

118TH CONGRESS
1ST SESSION

H. R. 4021

To amend title 49, United States Code, to ensure that authorizations issued by the Secretary of Transportation to foreign air carriers do not undermine labor standards, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 2023

Mr. DESAULNIER (for himself, Mr. FERGUSON, Mr. CARSON, Mr. CARBAJAL, Mr. RYAN, Ms. HOYLE of Oregon, Mr. BOST, Mr. BERGMAN, Mr. BACON, and Mr. JOHNSON of Ohio) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 49, United States Code, to ensure that authorizations issued by the Secretary of Transportation to foreign air carriers do not undermine labor standards, and for other purposes.

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. SHORT TITLE.**

4 This Act may be cited as the “Fair and Open Skies
5 Act”.

1 **SEC. 2. PUBLIC INTEREST TEST.**

2 Section 41302(2) of title 49, United States Code, is
3 amended—

4 (1) in subparagraph (A) by striking “under an
5 agreement with the United States Government; or”
6 and inserting “; and”; and

7 (2) in subparagraph (B) by striking “the for-
8 eign air transportation” and inserting “after consid-
9 ering the totality of the circumstances, including the
10 factors set forth in section 40101(a), the foreign air
11 transportation”.

12 **SEC. 3. PUBLIC INTEREST REQUIREMENTS.**

13 (a) **POLICY.**—Section 40101(a) of title 49, United
14 States Code, is amended by adding at the end the fol-
15 lowing:

16 “(17) preventing the undermining of labor
17 standards.”.

18 (b) **INTERNATIONAL AIR TRANSPORTATION.**—Sec-
19 tion 40101(e) of title 49, United States Code, is amended
20 by adding at the end the following:

21 “(11) preventing the undermining of labor
22 standards.”.

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