

Warnock-Lummis_2 (as modified)



1 **SEC. ____ . ADDITIONAL WITHIN AND BEYOND PERIMETER**
2 **SLOT EXEMPTIONS AT RONALD REAGAN**
3 **WASHINGTON NATIONAL AIRPORT.**

4 (a) INCREASE IN NUMBER OF SLOT EXEMPTIONS.—
5 Section 41718 of title 49, United States Code, is amended
6 by adding at the end the following new subsection:

7 “(i) ADDITIONAL SLOT EXEMPTIONS.—

8 “(1) INCREASE IN SLOT EXEMPTIONS.—Not
9 later than 60 days after the date of enactment of
10 the FAA Reauthorization Act of 2023, the Secretary
11 shall grant, by order, 10 exemptions from—

12 “(A) the application of sections
13 49104(a)(5), 49109, and 41714 to air carriers
14 to operate limited frequencies and aircraft on
15 routes between Ronald Reagan Washington Na-
16 tional Airport and domestic airports located
17 within or beyond the perimeter described in sec-
18 tion 49109; and

19 “(B) the requirements of subparts K, S,
20 and T of part 93, of title 14, Code of Federal
21 Regulations.

22 “(2) NON LIMITED INCUMBENTS.—Of the slot
23 exemptions made available under paragraph (1), the
24 Secretary shall make 8 available to incumbent air

1 carriers qualifying for status as a non-limited incum-
2 bent carrier at Ronald Reagan Washington National
3 Airport as of the date of enactment of the FAA Re-
4 authorization Act of 2023.

5 “(3) LIMITED INCUMBENTS.—Of the slot ex-
6 emptions made available under paragraph (1), the
7 Secretary shall make 2 available to incumbent air
8 carriers qualifying for status as a limited incumbent
9 carrier at Ronald Reagan Washington National Air-
10 port as of the date of enactment of the FAA Reau-
11 thorization Act of 2023.

12 “(4) ALLOCATION PROCEDURES.—The Sec-
13 retary shall allocate the 10 slot exemptions provided
14 under paragraph (1) pursuant to the application
15 process established by the Secretary under sub-
16 section (d), subject to the following:

17 “(A) LIMITATIONS.—Each air carrier that
18 is eligible under paragraph (2) and paragraph
19 (3) shall be eligible to operate no more and no
20 less than 2 of the newly authorized slot exemp-
21 tions.

22 “(B) CRITERIA.—The Secretary shall con-
23 sider the extent to which the exemptions will—

24 “(i) enhance options for nonstop trav-
25 el to beyond-perimeter airports that do not

1 have nonstop service from Ronald Reagan
2 Washington National Airport as of the
3 date of enactment of the FAA Reauthor-
4 ization Act of 2023; or

5 “(ii) have a positive impact on the
6 overall level of competition in the markets
7 that will be served as a result of those ex-
8 emptions.

9 “(5) PROHIBITION.—

10 “(A) IN GENERAL.—The Metropolitan
11 Washington Airports Authority may not assess
12 any penalty or similar levy against an individual
13 air carrier solely for obtaining and operating a
14 slot exemption authorized under this subsection.

15 “(B) RULE OF CONSTRUCTION.—Subpara-
16 graph (A) shall not be construed as prohibiting
17 the Metropolitan Washington Airports Author-
18 ity from assessing and collecting any penalty,
19 fine, or other levy, such as a handling fee or
20 landing fee, that is—

21 “(i) authorized by the Metropolitan
22 Washington Airports Regulations;

23 “(ii) agreed to in writing by the air
24 carrier; or

1 “(iii) charged in the ordinary course
2 of business to an air carrier operating at
3 Ronald Reagan Washington National Air-
4 port regardless of whether or not the air
5 carrier obtained a slot exemption author-
6 ized under this subsection.”.

7 (b) CONFORMING AMENDMENTS.—Section
8 41718(c)(2)(A) of title 49, United States Code, is amend-
9 ed—

10 (1) in clause (i), by striking “and (b)” and in-
11 serting “, (b), and (i)”; and

12 (2) in clause (ii), by striking “and (g)” and in-
13 serting “(g), and (i)”.

14 (c) PRESERVATION OF EXISTING WITHIN PERIM-
15 ETER SERVICE.—Nothing in this section, or the amend-
16 ments made by this section, shall be construed as author-
17 izing the conversion of a within-perimeter exemption or
18 slot at Ronald Reagan Washington National Airport that
19 is in effect on the date of enactment of the FAA Reauthor-
20 ization Act of 2023 to serve an airport located beyond the
21 perimeter described in section 49109 of title 49, United
22 States Code.