AMENDMENT TO H.R. 4
OFFERED BY MR. CUellar OF TEXAS

At the end title V, insert the following:

SEC. 5. AVAILABILITY OF SLOTS AND SLOT EXEMPTIONS FOR AIR CARRIERS AT RONALD REAGAN WASHINGTON NATIONAL AIRPORT.

(a) DEFINITIONS.—In this section:

(1) NEW ENTRANT AIR CARRIER; LIMITED INCUMBENT AIR CARRIER; SLOT.—The terms “new entrant air carrier”, “limited incumbent air carrier” and “slot” have the meanings given those terms in section 41714(h) of title 49, United States Code.

(2) LARGE HUB AIRPORT; MEDIUM HUB AIRPORT; SMALL HUB AIRPORT; NONHUB AIRPORT.—The terms “large hub airport”, “medium hub airport”, “small hub airport”, and “nonhub airport” have the meanings given those terms in section 40102 of title 49, United States Code.

(3) PERIMETER RESTRICTION.—The term “perimeter restriction” means the restriction under section 49109 of title 49, United States Code, on the operation of aircraft nonstop in air transportation between Ronald Reagan Washington National Air-
port and another airport that is more than 1,250 statute miles away from Ronald Reagan Washington National Airport.

(b) LIMITED SLOT CONVERSIONS FOR BEYOND PERIMETER OPERATIONS AT RONALD REAGAN WASHINGTON NATIONAL AIRPORT.—

(1) AUTHORIZATION OF ADDITIONAL SLOT EXEMPTIONS.—Notwithstanding sections 49104(a)(5), 49109, and 41714 of title 49, United States Code, not later than 90 days after the date of the enactment of this Act, the Secretary shall, by order, grant exemptions from the requirements of subparts K and S of part 93 of title 14, Code of Federal Regulations, to enable air carriers to operate limited frequencies and aircraft on routes between Ronald Reagan Washington National Airport and airports located beyond the perimeter restriction.

(2) BEYOND-PERIMETER OPERATIONS.—The Secretary shall make available, upon request, not more than 4 exemptions made available under paragraph (1) to each air carrier that—

(A) sells flights in its own name;

(B) has daily scheduled service at Ronald Reagan Washington National Airport as of the date of the enactment of this Act; and
(C) commits, in using such an exemp-
tion—

(i) to discontinue the use of a slot for
service between Ronald Reagan Wash-
ington National Airport and a large hub
airport within the perimeter restriction and
to operate, in place of such service, service
between Ronald Reagan Washington Na-
tional Airport and a large hub airport, me-
dium hub airport, small hub airport, or
nonhub airport located—

(I) beyond the perimeter restric-
tion that has no daily nonstop air
service to Ronald Reagan Washington
National Airport as of January 1,
2018; and

(II) within 25 miles of a military
medical center, an extremity injury
and amputee center of excellence, as
defined by the Duncan Hunter Na-
tional Defense Authorization Act for
Fiscal Year 2009, or a traumatic
brain injury or burn treatment facil-
ity; and
(ii) to file a notice of intent with the Secretary to inform the Secretary of any change in circumstances concerning the use of the exemption that specifies the airport to be served using the exemption, the type of aircraft to be used, and the slot the carrier is discontinuing under clause (i).

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

(4) RETURN OF WITHIN-PERIMETER SLOTS.—An air carrier shall be entitled to the return by the Secretary of a slot for flights within the perimeter restriction if the use of an exemption made available to the air carrier under paragraph (1) is discontinued.

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

(c) APPLICABILITY.—
(1) IN GENERAL.—The provisions of subsections (b) shall be suspended for not more than one year if the Secretary makes a determination that changes to air transportation at Ronald Reagan Washington National Airport pursuant to this section are not in the public interest.

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

(3) REPORTS TO CONGRESS.—The Secretary shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives not later than 14 calendar days after making a determination under paragraph (1) and shall specify, in that notification, the reasons for the determination.