

115TH CONGRESS  
1ST SESSION

# H. R. 1265

To amend title 49, United States Code, to make modifications to the passenger facility charge program administered by the Federal Aviation Administration, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 2017

Mr. DEFAZIO (for himself and Mr. MASSIE) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend title 49, United States Code, to make modifications to the passenger facility charge program administered by the Federal Aviation Administration, 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 “Investing in America:  
5 Rebuilding America’s Airport Infrastructure Act”.

6 **SEC. 2. PASSENGER FACILITY CHARGES.**

7 Section 40117(b) of title 49, United States Code, is  
8 amended—

1 (1) in paragraph (1) by striking “of \$1, \$2, or  
2 \$3” and inserting “in any amount”;

3 (2) by striking paragraph (4);

4 (3) by redesignating paragraphs (5), (6), and  
5 (7) as paragraphs (4), (5), and (6), respectively;

6 (4) in paragraph (5) (as so redesignated)—

7 (A) by striking “specified in paragraphs  
8 (1) and (4)” and inserting “specified in para-  
9 graph (1)”; and

10 (B) by striking “imposed under paragraph  
11 (1) or (4)” and inserting “imposed under para-  
12 graph (1)”; and

13 (5) in paragraph (6)(A) (as so redesignated)—

14 (A) by striking “specified in paragraphs  
15 (1), (4), and (6)” and inserting “specified in  
16 paragraphs (1) and (5)”; and

17 (B) by striking “imposed under paragraph  
18 (1) or (4)” and inserting “imposed under para-  
19 graph (1)”.

20 **SEC. 3. AIRPORT IMPROVEMENT PROGRAM.**

21 (a) FUNDING.—Section 48103(a) of title 49, United  
22 States Code, is amended by striking “\$3,350,000,000”  
23 and all that follows before the period at the end and in-  
24 serting “\$2,950,000,000 for each of fiscal years 2018  
25 through 2021”.

1 (b) APPORTIONMENTS.—Section 47114 of title 49,  
2 United States Code, is amended—

3 (1) by striking “\$3,200,000,000” each place it  
4 appears and inserting “\$2,950,000,000”; and

5 (2) in subsection (f)—

6 (A) in paragraph (1) by striking “para-  
7 graph (3)” and inserting “paragraph (4)”;

8 (B) by redesignating paragraphs (2) and  
9 (3) as paragraphs (3) and (4), respectively;

10 (C) by inserting after paragraph (1) the  
11 following:

12 “(2) SPECIAL RULE FOR CERTAIN LARGE HUB  
13 AIRPORTS.—Subject to paragraph (4), and in lieu of  
14 the reduction under paragraph (1), an amount that  
15 would be apportioned under this section (other than  
16 amounts apportioned under subsection (c)(2)) in a  
17 fiscal year to the sponsor of an airport having at  
18 least 1.0 percent of the total number of boardings  
19 each year in the United States and for which a  
20 charge of more than \$4.50 is imposed in the fiscal  
21 year under section 40117 shall be reduced by an  
22 amount equal to—

23 “(A) except as provided in subparagraph  
24 (B), 100 percent of the projected revenues from  
25 the charge in the fiscal year but not by more

1 than 100 percent of the amount that otherwise  
2 would be apportioned under this section; or

3 “(B) with respect to an airport in Hawaii,  
4 100 percent of the projected revenues from the  
5 charge in the fiscal year but not by more than  
6 100 percent of the excess of—

7 “(i) the amount that otherwise would  
8 be apportioned under this section; over

9 “(ii) the amount equal to the amount  
10 specified in clause (i) multiplied by the  
11 percentage of the total passenger  
12 boardings at the applicable airport that are  
13 comprised of interisland passengers.”;

14 (D) in paragraph (3) (as so redesignated)  
15 by striking “paragraph (1)” and inserting  
16 “paragraph (1) or (2)”; and

17 (E) in paragraph (4) (as so redesign-  
18 nated)—

19 (i) in subparagraph (A)—

20 (I) by striking “.25 percent” and  
21 inserting “1.0 percent”; and

22 (II) by striking “paragraph (1)”  
23 and inserting “paragraph (2)”; and

1                   (ii) in subparagraph (B) by striking  
2                   “fiscal year 2004” and inserting “fiscal  
3                   year 2018 and each fiscal year thereafter”.

4           (c) USE OF APPORTIONED AMOUNTS.—Section  
5 47117(e)(1)(C) of title 49, United States Code, is amend-  
6 ed by striking “\$3,200,000,000” and inserting  
7 “\$2,950,000,000”.

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