

114TH CONGRESS  
2D SESSION

# H. R. 4369

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IN THE SENATE OF THE UNITED STATES

JULY 7, 2016

Received; read twice and referred to the Committee on Commerce, Science,  
and Transportation

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## AN ACT

To authorize the use of passenger facility charges at an airport previously associated with the airport at which the charges are collected.

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

1 **SECTION 1. USE OF PASSENGER FACILITY CHARGES FROM**  
2 **ONE AIRPORT AT A PREVIOUSLY ASSOCIATED**  
3 **AIRPORT.**

4 (a) FINDINGS.—Congress makes the following find-  
5 ings:

6 (1) On December 22, 2015, the Los Angeles  
7 City Council, the Los Angeles Board of Airport  
8 Commissioners, the Los Angeles World Airports, the  
9 Ontario City Council, and the Ontario International  
10 Airport Authority agreed to transfer ownership and  
11 control of Ontario International Airport from the  
12 city of Los Angeles and Los Angeles World Airports  
13 to the Ontario International Airport Authority, a  
14 local joint powers authority established by and be-  
15 tween the county of San Bernardino and the city of  
16 Ontario.

17 (2) Pursuant to the agreement, the Ontario  
18 International Airport Authority intends to use be-  
19 tween \$70,000,000 and \$120,000,000 in passenger  
20 facility charges collected at Ontario International  
21 Airport to finance eligible projects at Los Angeles  
22 International Airport, as compensation for passenger  
23 facility charges collected, consistent with section  
24 40117(b)(1) of title 49, United States Code, at Los  
25 Angeles International Airport for use at Ontario  
26 International Airport in the 1990s, when both air-

1 ports were controlled by Los Angeles World Air-  
2 ports.

3 (3) The amendment made by subsection (b) ap-  
4 plies exclusively to Ontario International Airport, al-  
5 lowing passenger facility charges to be used for eligi-  
6 ble projects at Los Angeles International Airport  
7 while making no other changes to passenger facility  
8 charges eligibility requirements.

9 (4) No additional appropriations are required to  
10 implement the agreement described in paragraph (1)  
11 or the amendment made by subsection (b).

12 (b) PASSENGER FACILITY CHARGES.—Section  
13 40117(b) of title 49, United States Code, is amended by  
14 adding at the end the following:

15 “(8) USE OF PFC REVENUES AT PREVIOUSLY  
16 ASSOCIATED AIRPORT.—

17 “(A) IN GENERAL.—Notwithstanding the  
18 requirements of paragraph (1) and subject to  
19 subparagraph (B), the Secretary may authorize  
20 use of a passenger facility charge to finance an  
21 eligible airport-related project if—

22 “(i) the eligible agency seeking to im-  
23 pose the new charge controls an airport  
24 where a \$2 passenger facility charge be-  
25 came effective on January 1, 2013; and

1                   “(ii) the airport described in clause (i)  
2                   and the airport at which the project will be  
3                   carried out were under the control of the  
4                   same eligible agency on October 1, 2015.

5                   “(B) LIMITATION.—Not more than  
6                   \$120,000,000 in passenger facility charges col-  
7                   lected under subparagraph (A) may be used to  
8                   carry out an eligible airport-related project de-  
9                   scribed in that subparagraph.”.

Passed the House of Representatives June 21, 2016.

Attest:

KAREN L. HAAS,

*Clerk.*