

114TH CONGRESS
2D SESSION

S. 2442

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

IN THE SENATE OF THE UNITED STATES

JANUARY 12, 2016

Mrs. FEINSTEIN (for herself and Mrs. BOXER) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

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,*

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

6 (a) FINDINGS.—Congress makes the following find-
7 ings:

8 (1) On December 22, 2015, the Los Angeles
9 City Council, the Los Angeles Board of Airport

1 Commissioners, the Los Angeles World Airports, the
2 Ontario City Council, and the Ontario International
3 Airport Authority agreed to transfer ownership and
4 control of Ontario International Airport from the
5 city of Los Angeles and Los Angeles World Airports
6 to the Ontario International Airport Authority, a
7 local joint powers authority established by and be-
8 tween the county of San Bernardino and the city of
9 Ontario.

10 (2) Pursuant to the agreement, the Ontario
11 International Airport Authority intends to use be-
12 tween \$70,000,000 and \$120,000,000 in passenger
13 facility charges collected at Ontario International
14 Airport to finance eligible projects at Los Angeles
15 International Airport, as compensation for passenger
16 facility charges collected, consistent with section
17 40117(b)(1) of title 49, United States Code, at Los
18 Angeles International Airport for use at Ontario
19 International Airport in the 1990s, when both air-
20 ports were controlled by Los Angeles World Air-
21 ports.

22 (3) The amendment made by subsection (b) ap-
23 plies exclusively to Ontario International Airport, al-
24 lowing passenger facility charges to be used for eligi-
25 ble projects at Los Angeles International Airport

1 while making no other changes to passenger facility
 2 charges eligibility requirements.

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

6 (b) PASSENGER FACILITY CHARGES.—Section
 7 40117(b) of title 49, United States Code, is amended by
 8 adding at the end the following:

9 “(8) USE OF PFC REVENUES AT PREVIOUSLY
 10 ASSOCIATED AIRPORT.—

11 “(A) IN GENERAL.—Notwithstanding the
 12 requirements of paragraph (1) and subject to
 13 subparagraph (B), the Secretary may authorize
 14 use of a passenger facility charge to finance an
 15 eligible airport-related project if—

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

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

24 “(B) LIMITATION.—Not more than
 25 \$120,000,000 in passenger facility charges col-

1 lected under subparagraph (A) may be used to
2 carry out an eligible airport-related project de-
3 scribed in that subparagraph.”.

○