

**AMENDMENT**  
**TO RULES COMMITTEE PRINT 116-54**  
**OFFERED BY MR. SMITH OF WASHINGTON**

Page 499, after line 22, insert the following:

1 **SEC. 1632. NOISE MITIGATION PROJECTS.**

2 (a) GOVERNMENT SHARE.—Section 47109 of title  
3 49, United States Code, is amended by adding at the end  
4 the following:

5 “(g) SPECIAL RULE FOR NOISE MITIGATION  
6 PROJECTS.—With respect to a project to carry out noise  
7 mitigation that is granted a waiver under section  
8 47110(j), the allowable project cost for such project shall  
9 be calculated without consideration of any costs that were  
10 previously paid by the Government.”.

11 (b) NOISE MITIGATION PROJECTS.—Section 47110  
12 of title 49, United States Code, is amended by adding at  
13 the end the following:

14 “(j) SPECIAL RULE FOR NOISE MITIGATION  
15 PROJECTS.—

16 “(1) IN GENERAL.—The Secretary shall waive  
17 the requirement of subsection (b)(4) for a project to  
18 carry out noise mitigation for a building or other  
19 structure that has previously received Federal assist-

1       ance under this subchapter for noise mitigation if  
2       the Secretary determines that the additional assist-  
3       ance is justified due to—

4               “(A) increased aircraft noise that would  
5       have afforded different levels of mitigation, even  
6       if the property owner had waived all damages  
7       and conveyed a full and unrestricted easement;  
8       or

9               “(B) the building or other structure con-  
10      taining soundproofing installation, structure, or  
11      other type of sound mitigation equipment prod-  
12      uct or benefit previously installed under a noise  
13      mitigation program under this subchapter that  
14      is determined through inspection to be in need  
15      of repair or replacement.

16              “(2) ELIGIBILITY DETERMINATION.—To be eli-  
17      gible for waiver under this subsection for a project,  
18      an applicant shall demonstrate that a State-certified  
19      building inspector conducted an inspection of the ap-  
20      plicable building or other structure and determined  
21      that—

22              “(A) the noise mitigation for which Fed-  
23      eral assistance was previously provided is de-  
24      graded or ineffective, or the manner of installa-

1           tion of such mitigation has caused damage to  
2           the building or other structure; and

3                   “(B) the condition of noise mitigation im-  
4           provement described in subparagraph (A) is not  
5           attributed to actions taken by an owner or oc-  
6           cupant of the building or other structure.”.

