

104TH CONGRESS
1ST SESSION

S. 1399

To amend title 49, United States Code, to ensure funding for the essential air service program and rural air safety programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 7, 1995

Mr. DORGAN (for himself, Mr. EXON, Mr. ROCKEFELLER, Mr. KERREY, and Mr. CONRAD) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend title 49, United States Code, to ensure funding for the essential air service program and rural air safety programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Rural Air Service Sur-
5 vival Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

8 (1) air service in rural areas is essential to a
9 national transportation network;

1 (2) the rural air service infrastructure supports
2 the safe operation of all air travel;

3 (3) rural air service creates economic benefits
4 for all air carriers by making the national aviation
5 system available to passengers from rural areas;

6 (4) rural air service has suffered since deregula-
7 tion;

8 (5) the essential air service program under the
9 Department of Transportation—

10 (A) provides essential airline access to
11 rural and isolated rural communities through-
12 out the Nation;

13 (B) is necessary for the economic growth
14 and development of rural communities;

15 (C) is a critical component of the national
16 transportation system of the United States; and

17 (D) has endured serious funding cuts in
18 recent years; and

19 (6) a reliable source of funding must be estab-
20 lished to maintain air service in rural areas and the
21 essential air service program.

22 **SEC. 3. FUNDING FOR SMALL COMMUNITY AIR SERVICE.**

23 Section 40117 of title 49, United States Code, is
24 amended by adding at the end thereof the following:

25 “(j) ADDITIONAL FEE.—

1 “(1) IMPOSITION OF FEE.—Each eligible agen-
2 cy that may impose a passenger facility fee under
3 this section shall impose a 10-cent fee under this
4 subsection for each enplanement to provide funds to
5 support a national aviation system, rural airspace
6 safety, and rural air service.

7 “(2) FEE TO BE SEPARATELY ACCOUNTED
8 FOR.—The proceeds of fees imposed under this sub-
9 section shall be accounted for separately from the
10 proceeds of any fee imposed under subsection (b).

11 “(3) FEES TO BE USED FOR SMALL COMMU-
12 NITY AIR SERVICE.—

13 “(A) IN GENERAL.—Fees collected under
14 this subsection shall be immediately made avail-
15 able to the Secretary for use in carrying out the
16 essential air service program under subchapter
17 II of chapter 417 of this title.

18 “(B) DISPOSITION OF EXCESS FUNDS.—
19 Any funds that are not obligated or expended at
20 the end of the fund’s fiscal year for the purpose
21 of funding the essential air service program
22 under such subchapter shall be made available
23 to the Federal Aviation Administration for use
24 in improving rural air safety under subchapter
25 I of chapter 417 of this title and shall be used

1 exclusively for projects at rural airports under
2 subchapter II of chapter 417 of this title.

3 “(C) COMPENSATION OF AIR CARRIERS
4 FOR ACTING AS COLLECTION AGENTS.—The
5 Secretary shall prescribe regulations under
6 which any air carrier or its agent required to
7 collect fees imposed under this section is per-
8 mitted to retain, out of the amounts collected,
9 an amount equal to the necessary and reason-
10 able expenses (reduced by any interest earned
11 on the deposit of such amounts during the pe-
12 riod between collection and remittance) incurred
13 in collecting and handling the fees.”.

14 **SEC. 4. SECRETARY MAY REQUIRE MATCHING LOCAL**
15 **FUNDS.**

16 Section 41737 of title 49, United State Code, is
17 amended by adding at the end thereof the following:

18 “(f) MATCHING FUNDS.—No earlier than 2 years
19 after the date of enactment of the Rural Air Service Sur-
20 vival Act, the Secretary may require an eligible agency,
21 as defined in section 40117(a)(2) of this title, to provide
22 matching funds of up to 10 percent for any payments it
23 receives under this subchapter.”.

1 **SEC. 5. EFFECTIVE DATE.**

2 The amendments made by this section shall take ef-
3 fect on the first day of October next occurring after the
4 date of enactment of this Act.

○