

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3935
OFFERED BY MR. MASSIE OF KENTUCKY**

At the end of subtitle B of title IV, add the following:

1 SEC. ____ . ELIMINATION OF PASSENGER FACILITY CHARGE

2 CAPS.

3 Section 40117(b) of title 49, United States Code, is
4 amended—

5 (1) in paragraph (1) by striking “of \$1, \$2, or
6 \$3” and inserting “in any amount”;

7 (2) by striking paragraph (4);

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

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

11 (A) by striking “specified in paragraphs
12 (1) and (4)” and inserting “specified in para-
13 graph (1)”; and

14 (B) by striking “imposed under paragraph
15 (1) or (4)” and inserting “imposed under para-
16 graph (1)”; and

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

1 (A) by striking “specified in paragraphs
2 (1), (4), and (6)” and inserting “specified in
3 paragraphs (1) and (5)”; and

4 (B) by striking “imposed under paragraph
5 (1) or (4)” and inserting “imposed under para-
6 graph (1)”; and

7 (6) by adding at the end the following:

8 “(7) ELIGIBILITY FOR AIRPORT IMPROVEMENT PRO-
9 GRAM FUNDS.—Any eligible agency that imposes a pas-
10 senger facility charge that exceeds \$4.50 shall not be eligi-
11 ble to receive funds under subchapter I of chapter 471.”.

