18 graphs (B)(i) and (B)(ii) have been met;
19 and

20 “(ii) ending of the day on which the
21 applicable State or local authority lifts the
22 mandatory evacuation order for the area,
23 or the Secretary determines that the period
24 has ended, whichever occurs first.”.

25 (b) REGULATIONS.—

1 (1) IN GENERAL.—Not later than 1 year after
2 the date of enactment of this Act, the Secretary of
3 Transportation shall issue final regulations to carry
4 out the amendment made by subsection (a).

5 (2) CONSULTATION.—The Secretary shall de-
6 velop the regulations in consultation with the Ad-
7 ministrator of the Federal Emergency Management
8 Agency.

9 (c) SAVINGS PROVISION.—Nothing in this section, or
10 the amendment made by this section, may be construed
11 to limit or otherwise affect any responsibility of an air car-
12 rier or foreign air carrier during a major disaster or emer-
13 gency.

