

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

At the end title V, insert the following:

1 **SEC. 5___ . AVAILABILITY OF SLOTS AND SLOT EXEMP-**
2 **TIONS FOR AIR CARRIERS AT RONALD**
3 **REAGAN 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
20 between Ronald Reagan Washington National Air-

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

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

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

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

22 (A) sells flights in its own name;

23 (B) has daily scheduled service at Ronald
24 Reagan Washington National Airport as of the
25 date of the enactment of this Act; and

1 (C) commits, in using such an exemp-
2 tion—

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

12 (I) beyond the perimeter restric-
13 tion that has no daily nonstop air
14 service to Ronald Reagan Washington
15 National Airport as of January 1,
16 2018; and

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

1 (ii) to file a notice of intent with the
2 Secretary to inform the Secretary of any
3 change in circumstances concerning the
4 use of the exemption that specifies the air-
5 port to be served using the exemption, the
6 type of aircraft to be used, and the slot the
7 carrier is discontinuing under clause (i).

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

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

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

25 (c) APPLICABILITY.—

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

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

13 (3) REPORTS TO CONGRESS.—The Secretary
14 shall notify the Committee on Commerce, Science,
15 and Transportation of the Senate and the Com-
16 mittee on Transportation and Infrastructure of the
17 House of Representatives not later than 14 calendar
18 days after making a determination under paragraph
19 (1) and shall specify, in that notification, the rea-
20 sons for the determination.

