

AMENDMENT TO RULES COMMITTEE
PRINT 115-23
OFFERED BY MR. CUELLAR OF TEXAS

Page 451, after line 6, insert the following:

1 **SEC. 1073. AVAILABILITY OF SLOTS AND SLOT EXEMPTIONS**
2 **FOR AIR CARRIERS AT RONALD REAGAN**
3 **WASHINGTON NATIONAL AIRPORT.**

4 (a) DEFINITIONS.—In this section:

5 (1) NEW ENTRANT AIR CARRIER; LIMITED IN-
6 CUMBENT AIR CARRIER; SLOT.—The terms “new en-
7 trant air carrier”, “limited incumbent air carrier”
8 and “slot” have the meanings given those terms in
9 section 41714(h) of title 49, United States Code.

10 (2) LARGE HUB AIRPORT; MEDIUM HUB AIR-
11 PORT; SMALL HUB AIRPORT; NONHUB AIRPORT.—
12 The terms “large hub airport”, “medium hub air-
13 port”, “small hub airport”, and “nonhub airport”
14 have the meanings given those terms in section
15 40102 of title 49, United States Code.

16 (3) PERIMETER RESTRICTION.—The term “pe-
17 rimeter restriction” means the restriction under sec-
18 tion 49109 of title 49, United States Code, on the
19 operation of aircraft nonstop in air transportation

1 between Ronald Reagan Washington National Air-
2 port and another airport that is more than 1,250
3 statute miles away from Ronald Reagan Washington
4 National Airport.

5 (b) LIMITED SLOT CONVERSIONS FOR BEYOND PE-
6 RIMETER OPERATIONS AT RONALD REAGAN WASH-
7 INGTON NATIONAL AIRPORT.—

8 (1) AUTHORIZATION OF ADDITIONAL SLOT EX-
9 EMPTIONS.—Notwithstanding sections 49104(a)(5),
10 49109, and 41714 of title 49, United States Code,
11 not later than 90 days after the date of the enact-
12 ment of this Act, the Secretary shall, by order, grant
13 exemptions from the requirements of subparts K
14 and S of part 93 of title 14, Code of Federal Regu-
15 lations, to enable air carriers to operate limited fre-
16 quencies and aircraft on routes between Ronald
17 Reagan Washington National Airport and airports
18 located beyond the perimeter restriction.

19 (2) BEYOND-PERIMETER OPERATIONS.—The
20 Secretary shall make available, upon request, not
21 more than 2 exemptions made available under para-
22 graph (1) to each air carrier that—

23 (A) sells flights in its own name;

1 (B) has daily scheduled service at Ronald
2 Reagan Washington National Airport as of the
3 date of the enactment of this Act; and

4 (C) commits, in using such an exemp-
5 tion—

6 (i) to discontinue the use of a slot for
7 service between Ronald Reagan Wash-
8 ington National Airport and a large hub
9 airport within the perimeter restriction and
10 to operate, in place of such service, service
11 between Ronald Reagan Washington Na-
12 tional Airport and a medium hub airport,
13 small hub airport, or nonhub airport lo-
14 cated—

15 (I) beyond the perimeter restric-
16 tion that has no daily nonstop air
17 service to Ronald Reagan Washington
18 National Airport as of the date of the
19 enactment of this Act; and

20 (II) within 25 miles of a military
21 medical center, an extremity injury
22 and amputee center of excellence, as
23 defined by the Duncan Hunter Na-
24 tional Defense Authorization Act for
25 Fiscal Year 2009, or a traumatic

1 brain injury or burn treatment facil-
2 ity.

3 (ii) to operate an aircraft (other than
4 a multi-aisle or wide-body aircraft) with
5 equal or lesser passenger seating capacity
6 when compared to the aircraft used on
7 service discontinued under clause (i); and

8 (iii) to file a notice of intent with the
9 Secretary to inform the Secretary of any
10 change in circumstances concerning the
11 use of the exemption that specifies the air-
12 port to be served using the exemption, the
13 type of aircraft to be used, and the slot the
14 carrier is discontinuing under clause (i).

15 (3) AIR CARRIER DISCRETION.—Except with re-
16 spect to the requirements of paragraph (2), an air
17 carrier that receives an exemption under paragraph
18 (1) shall have sole discretion concerning the use of
19 the exemption, including the selection of the initial
20 airport and any subsequent airports to be served.

21 (4) RETURN OF WITHIN-PERIMETER SLOTS.—
22 An air carrier shall be entitled to the return by the
23 Secretary of a slot for flights within the perimeter
24 restriction if the use of an exemption made available

1 to the air carrier under paragraph (1) is discon-
2 tinued.

3 (5) PROHIBITION AGAINST TRANSFERS.—In ac-
4 cordance with section 41714(j) of title 49, United
5 States Code, an exemption granted under paragraph
6 (1) to an air carrier may not be bought, sold, leased,
7 or otherwise transferred by the air carrier.

8 (c) APPLICABILITY.—

9 (1) IN GENERAL.—The provisions of sub-
10 sections (b) shall be suspended for not more than
11 one year if the Secretary makes a determination that
12 changes to air transportation at Ronald Reagan
13 Washington National Airport pursuant to this sec-
14 tion are not in the public interest.

15 (2) RENEWALS.—The Secretary may renew the
16 suspension of subsection (b) pursuant to paragraph
17 (1) for additional periods of not more than one year
18 if the Secretary updates the determination under
19 that paragraph before the end of the preceding one-
20 year period.

21 (3) REPORTS TO CONGRESS.—The Secretary
22 shall notify the Committee on Commerce, Science,
23 and Transportation of the Senate and the Com-
24 mittee on Transportation and Infrastructure of the
25 House of Representatives not later than 14 calendar

1 days after making a determination under paragraph
2 (1) and shall specify, in that notification, the rea-
3 sons for the determination.

