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

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

SEC. 1. EXCEPTIONS TO RESTRUCTURING OF PASSENGER FEE.

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

(1) in paragraph (1), by striking “Fees imposed” and inserting “Except as provided by paragraph (2), fees imposed”;

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following new paragraph:

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

(b) IMPLEMENTATION OF FEE EXCEPTIONS.—The Secretary of Homeland Security shall implement the fee
exceptions under the amendments made by subsection (a)—

(1) beginning on the date that is 90 days after the date of the enactment of this Act; and

(2) through the publication of notice of the fee exceptions in the Federal Register, notwithstanding section 9701 of title 31, United States Code, and the procedural requirements of section 553 of title 5, United States Code.