

103^D CONGRESS
1ST SESSION

H. R. 2739

To amend the Airport and Airway Improvement Act of 1982 to authorize appropriations for fiscal years 1994, 1995, and 1996, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 26, 1993

Mr. OBERSTAR (for himself, Mr. MINETA, Mr. SHUSTER, and Mr. CLINGER) introduced the following bill; which was referred to the Committee on Public Works and Transportation

A BILL

To amend the Airport and Airway Improvement Act of 1982 to authorize appropriations for fiscal years 1994, 1995, and 1996, 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 “Aviation Infrastructure
5 Investment Act of 1993”.

1 **TITLE I—AIRPORT AND AIRWAY**
2 **IMPROVEMENT ACT AMEND-**
3 **MENTS**

4 **SEC. 101. AIRPORT IMPROVEMENT PROGRAM.**

5 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
6 505(a) of the Airport and Airway Improvement Act of
7 1982 (49 U.S.C. App. 2204(a)) is amended—

8 (1) by striking “and” following “1992,”; and

9 (2) by inserting after “1993” the following: “,
10 \$18,071,700,000 for fiscal years ending before Octo-
11 ber 1, 1994, \$20,232,700,000 for fiscal years ending
12 before October 1, 1995, and \$22,446,700,000 for
13 fiscal years ending before October 1, 1996”.

14 (b) OBLIGATIONAL AUTHORITY.—Section 505(b) of
15 such Act is amended by striking “1993” and inserting
16 “1996”.

17 **SEC. 102. AIRWAY IMPROVEMENT PROGRAM.**

18 (a) AIRWAY FACILITIES AND EQUIPMENT.—Section
19 506(a)(1) of the Airport and Airway Improvement Act of
20 1982 (49 U.S.C. App. 2205(a)(1)) is amended by striking
21 “\$11,100,000,000” and all that follows through “1995”
22 and inserting the following: “\$10,724,000,000 for fiscal
23 years ending before October 1, 1994, \$13,394,000,000 for
24 fiscal years ending before October 1, 1995, and

1 \$16,129,000,000 for fiscal years ending before October 1,
2 1996”.

3 (b) OTHER EXPENSES.—Section 506(c) of such Act
4 is amended—

5 (1) by striking “–1995” in the heading for para-
6 graph (4) and inserting “–1993”;

7 (2) by striking “1993, 1994, and 1995” in
8 paragraph (4) and inserting “and 1993”; and

9 (3) by adding at the end the following:

10 “(5) FISCAL YEARS 1994–1996.—The amount
11 appropriated from the Trust Fund for the purposes
12 of clauses (A) and (B) of paragraph (1) of this sub-
13 section for each of fiscal years 1994, 1995, and
14 1996 may not exceed the lesser of—

15 “(A) 50 percent of the amount of funds
16 made available under section 505 and sub-
17 sections (a) and (b) of this section for such fis-
18 cal year; or

19 “(B)(i) 70 percent of the amount of funds
20 made available under section 505, subsections
21 (a) and (b) of this section, and section 106(k)
22 of title 49, United States Code, for such fiscal
23 year; less

1 “(ii) the amount of funds made available
2 under section 505 and subsections (a) and (b)
3 of this section for such fiscal year.”.

4 (c) PRESERVATION OF FUNDS.—Section 506(e)(5) of
5 such Act is amended by striking “1995” and inserting
6 “1996”.

7 **SEC. 103. OPERATIONS OF FAA.**

8 Section 106(k) of title 49, United States Code, is
9 amended by striking “, \$5,100,000,000” and all that fol-
10 lows through “1995” and inserting “\$4,576,000,000 for
11 fiscal year 1994, \$4,674,000,000 for fiscal year 1995, and
12 \$4,810,000,000 for fiscal year 1996”.

13 **SEC. 104. APPORTIONMENT OF FUNDS.**

14 (a) MINIMUM AMOUNT FOR PRIMARY AIRPORTS.—
15 Section 507(b)(1) of the Airport and Airway Improvement
16 Act of 1982 (49 U.S.C. App. 2206(b)(1)) is amended by
17 striking “\$400,000” and inserting “\$500,000”.

18 (b) CONSIDERATION OF DIVERSION OF REVENUES IN
19 AWARDING DISCRETIONARY GRANTS.—Section 507 of
20 such Act is further amended by redesignating subsection
21 (f) as subsection (g) and by inserting after subsection (e)
22 the following new subsection:

23 “(f) CONSIDERATION OF DIVERSION OF REVENUES
24 IN AWARDING DISCRETIONARY GRANTS.—In deciding
25 whether or not to distribute funds to an airport from the

1 discretionary funds established by subsections (c) and (d),
2 the Secretary shall consider as a factor militating against
3 the distribution of such funds to the airport the fact that
4 the airport is using revenues generated by the airport or
5 by local taxes on aviation fuel for purposes other than cap-
6 ital or operating costs of the airport or the local airports
7 system.”.

8 **SEC. 105. USE OF APPORTIONED AND DISCRETIONARY**
9 **FUNDS.**

10 (a) INTEGRATED AIRPORT SYSTEM PLANNING SET-
11 ASIDE.—Section 508(d)(4) of the Airport and Airway Im-
12 provement Act of 1982 (49 U.S.C. App. 2207(d)(4)) is
13 amended by striking “ $\frac{1}{2}$ ” and inserting “ $\frac{3}{4}$ ”.

14 (b) MILITARY AIRPORT SET-ASIDE.—Section
15 508(d)(5) of such Act is amended by striking “and 1995”
16 and inserting “, 1995, and 1996”.

17 (c) DESIGNATION OF MILITARY AIRPORTS.—Section
18 508(f)(1) of such Act is amended by striking “12” and
19 inserting “16”.

20 (d) CONSTRUCTION OF PARKING LOTS, FUEL
21 FARMS, AND UTILITIES.—Section 508(f)(6) of such Act
22 is amended by striking “and 1995” and inserting “1995,
23 and 1996”.

1 **SEC. 106. PROJECT SPONSORSHIP.**

2 Section 511(a) of the Airport and Airway Improve-
3 ment Act of 1982 (49 U.S.C. App. 2210(a)) is amended—

4 (1) by striking “and” at the end of paragraph
5 (16);

6 (2) by striking the period at the end of para-
7 graph (17) and inserting “; and”; and

8 (3) by adding at the end the following:

9 “(18) the airport owner or operator will submit
10 to the Administrator and make available to the pub-
11 lic an annual report listing in detail (A) all amounts
12 paid by the airport to any other unit of government
13 and the purposes for which each such payment was
14 made, and (B) all services and property provided to
15 other units of government and the amount of com-
16 pensation received for provision of each such service
17 and property.”.

18 **SEC. 107. INCLUSION OF TERMINAL DEVELOPMENT AS A**
19 **PROJECT COST.**

20 Section 513(b)(2) of the Airport and Airway Im-
21 provement Act of 1982 (49 U.S.C. App. 2212(b)(2)) is
22 amended—

23 (1) in the second sentence by inserting after
24 “may be used” the following: “, subject to the ap-
25 proval of the Secretary,”; and

1 (2) by adding at the end the following: “All or
2 any portion of the sums to be distributed at the dis-
3 cretion of the Secretary under sections 507(c) and
4 507(d) for any fiscal year may be distributed for use
5 by primary airports each of which annually has .05
6 or less of the total enplanements in the United
7 States for project costs allowable under paragraph
8 (1) of this subsection.”.

9 **SEC. 108. TECHNICAL AMENDMENTS.**

10 (a) DEFINITIONS.—Section 503(a)(2)(B) of the Air-
11 port and Airway Improvement Act of 1982 (49 U.S.C.
12 App. 2202(a)(2)(B)) is amended by moving clauses (vii)
13 and (viii) 2 ems to the right.

14 (b) AIRPORT PLANS.—Section 504(a)(1) of such Act
15 (49 U.S.C. App. 2203(a)(1)) is amended by redesignating
16 clauses (1), (2), and (3) as clauses (A), (B), and (C), re-
17 spectively.

18 (c) AIP OTHER EXPENSES.—Section 506(c)(3) of
19 such Act (49 U.S.C. App. 2205(c)(3)) is amended by
20 striking “and,” and inserting “, and”.

1 **TITLE II—MISCELLANEOUS**
2 **PROVISIONS**

3 **SEC. 201. ADVANCE NOTICE OF RATE CHANGES.**

4 Section 404 of the Federal Aviation Act of 1958 (49
5 U.S.C. App. 1374) is amended by adding at the end the
6 following:

7 “(e) ADVANCE NOTICE OF RATE CHANGES.—Any air
8 carrier may provide advance notice to the public of the
9 date on which a change of a rate, fare, or charge for air
10 transportation is scheduled to take effect and the date on
11 which a rate, fare, or charge for air transportation is
12 scheduled to terminate.”.

13 **SEC. 202. PROTECTION OF SMALL COMMUNITY AIRLINE**
14 **PASSENGERS.**

15 (a) ACCESS TO HIGH DENSITY AIRPORTS.—Section
16 419(b) of the Federal Aviation Act of 1958 (49 U.S.C.
17 App. 1389(b)) is amended by adding at the end the follow-
18 ing new paragraph:

19 “(10) ACCESS TO HIGH DENSITY AIRPORTS.—

20 “(A) NONCONSIDERATION OF SLOT AVAIL-
21 ABILITY.—In determining what is basic essen-
22 tial air service and in selecting an air carrier to
23 provide such service, the Secretary shall not
24 give consideration to whether slots at a high

1 density airport are available for providing such
2 service.

3 “(B) MAKING SLOTS AVAILABLE.—If basic
4 essential air service is to be provided to and
5 from a high density airport, the Secretary shall
6 ensure that a sufficient number of slots at such
7 airport are available to the air carrier providing
8 or selected to provide such service. If necessary
9 to carry out the objectives of this subsection,
10 the Secretary shall take such action as may be
11 necessary to have such slots transferred or oth-
12 erwise made available to the air carrier; except
13 that the Secretary shall not be required to
14 make slots available at O’Hare International
15 Airport in Chicago, Illinois, if the number of
16 slots available for basic essential air service to
17 and from such airport is at least 132 slots.”.

18 (b) TRANSFERS OF SLOTS AT HIGH DENSITY AIR-
19 PORTS.—Section 419(b)(7) of such Act (49 U.S.C. App.
20 1389(b)(7)) is amended—

21 (1) by striking “TRANSFER OF OPERATIONAL
22 AUTHORITY AT CERTAIN” and inserting “TRANS-
23 FERS OF SLOTS AT”;

24 (2) by striking “an airport at which the Admin-
25 istrator limits the number of instrument flight rule

1 takeoffs and landings of aircraft” and inserting “a
2 high density airport”;

3 (3) by striking “operational authority” and in-
4 sserting “slots”;

5 (4) by striking “has to conduct a landing or
6 takeoff” and inserting “have”;

7 (5) by striking “such authority” the first place
8 it appears and inserting “such slots”;

9 (6) by striking “such authority is” and insert-
10 ing “such slots are”; and

11 (7) by inserting “basic essential” after “used to
12 provide”.

13 (c) DEFINITIONS.—Section 419(k) of such Act (49
14 U.S.C. App. 1389(k)) is amended by adding at the end
15 the following new paragraphs:

16 “(6) HIGH DENSITY AIRPORT.—The term ‘high
17 density airport’ means an airport at which the Ad-
18 ministrator limits the number of instrument flight
19 rule takeoffs and landings of aircraft.

20 “(7) SECRETARY.—The term ‘Secretary’ means
21 the Secretary of Transportation.

22 “(8) SLOT.—The term ‘slot’ means a reserva-
23 tion for an instrument flight rule takeoff or landing
24 by an air carrier of an aircraft in air transpor-
25 tation.”.

1 **SEC. 203. ACCESS OF FOREIGN AIR CARRIERS TO HIGH**
2 **DENSITY AIRPORTS.**

3 (a) IN GENERAL.—Title IV of the Federal Aviation
4 Act of 1958 (49 U.S.C. 1371–1389) is amended by adding
5 at the end the following:

6 **“SEC. 420. ACCESS OF FOREIGN AIR CARRIERS TO HIGH**
7 **DENSITY AIRPORTS.**

8 “(a) IN GENERAL.—The Secretary shall not take a
9 slot at a high density airport from an air carrier and
10 award such slot to a foreign air carrier if the Secretary
11 determines that air carriers are not provided equivalent
12 rights of access to airports in the country of which such
13 foreign air carrier is a citizen.

14 “(b) DEFINITIONS.—In this section, the terms ‘high
15 density airport’, ‘Secretary’, and ‘slot’ have the meaning
16 such terms have under section 419.”.

17 (b) CONFORMING AMENDMENT.—The portion of the
18 table of contents contained in the first section of such Act
19 relating to title IV is amended by adding at the end the
20 following:

“Sec. 420. Access of foreign air carriers to high density airports.

“(a) In general.

“(b) Definitions.”.

21 **SEC. 204. RULEMAKING ON RANDOM TESTING FOR PROHIB-**
22 **ITED DRUGS.**

23 Not later than 1 year after the date of the enactment
24 of this Act, the Secretary of Transportation shall complete

1 a rulemaking proceeding and issue a final decision on
2 whether there should be a reduction in the annualized rate
3 of random testing for prohibited drugs now required by
4 the Secretary for personnel engaged in aviation activities.
5 If the Secretary does not issue the final decision on or
6 before the last day of such 1-year period, then, effective
7 on the succeeding day, the annualized rate of random test-
8 ing shall be 25 percent of such personnel.

9 **SEC. 205. PASSENGER FACILITY CHARGES.**

10 (a) CLARIFICATION OF APPLICABILITY.—

11 (1) GENERAL RULE.—Section 1113(e)(1) of the
12 Federal Aviation Act of 1958 (49 U.S.C. App.
13 1513(e)(1)) is amended by adding at the end the fol-
14 lowing new sentence: “After the date of the enact-
15 ment of this sentence, no public agency authority
16 shall collect a fee authorized to be imposed under
17 this subsection from a passenger enplaning at an
18 airport if the passenger did not pay for the air
19 transportation which resulted in such enplanement,
20 including any case in which the passenger obtained
21 the ticket for the air transportation with a frequent
22 flier award coupon without monetary payment.”.

23 (2) LIMITATION ON STATUTORY CONSTRUC-
24 TION.—The amendment made by paragraph (1)
25 shall not be construed as requiring any person to re-

1 fund any fee paid before the date of the enactment
2 of this Act.

3 (b) USE OF REVENUES AND RELATIONSHIP BE-
4 TWEEN FEES AND REVENUES.—Section 1113(e)(2) of
5 such Act is amended—

6 (1) by striking “and” at the end of subpara-
7 graph (A);—

8 (2) by striking the period at the end of sub-
9 paragraph (B)(iii) and inserting “; and”; and

10 (3) by adding at the end the following:

11 “(C) that the application includes adequate
12 justification for each of the specific projects.”.

13 **SEC. 206. TERM OF OFFICE OF FAA ADMINISTRATOR.**

14 Section 106(b) of title 49, United States Code, is
15 amended by adding at the end the following: “The term
16 of office for any individual appointed as Administrator
17 after the date of the enactment of this sentence shall be
18 5 years.”.

19 **SEC. 207. SOUNDPROOFING OF CERTAIN RESIDENTIAL**
20 **BUILDINGS IN AREAS SURROUNDING AIR-**
21 **PORTS.**

22 Section 104(c)(2) of the Aviation Safety and Noise
23 Abatement Act of 1979 (49 U.S.C. App. 2104(c)(2)) is
24 amended—

1 (1) by inserting “(1)” before “to operators of
2 airports”; and

3 (2) by striking the period at the end and insert-
4 ing “; and (2) for projects to soundproof residential
5 buildings—

6 “(A) if the operator of the airport involved
7 received approval for a grant for a project to
8 soundproof residential buildings pursuant to
9 section 301(d)(4)(B) of the Airport and Airway
10 Safety and Capacity Expansion Act of 1987;

11 “(B) if the operator of the airport involved
12 submits updated noise exposure contours, as re-
13 quired by the Secretary; and

14 “(C) if the Secretary determines that the
15 proposed projects are compatible with the pur-
16 poses of this Act.”.

17 **SEC. 208. LABOR STANDARDS.**

18 Section 6005(c) of the Metropolitan Washington Air-
19 ports Act of 1986 (49 U.S.C. App. 2454(c)) is amended—

20 (1) by redesignating paragraph (11) as para-
21 graph (12); and

22 (2) by inserting after paragraph (10) the fol-
23 lowing:

24 “(11) LABOR STANDARDS.—The Secretary shall
25 include such terms and conditions in the lease as

1 may be necessary to ensure (A) that all laborers and
2 mechanics employed by contractors or subcontractors
3 in the performance of construction work at the
4 airports shall be paid wages at rates not less than
5 those prevailing on similar construction in the local-
6 ity as determined by the Secretary of Labor in ac-
7 cordance with the Davis-Bacon Act, as amended (40
8 U.S.C. 276a-276a-5), and (B) that the Airports
9 Authority shall not approve any contract for any
10 such construction work without first obtaining ade-
11 quate assurance that such wages will be paid under
12 such contract for the construction work.”.

13 **SEC. 209. LABOR MANAGEMENT RELATIONS.**

14 The Metropolitan Washington Airports Act of 1986
15 (49 U.S.C. App. 2451-2461) is amended—

16 (1) in section 6007(c)(5) by striking “to the ex-
17 tent that the Federal Aviation Administration is so
18 authorized on the date of enactment of this title”;

19 (2) by redesignating sections 6011 and 6012 as
20 sections 6012 and 6013, respectively; and

21 (3) by inserting after section 6009 the following
22 new section:

23 **“SEC. 6010. LABOR MANAGEMENT RELATIONS.**

24 “(a) APPLICATION OF FEDERAL LABOR LAWS.—Ex-
25 cept as otherwise provided by this section, the provisions

1 of the National Labor Relations Act and the Labor Man-
2 agement Relations Act, 1947 shall apply to labor-manage-
3 ment relations between the Airports Authority and labor
4 organizations representing bargaining units at the Metro-
5 politan Washington Airports.

6 “(b) SUITS.—

7 “(1) JURISDICTION OF U.S. COURTS.—The
8 courts of the United States shall have jurisdiction
9 with respect to actions brought by the National
10 Labor Relations Board under this section to the
11 same extent that such courts have jurisdiction with
12 respect to actions brought under the National Labor
13 Relations Act.

14 “(2) LABOR CONTRACT VIOLATIONS.—Suits for
15 violation of contracts between the Airports Authority
16 and a labor organization representing bargaining
17 units at the Metropolitan Washington Airports, or
18 between any such labor organizations, may be
19 brought in any district court of the United States
20 having jurisdiction of the parties, without respect to
21 the amount of controversy.

22 “(3) AGENTS OF LABOR ORGANIZATIONS.—A
23 labor organization described in paragraph (2) and
24 the Airports Authority shall be bound by the author-
25 ized acts of their agents. Any such labor organiza-

1 tion may sue or be sued as an entity and in behalf
2 of those whom it represents in the courts of the
3 United States. Any money judgment against such a
4 labor organization in a district court of the United
5 States shall be enforceable only against the organi-
6 zation as an entity and against its assets and shall
7 not be enforceable against any individual member or
8 the member's assets.

9 “(c) COLLECTIVE-BARGAINING AGREEMENTS.—

10 “(1) PERIOD OF EFFECTIVENESS.—Collective-
11 bargaining agreements between the Airports Author-
12 ity and labor organizations shall be effective for not
13 less than 2 years.

14 “(2) RESOLUTION OF GRIEVANCES.—Collective-
15 bargaining agreements negotiated by the Airports
16 Authority shall provide for procedures for resolution
17 by the parties of grievances and other disputes aris-
18 ing during the term of the agreement, culminating
19 in binding third-party arbitration, unless the parties
20 agree otherwise.

21 “(3) RESOLUTION OF DISPUTES IN NEGOTIA-
22 TIONS.—The Airports Authority and a labor organi-
23 zation may by mutual agreement adopt procedures
24 for the resolution of disputes or impasses arising in
25 the negotiation of a collective-bargaining agreement.

1 “(d) LABOR DISPUTES.—

2 “(1) WRITTEN NOTICE REQUIREMENT.—If
3 there is a collective-bargaining agreement between
4 the Airports Authority and labor organizations in ef-
5 fect, no party to such agreement shall terminate or
6 modify such agreement unless the party desiring
7 such termination or modification serves written no-
8 tice upon the other party to the agreement of the
9 proposed termination or modification not less than
10 90 days prior to the time it is proposed to make
11 such termination or modification. The party serving
12 such notice shall notify the Federal Mediation and
13 Conciliation Service of the existence of a dispute
14 within 45 days of such notice if no agreement has
15 been reached by that time.

16 “(2) MEDIATION OF DISPUTES.—If the parties
17 fail to reach agreement or to adopt a procedure pro-
18 viding for a binding resolution of a dispute by the
19 expiration date of the agreement in effect, or the
20 date of the proposed termination or modification, the
21 Director of the Federal Mediation and Conciliation
22 Service shall direct mediation of the dispute. For
23 this purpose, the Director shall submit to the parties
24 a list of not fewer than 10 names. If the parties fail

1 to select a mediator, the selection shall be made by
2 the Director.

3 “(3) ARBITRATION BOARD.—

4 “(A) ESTABLISHMENT.—If no agreement
5 is reached within 90 days after the expiration
6 or termination of the agreement or the date on
7 which the agreement became subject to modi-
8 fication under paragraph (1) of this subsection,
9 or if the parties decide upon arbitration but do
10 not agree upon the procedures therefor, an ar-
11 bitration board shall be established consisting of
12 3 members, 1 of whom shall be selected by the
13 Airports Authority, 1 by the bargaining rep-
14 resentative, and the third by the 2 thus selected
15 who shall be designated chairman. If either of
16 the parties fails to select a member, or if the
17 members chosen by the parties fail to agree on
18 the third person within 5 days after their first
19 meeting, the selection shall be made utilizing
20 the rules of the American Arbitration Associa-
21 tion.

22 “(B) HEARINGS AND DECISIONS.—The ar-
23 bitration board shall give the parties a full and
24 fair hearing, including an opportunity to
25 present evidence in support of their claims, and

1 an opportunity to present their case in person,
2 by counsel or by other representative as they
3 may elect. All procedural disputes shall be de-
4 cided by the board. The board shall have the
5 authority to administer oaths and compel the
6 attendance of witnesses and the production of
7 documents. Decisions of the board shall be con-
8 clusive and binding upon the parties. The board
9 shall render its decision within 45 days after its
10 appointment, unless a later date is mutually
11 agreed upon by both parties.

12 “(C) COSTS.—Costs of the arbitration
13 board shall be shared equally by the Airports
14 Authority and the bargaining representative.

15 “(D) PROCEDURES.—In the case of a bar-
16 gaining unit whose collective-bargaining rep-
17 resentative does not have an agreement with
18 the Airport Authority, if the parties fail to
19 reach agreement within 90 days of the com-
20 mencement of collective bargaining, mediation
21 will take place in accordance with the terms of
22 paragraph (2) of this subsection, unless the
23 parties have previously agreed to another proce-
24 dure for a binding resolution of their dif-
25 ferences. If the parties fail to reach agreement

1 within 180 days of the commencement of collec-
2 tive bargaining and if they have not agreed to
3 another procedure for binding resolution, an ar-
4 bitration board shall be established to provide
5 conclusive and binding arbitration in accord-
6 ance with the terms of paragraph (3) of this
7 subsection.

8 “(E) CONSIDERATIONS IN MAKING
9 AWARDS.—Except insofar as compensation and
10 benefits may be specified elsewhere in this title,
11 the arbitration board, in arriving at its award,
12 shall take into account compensation, benefits,
13 and conditions of employment of comparable
14 employees in Alexandria, Arlington, and Fairfax
15 Counties, Virginia; the District of Columbia;
16 and Montgomery and Prince Georges Counties,
17 Maryland, and other criteria traditionally con-
18 sidered in collective bargaining.

19 “(e) NO STRIKES OR LOCKOUTS; MAINTENANCE OF
20 STATUS QUO.—Notwithstanding any other provision of
21 law, the parties to a collective bargaining agreement be-
22 tween the Airports Authority and a labor organization
23 shall not resort to strike or lockout. The parties shall re-
24 frain from making changes in working conditions pending

1 the resolution of labor disputes as provided in subsection
2 (d) of this section.”.

3 **SEC. 210. TECHNICAL AMENDMENT.**

4 Section 9130 of the Aviation Safety and Capacity Ex-
5 pansion Act of 1990 (49 U.S.C. App. 2226b) is amended
6 by striking “subsection” and inserting “section”.

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