

AMENDMENT TO H.R. 4
OFFERED BY MS. GABBARD OF HAWAII

At the end of subtitle B of title I, insert the following:

1 **SEC. 1___. EXCEPTIONS TO RESTRUCTURING OF PAS-**
2 **SENGER FEE.**

3 (a) IN GENERAL.—Subsection (c) of section 44940
4 of title 49, United States Code, is amended—

5 (1) in paragraph (1), by striking “Fees im-
6 posed” and inserting “Except as provided by para-
7 graph (2), fees imposed”;

8 (2) by redesignating paragraph (2) as para-
9 graph (3); and

10 (3) by inserting after paragraph (1) the fol-
11 lowing new paragraph:

12 “(2) EXCEPTIONS.—Fees imposed under sub-
13 section (a)(1) may not exceed \$2.50 per
14 enplanement, and the total amount of such fees may
15 not exceed \$5.00 per one-way trip, for passengers on
16 flights, including flight segments, between 2 or more
17 points in a noncontiguous State.”.

18 (b) IMPLEMENTATION OF FEE EXCEPTIONS.—The
19 Secretary of Homeland Security shall implement the fee

1 exceptions under the amendments made by subsection

2 (a)—

3 (1) beginning on the date that is 90 days after

4 the date of the enactment of this Act; and

5 (2) through the publication of notice of the fee

6 exceptions in the Federal Register, notwithstanding

7 section 9701 of title 31, United States Code, and

8 the procedural requirements of section 553 of title 5,

9 United States Code.

