

**AMENDMENT TO RULES COMMITTEE PRINT 118-**

**11**

**OFFERED BY MS. JAYAPAL OF WASHINGTON**

At the end of title VIII, add the following:

1 **SEC. \_\_\_\_ . PROJECT GRANT APPLICATION APPROVAL**  
2 **CONDITIONED ON ASSURANCES ABOUT AIR-**  
3 **PORT OPERATIONS.**

4 (a) IN GENERAL.—Section 47107(a) of title 49,  
5 United States Code, is amended—

6 (1) by amending paragraph (1) to read as fol-  
7 lows:

8 “(1) the airport will be available for public use  
9 on reasonable conditions and without unjust dis-  
10 crimination and the airport proprietor will take all  
11 reasonable and practicable steps to accommodate re-  
12 quests for access to the terminal and other facili-  
13 ties;”;

14 (2) in paragraph (20) by striking “; and” and  
15 inserting a semicolon;

16 (3) in paragraph (21) by striking the period  
17 and inserting a semicolon; and

18 (4) by adding at the end the following:

1           “(22) any airport serving 0.25 percent or more  
2           of the nation’s total annual enplanements (calculated  
3           on a rolling five-year average) and with more than  
4           50 percent of passengers handled by one or two air  
5           carriers (again on a rolling five-year average) must  
6           submit any proposed lease, lease amendment, or  
7           lease extension (including carryover provisions) to  
8           the FAA for advance approval in order to ensure  
9           that the public interest is served with respect to the  
10          airport’s ability to expand capacity and accommo-  
11          date air carriers.”.

12          (b) REGULATIONS.—Not later than 24 months after  
13          the date of enactment of this Act, the Secretary of Trans-  
14          portation shall publish in the Federal Register final regu-  
15          lations describing the standards that the Department will  
16          use to determine whether reasonable access is being pro-  
17          vided by an airport sponsor in accordance with  
18          47107(a)(1) of title 49, United States Code, and processes  
19          for enforcing such requirement.

20          (c) COMMON USE.—Section 47107 of title 49, United  
21          States Code, is amended by adding at the end the fol-  
22          lowing:

23           “(x) PRIORITIZATION.—The Secretary shall prioritize  
24          future Federal funding, particularly discretionary terminal  
25          grants applied to terminal projects for airports maintain-

- 1 ing some minimum level of available common use gate ca-
- 2 pacity, and establish tighter criteria for passenger facility
- 3 charge revenues supporting terminal projects.”.

