

110TH CONGRESS  
1ST SESSION

# S. 996

To amend title 49, United States Code, to expand passenger facility fee eligibility for certain noise compatibility projects.

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IN THE SENATE OF THE UNITED STATES

MARCH 27, 2007

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

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## A BILL

To amend title 49, United States Code, to expand passenger facility fee eligibility for certain noise compatibility projects.

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. EXPANDED PASSENGER FACILITY FEE ELIGI-**  
4 **BILITY FOR NOISE COMPATIBILITY**  
5 **PROJECTS.**

6 Section 40117(b) of title 49, United States Code, is  
7 amended by adding at the end the following:

8 “(7) NOISE MITIGATION FOR CERTAIN  
9 SCHOOLS.—

1           “(A) IN GENERAL.—In addition to the  
2 uses specified in paragraphs (1), (4), and (6),  
3 the Secretary may authorize a passenger facility  
4 fee imposed under paragraph (1) or (4) at a  
5 large hub airport that is the subject of an  
6 amended judgment and final order in con-  
7 demnation filed on January 7, 1980, by the Su-  
8 perior Court of the State of California for the  
9 county of Los Angeles, to be used for a project  
10 to carry out noise mitigation for a building, or  
11 for the replacement of a relocatable building  
12 with a permanent building, in the noise im-  
13 pacted area surrounding the airport at which  
14 such building is used primarily for educational  
15 purposes, notwithstanding the air easement  
16 granted or any terms to the contrary in such  
17 judgment and final order, if—

18                   “(i) the Secretary determines that the  
19 building is adversely affected by airport  
20 noise;

21                   “(ii) the building is owned or char-  
22 tered by the school district that was the  
23 plaintiff in case number 986,442 or  
24 986,446, which was resolved by such judg-  
25 ment and final order;

1           “(iii) the project is for a school identi-  
2           fied in 1 of the settlement agreements ef-  
3           fective February 16, 2005, between the  
4           airport and each of the school districts;

5           “(iv) in the case of a project to re-  
6           place a relocatable building with a perma-  
7           nent building, the eligible project costs are  
8           limited to the actual structural construc-  
9           tion costs necessary to mitigate aircraft  
10          noise in instructional classrooms to an in-  
11          terior noise level meeting current stand-  
12          ards of the Federal Aviation Administra-  
13          tion; and

14          “(v) the project otherwise meets the  
15          requirements of this section for authoriza-  
16          tion of a passenger facility fee.

17          “(B) ELIGIBLE PROJECT COSTS.—In sub-  
18          paragraph (A)(iv), the term ‘eligible project  
19          costs’ means the difference between the cost of  
20          standard school construction and the cost of  
21          construction necessary to mitigate classroom  
22          noise to the standards of the Federal Aviation  
23          Administration.”.

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