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FAA Reauthorization

Chronology

May 2009 – House passes H.R. 915, *FAA Reauthorization Act of 2009* (277 – 136)

Sept. 2009 – S. 1451, *FAA Air Transportation Modernization and Safety Improvement Act* reported in the Senate Committee on Commerce, Science and Transportation

March 22, 2010 – Senate passes H.R. 1586, *FAA Air Transportation Modernization and Safety Improvement Act* (93 – 0)

March 25, 2010 – House passes H.R. 1586, *Aviation Safety and Investment Act of 2010*, which, by substitution amendment, consists of H.R. 915 and H.R. 3371, *Airline Safety and Pilot Training Improvement Act* (276 – 145)

April 12, 2010 – Congress resumes

Key Differences in House and Senate Bills

- House version authorizes programs and funding through Fiscal Year 2012; Senate version authorizes programs and funding through FY'2011.
- House version increases the ceiling on Passenger Facility Charges from \$4.50 to \$7.00 per passenger at eligible airports. Senate version contains no increase in PFC ceiling.
- Both versions impose tax on aviation grade kerosene at a rate of 35.9 cents per gallon. House version increases jet fuel tax to 24.1 cents per gallon; Senate version maintains current rate of 19.3 cents. Neither version imposes a “user fee” based on aircraft operations.
- House version would require the FAA to revise the standards for aircraft rescue and firefighting at commercial passenger service airports to correspond to national voluntary consensus standards. Senate version does not address this issue.
- House version would subject FedEx Express employees to National Labor Relations Act; Senate version does not address this issue.
- Both versions extend the Essential Air Service program and Small Community Air Service Development Program.
- Both versions establish research programs and direct studies and pilot programs relating to noise, air quality and other environmental issues.
- Both versions require the phase-out of Stage 2 aircraft.

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Comparison of House and Senate Bills

	H.R. 915 / H.R. 1586 EAH	H.R. 1586 EAS
Short Title	FAA Reauthorization Act of 2009 / Aviation Safety and Investment Act of 2010	FAA Air Transportation Modernization and Safety Improvement Act
Operations, Sec. 106(k)(1)	(Sec. 103) <ul style="list-style-type: none"> • Authorizes the following amounts to DOT for operations of FAA: <ul style="list-style-type: none"> ○ \$9,531,272,000 for 2010 ○ \$9,936,259,000 for 2011 ○ \$10,350,155,000 for 2012 ○ \$6 mil. for each year (2010-2012) to study airline data 	(Sec. 101) <ul style="list-style-type: none"> • Authorizes the following amounts to DOT for operations of FAA: <ul style="list-style-type: none"> ○ \$9,336,000,000 for 2010 ○ \$9,620,000,000 for 2011
Airport Planning & Development & Noise Compatibility Planning & Programs, Sec. 48103	(Sec. 101) <ul style="list-style-type: none"> • Authorizes the following amounts from the Trust Fund for planning and development and noise compatibility planning: <ul style="list-style-type: none"> ○ \$4 bil. for 2010 ○ \$4.1 bil. for 2011 ○ \$4.2 bil. for 2012 ○ \$15 mil. for 2010-12 for the Airport Cooperative Research Program ○ \$19.348 mil. for 2010-12 for Airport Technology Research • Extends DOTS authority to issue grants from the Trust Fund to 2012 • Rescinds unobligated balances 	(Sec. 104) <ul style="list-style-type: none"> • Authorizes the following amounts from the Trust Fund for planning and development and noise compatibility planning: <ul style="list-style-type: none"> ○ \$4 bil. for 2010 ○ \$4.1 bil. for 2011
Air navigation Facilities and Equipment, Sec. 48101	(Sec. 102) <ul style="list-style-type: none"> • Authorizes the following amounts from the Trust Fund for air navigation facilities: <ul style="list-style-type: none"> ○ \$3,259,000,000 for 2010 ○ \$3,353,000,000 for 2011 ○ \$3,506,000,000 for 2012 • Amounts may be used for the following in 2010-2012: <ul style="list-style-type: none"> ○ Wake vortex mitigation development and analysis ○ Weather hazard mitigation ○ Safety management (from the Trust Fund and Sec. 	(Sec. 102) <ul style="list-style-type: none"> • Authorizes the following amounts from the Trust Fund for air navigation facilities: <ul style="list-style-type: none"> ○ \$3.5 bil. for 2010 ○ \$3.6 bil. for 2011 • In each year, \$500 mil. must come from the Air Traffic Control System Modernization Account of the Trust Fund

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	<p>106(k)(1))</p> <ul style="list-style-type: none"> ○ Appropriates \$12 mil. each year for runway incursion reduction programs ○ Appropriates \$125K, \$100K, and \$50K in each year (2010-2012), respectively, for runway status lights ○ Appropriates specific amounts for Next Gen systems, demonstration programs, and Center for Advanced Aviation System development, etc. ○ Authorizes \$22.5 mil. each year to be shared for the following purposes: system capacity planning and improvement, operations concept validation, NAS weather requirements, and Airspace Management Lab 	
<p>Research and Development, Sec. 48102</p>	<p>(Sec. 104)</p> <ul style="list-style-type: none"> ● Authorizes the following amounts to DOT from the Trust Fund for civil aviation research and development: <ul style="list-style-type: none"> ○ \$214,587,000 for 2010 ○ \$225,993,000 for 2011 ○ \$244,860,000 for 2012 ● Includes authorization for specific purposes, such as environment and energy (\$20,278,000 for 2010), NextGen environmental research-technologies and fuels (\$19,700,000 for 2010), fire research, fuel systems, structural safety, weather programs, unmanned aircraft systems, etc. ● Amounts increase slightly for each purpose in each year 	<p>(Sec. 103)</p> <ul style="list-style-type: none"> ● Authorizes the following amounts to DOT from the Trust Fund for civil aviation research and development : <ul style="list-style-type: none"> ○ \$200 mil. for 2010 ○ \$206 mil. for 2011 ● Does not include specific earmarks, but indicates that funds should be used for aviation research and development, pertaining to aircraft improvements, systems and facilities, aeromedical, research grants, etc. ● Removes restriction on transfers of funds among categories ● Removes an earmark for research on systems and facilities (Sec. 44505) ● Removes requirement to appropriate necessary amounts for air traffic controllers (Sec. 44506) ● Removes provision making amounts available until expended

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<p>Trust Fund Funding, Sec. 48114</p>	<p>(Sec. 105)</p> <ul style="list-style-type: none"> • Extends DOT’s authorization for appropriations from the Trust Fund and the general fund to 2012 • Modifies the amounts available for appropriations from the Trust Fund and the general fund: <ul style="list-style-type: none"> ○ Makes available 90% of est. level of receipts + interest for use in 2010 (instead of the total receipts) ○ Makes available 90% of est. level of receipts + interest + the difference between the actual level of receipts and the total amount made available from the Trust Fund in the second preceding year for use in 2011 & 2012 each • Restricts authority to appropriate such funds to the following investment programs: Grants-in-Aid, Facilities and Equipment, Research and Development, and Trust Fund Share of Operations. • Extends to 2012 the restriction on Congress from appropriating for research and development or operations if the sum obligation limitation for Grants-in-Aid and appropriation for Facilities and Equipment for such FY is below the sum of the authorized levels 	<p>(Sec. 105)</p> <ul style="list-style-type: none"> • Extends DOT’s authorization for appropriations from the Trust Fund and the general fund to 2011 • Extends to 2011 the restriction on Congress from appropriating for research and development or operations if the sum obligation limitation for Grants-in-Aid and appropriation for Facilities and Equipment for such FY is below the sum of the authorized levels
<p>Administrative Program Expense, Sec. 48105 (Substituted)</p>		<p>(Sec. 107)</p> <ul style="list-style-type: none"> • Appropriates the following amounts from the Trust Fund’s airport planning and development and noise compatibility planning and programs monies for administrative program expenses <ul style="list-style-type: none"> ○ \$94 mil. for 2010 ○ \$98 mil. for 2011 • Requires the FAA to submit to DOT and Congress a report on every airport in the U.S. that

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		<p>reported 10,000 to 15,000 enplanements during the 2 most recent years with available data which explains the methods used by such airports to reach enplanement levels</p> <ul style="list-style-type: none"> • Removes the existing (expired) provision regarding funds for reimbursing NOAA for weather reporting services
<p>Passenger Facility Charges, Sec. 40117</p>	<p>(Sec. 111)</p> <ul style="list-style-type: none"> • Substitutes the term passenger facility fee for passenger facility charge (PFC) • Leaves the standard PFC at the current rates of \$1, \$2, and \$3. • Increases the PFC to \$4, \$4.50, \$5, \$6, and \$7 in the case of: <ul style="list-style-type: none"> ○ An airport with more than .25% of total annual boardings in the U.S. ○ The project will significantly contribute to improving air safety, increasing competition, reducing congestion, or reducing noise impacts ○ AND, the project cannot be paid for by funds available through a program under Sec. 48103 • Extends the life of the pilot program for PFCs at non-hub airports indefinitely by striking the sunset provision <p>(Sec. 113)</p> <ul style="list-style-type: none"> • Adds as a condition of approval for an agency to impose PFCs for a project intended to meet the airside needs of an airport that the agency provide written assurances that all contracts will be awarded in the same manner required by 40 U.S.C. Ch. 11. 	<p>(Sec. 201)</p> <ul style="list-style-type: none"> • Substitutes the term passenger facility fee for passenger facility charge (PFC) • Modifies the procedural requirements for imposing PFCs • Requires agencies to submit to certain air carriers and DOT annual reports regarding the status of the PFC program, including revenue totals, expenditures, projects for which revenues were used, etc. Also requires the agency to make the report available to the public. • Requires an eligible agency proposing PFCs for a project that has not been previously approved or included in a report to provide written notice and opportunity for comment to air carriers with a significant business interest in the airport (defined in the bill). Provides air carriers with 45 days to comment, unless a consultation meeting is held, in which case, carriers have 30 days to submit written comments. • Requires an eligible agency proposing PFCs for a project that has not been previously approved or included in a report to provide notice and opportunity for comment to the public. Requires DOT to prescribe regulations determining what constitutes reasonable notice. • Establishes a 30-day-period for

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<p>(Sec. 114)</p> <ul style="list-style-type: none"> • Establishes a pilot program for PFCs for intermodal ground access projects, allowing DOT to authorize PFCs to finance such projects at a maximum of 5 airports • Establishes a formula based on projected use of the project for access purposes and projected use of the facility for determining eligible costs of the project <p>(Sec. 115)</p> <ul style="list-style-type: none"> • Extends requirements relating to disadvantaged business enterprises to an airport collecting passenger facility revenue • Requires the Secretary to issue regulations to implement the requirements • Makes this section effective after the final regulations are issued <p>(Sec. 116)</p> <ul style="list-style-type: none"> • Requires DOT to conduct and submit to Congress a study on the impacts of PFCs on airports accommodating connecting passengers and the treatment of airports at which the majority of passengers are connecting passengers under the PFC program 	<p>filing objections or comments about a project and gives the agency a minimum of 30 days to respond to filed objections.</p> <ul style="list-style-type: none"> ○ Requires DOT to decide within 90 days whether to terminate the authority to collect PFCs for the project. Limits DOTs discretion to terminate authority by establishing conditions upon which authority may be terminated. <ul style="list-style-type: none"> • Requires approval from DOT before increasing PCFs or charging to finance an intermodal ground access project (in addition to the notice and comment requirements). <ul style="list-style-type: none"> ○ Requires DOT to decide within 120 days whether to approve the PFCs • Limits application of the limitations on approving applications provision (Sec. 40117(d) to applications to finance intermodal ground access projects. • Removes the requirements that projects preserve or enhance capacity or safety, reduce noise, or provide opportunity for enhanced competition, as to projects for intermodal ground access • Prohibits projects subject to PFCs from being subject to any exclusive (long-term or short-term) lease or use agreement (currently disallows only long term leases or agreements) • Allows DOT to investigate the collection and use of PFCs in response to complaints by interested persons. Requires DOT to prescribe regulations for implementation. • Extends the life of the pilot program for PFCs at non-hub
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		<p>airports to the date of issuance of regulations to carry out the procedures for applications as modified in H.R. 1586, Sec. 201</p> <ul style="list-style-type: none"> • Expands prohibition on PFC collection and use at airports that have diverted airport revenue <p>(Sec. 202)</p> <ul style="list-style-type: none"> • Establishes an alternate PFC pilot program at 6 airports or less, through which agency may set a PFC at any amount notwithstanding of the maximums prescribed by statute and must collect PFCs directly and not through carriers • Requires the Comptroller General to complete a study with 1 year of enactment on alternate means of collecting charges that do not require including charges in the ticket price
<p>AIP Definitions of Relevant Terms, Sec. 47102</p>	<p>(Sec. 131)</p> <ul style="list-style-type: none"> • redefines terms related to AIP • “planning” redefined to include “developing an environmental management system” • “general aviation airport” is defined to include an airport that does not have scheduled service or has scheduled service with less than 2,500 passenger boardings each year • Adds “terminal development” as an airport development activity • Adds the “construction of mobile refueler parking within a fuel farm at a nonprimary airport” as an airport development activity • Adds “acquiring and installing facilities and equipment to provide air conditioning, heating, or electric power from terminal-based, non-exclusive use facilities to aircraft parked at a public use airport for the purpose of reducing 	

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	energy use or harmful emissions as compared to the provision of such air conditioning, heating, or electric power from aircraft-based systems” as an airport development activity	
Grant Assurances, Sec. 47107	<p>(Sec. 133)</p> <ul style="list-style-type: none"> • Allows DOT to approve an application for a grant for acquiring land if assured that part of the proceeds from disposing of the land which is proportionate to the government’s share of acquiring the land will be reinvested in another project at the airport or transferred to another project • Establishes preferences for the reinvestment and transfer of grant funds, giving the highest priority to noise compatibility projects 	<p>(Sec. 203)</p> <ul style="list-style-type: none"> • Allows DOT to approve grant applications to acquire land where the land is used for noise compatibility purposes and then disposed of when it is no longer needed for noise compatibility purposes, including as a noise buffer land • Establishes preferences for the reinvestment and transfer of grant funds, giving the highest priority to noise compatibility projects
Government Share of Project Costs, Sec. 47109	<p>(Sec. 134)</p> <ul style="list-style-type: none"> • Adds a special rule governing allowable costs for projects for transitioning from a small to medium hub airport • Provides that when hub status changes from small to medium, the government’s max share of allowable project costs is 90% for 2 years following the status change • Establishes government’s max share of allowable project costs as 95% for projects at airports receiving subsidized service, or located in an area eligible for an economic development grant under the Public Works and Economic Development Act of 1965 	<p>(Sec. 204)</p> <ul style="list-style-type: none"> • Adds a special rule governing allowable costs for projects for transitioning from a small to medium hub airport • Provides that when hub status changes from small to medium, the government’s max share of allowable project costs is 95% for 2 years following the status change • Extends the rule governing apportionments for transitioning airports to 2011 <p>(Sec. 207)</p> <ul style="list-style-type: none"> • For a project funded by a grant to a state, related to a state block grant program, and for projects at other airports not described in Sec. 47109, government’s share of costs is 95% in FY 2008-2011.
Allowable Project Costs, Sec. 47110	<p>(Sec. 135)</p> <ul style="list-style-type: none"> • Adds certain costs incurred on a project prior to execution of a grant agreement as an allowable 	<p>(Sec. 205)</p> <ul style="list-style-type: none"> • Adds the relocation of airport owned facilities as allowable costs • Adds the purchase of bird detector-

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	<p>project cost</p> <ul style="list-style-type: none"> • Adds the relocation of airport owned facilities as allowable costs 	<p>radar systems as an allowable cost, if DOT determines that such systems have no negative impact on existing navigational aids. DOT must make determination within 120 days of this Act</p> <ul style="list-style-type: none"> • Adds costs necessarily incurred in anticipation of severe weather which were incurred prior to execution of a grant agreement as an allowable cost
<p>Terminal Development Projects, Sec. 47119</p>	<p>(Sec. 152)</p> <ul style="list-style-type: none"> • Allows DOT to approve projects for terminal development in a non-revenue producing public-use area of a commercial service airport • Allows DOT to approve as allowable costs the expenses for terminal development in a revenue producing area and construction, repair, or improvement in a non-revenue producing area • Limits the amount that DOT may distribute from the discretionary fund (47115) for terminal development projects at a non-hub or small hub airport to \$20 mil. 	
<p>Preference for Small Business Concerns Owned by Veterans, Sec. 47112</p>	<p>(Sec. 136)</p> <ul style="list-style-type: none"> • Requires that labor contracts for development projects be given to the use of small business concerns owned and controlled by disabled veterans <p>(Sec. 152)</p> <ul style="list-style-type: none"> • Redefines “veterans” as those that were discharged or released from active duty and to include Afghanistan-Iraq war veterans 	<p>(Sec. 208)</p> <ul style="list-style-type: none"> • Requires that labor contracts for development projects be given to the use of small business concerns owned and controlled by disabled veterans • Redefines “veterans” as those that were discharged or released from active duty and to include Afghanistan-Iraq war veterans
<p>Disadvantaged Business Enterprise Program, Sec. 47107(e) & 47113</p>	<p>(Sec. 137)</p> <ul style="list-style-type: none"> • Indicates that the preference of the disadvantaged business enterprise program is to ensure that minority and women-owned businesses have full and fair opportunity to 	<p>(Sec. 715)</p> <ul style="list-style-type: none"> • Indicates that the preference of the disadvantaged business enterprise program is to ensure that minority and women-owned businesses have full and fair opportunity to compete

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	<p>compete in federally assisted airport contracts</p> <ul style="list-style-type: none"> • Requires DOT to issue regulations adjusting the net worth cap used to determine whether an individual is economically disadvantaged to account for inflation • Provides that when determining net worth, retirement benefit funds should be excluded • Requires DOT to issue regulations to prohibit excessive, unreasonable, or discriminatory bonding requirements for any project using grant funds or PFCs <p>(Sec. 138)</p> <ul style="list-style-type: none"> • Requires DOT to establish formal mandatory training on whether a small business concern in airport concessions qualifies as a small business concern owned and controlled by a socially and economically disadvantaged individual • Appropriates, a min. amount of \$2 mil. each year through 2012 from Sec. 106(k) 	<p>in federally assisted airport contracts</p> <ul style="list-style-type: none"> • Requires DOT to issue regulations adjusting the net worth cap used to determine whether an individual is economically disadvantaged to account for inflation • Provides that when determining net worth, retirement benefit funds should be excluded • Requires DOT to issue regulations to prohibit excessive, unreasonable, or discriminatory bonding requirements for any project using grant funds or PFCs • Requires DOT to establish a training program on whether a small business concern in airport concessions qualifies as a small business concern owned and controlled by a socially and economically disadvantaged individual <p>(Sec. 703)</p> <ul style="list-style-type: none"> • Requires DOT to establish a formal, structured certification training program for the disadvantaged business enterprise program • Allows DOT to hire 3 additional staff to implement the program
<p>State Apportionment Fund, Sec. 47114</p> <p>&</p> <p>Use of Apportionment amounts, Sec. 47117</p>	<p>(Sec. 139)</p> <ul style="list-style-type: none"> • Reduces the amount apportioned from the Trust Fund to the states, from 18.5 to 10% • Apportions any remaining amounts (in addition to the 10%) to airports, excluding primary, but including reliever and non-primary commercial service airports, the lesser of: \$150,000 or 1/5 of the most recent est. 5-year amount for airport improvement • If total amount available for apportionment (10%) is less than \$300 mil., DOT shall reduce 	<p>(Sec. 204)</p> <ul style="list-style-type: none"> • Makes Section 47114(f)(3)(A) (special rule for reducing apportionment for transitioning airports) applicable in 2010 and 2011 (currently applies only in 2004) <p>(Sec. 208)</p> <ul style="list-style-type: none"> • Adds as a prerequisite for the use of amounts apportioned in the previous year, the requirement that the airport received service from a large certified carrier and had more than 10,00 passenger boardings in

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	<p>amounts to states on a prorated basis</p> <p>(Sec. 140)</p> <ul style="list-style-type: none"> • In the case of a PFC of more than \$4.50 by an airport sponsor enplaning more than 1% of total boardings in the U.S., apportionment amount is reduced by 100% of projected revenues from the charge in FY, but not more than 100% of what would otherwise be apportioned <p>(Sec. 143)</p> <ul style="list-style-type: none"> • Requires that DOT use \$300 mil. (rather than 35%) of amounts available to the discretionary fund for carrying out noise compatibility programs, noise mitigation projects, land use planning and projects, and water quality mitigation projects to comply with the Federal Water Pollution Control Act • Makes use of funds on water quality control projects an eligible expenditure 	<p>the preceding year</p> <p>(Sec. 223)</p> <ul style="list-style-type: none"> • Requires DOT to conduct a study on the feasibility of apportioning amounts based on the amount of air traffic <p>(Sec. 208)</p> <ul style="list-style-type: none"> • Requires that DOT use \$300 mil. (rather than 35%) of amounts available to the discretionary fund for carrying out noise compatibility programs, noise mitigation projects, land use planning and projects, and water quality mitigation projects to comply with the Federal Water Pollution Control Act • Makes use of funds on water quality control projects an eligible expenditure
<p>Discretionary Fund Minimum Amount, Sec. 47115(g)</p>	<p>(Sec. 141)</p> <ul style="list-style-type: none"> • Removes the formula used to calculate funds to be credited to the discretionary fund and provides that \$520 mil. should be credited. 	<p>(Sec. 208)</p> <ul style="list-style-type: none"> • Removes the formula used to calculate funds to be credited to the discretionary fund and provides that \$520 mil. should be credited.
<p>Grants for Compatible Land Use Planning by state and local governments, Sec. 47141</p>	<p>(Sec. 148)</p> <ul style="list-style-type: none"> • Extends DOT's authority to issue grants to state and local governments for compatible land use planning and projects to Sept. 30, 2012 	
<p>Sale of Private Airport to Public Sponsor, Sec. 47133</p>	<p>(Sec. 144)</p> <ul style="list-style-type: none"> • Provides that the prohibition on use of local tax revenues and revenues generated from federal assistance on airport capital or 	<p>(Sec. 206)</p> <ul style="list-style-type: none"> • Provides that the prohibition on use of local tax revenues and revenues generated from federal assistance on airport capital or operating costs

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	<p>operating costs does not apply, if the airport is privately owned and other circumstances exist</p> <ul style="list-style-type: none"> • This amendment applies to grants issued on or after Oct. 1, 1996 	<p>does not apply, if the airport is privately owned and other circumstances exist (circumstances slightly different from those in H.R. 1586 EAH, including the requirement in the Senate version that a certain portion is repaid)</p>
<p>Airport Privatization Pilot Program, Sec. 47134</p>	<p>(Sec. 145)</p> <ul style="list-style-type: none"> • Modifies the approval requirements. Increases the percentage (to 75%) of carriers needed to approve an exemption from grant requirements in 47107 and 47133 and to increase airport fees • Adds a provision prohibiting the receipt of apportionments by airports that receive exemptions under 47134(b) 	
<p>Annual Report, Sec. 47131</p>	<p>(Sec. 152)</p> <ul style="list-style-type: none"> • Modifies the deadline for annual reports from April 1 to June 1 • Changes the required components of the report to include a summary of airport development and planning completed, summary of individual grants issued, accounting of discretionary and apportioned funds allocated, allocations paid, and list of airports that may not be in compliance with grant requirements 	<p>(Sec. 208)</p> <ul style="list-style-type: none"> • Modifies the deadline for annual reports from April 1 to June 1 • Changes the required components of the report to include a summary of airport development and planning completed, summary of individual grants issued, accounting of discretionary and apportioned funds allocated, allocations paid, and list of airports that may not be in compliance with grant requirements
<p>Resolution of Air Carrier Fee Disputes, Sec. 47129</p>	<p>(Sec. 804)</p> <ul style="list-style-type: none"> • Makes this section applicable to foreign air carriers, in addition to domestic air carriers 	<p>(Sec. 431)</p> <ul style="list-style-type: none"> • Makes this section applicable to foreign air carriers, in addition to domestic air carriers
<p>Aircraft Rescue and Firefighting, Sec.</p>	<p>(Sec. 311)</p> <ul style="list-style-type: none"> • Requires FAA to initiate rulemaking to revise aircraft rescue and firefighting standards under FAR Part 139 <ul style="list-style-type: none"> ○ Requires that new standards be consistent with national voluntary consensus standards for 	

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	<p style="text-align: center;">ARFF</p> <ul style="list-style-type: none"> ○ Requires FAA to explain to Office of Management and Budget if consensus standard is not used ○ Requires FAA to issue a final rule within 2 years of enactment of the Act 	
<p>Contract Tower Program</p>	<p>(Sec. 410)</p> <ul style="list-style-type: none"> • Appropriates the following amounts to carry out the contract air traffic control tower program: <ul style="list-style-type: none"> ○ \$9.5 mil. for 2010 ○ \$10 mil. for 2011 ○ \$10 mil. for 2012 • Allows DOT to use funds that are not necessary in the FY in which they were awarded to carry out the program • Increases the cap on the federal share of the cost of construction of a nonapproach control tower from \$1.5 mil. to \$2 mil. • Provides that for low activity level I air traffic control tower programs: <ul style="list-style-type: none"> ○ where DOT determines that a tower operating under the program has a benefit to cost ratio of less than 1.0, the sponsor is exempt from paying the portion of the costs that exceeds the benefit for 18 months • DOT may use funds not needed in a FY to carry out the program 	<p>(Sec. 432)</p> <ul style="list-style-type: none"> • Appropriates the following amounts to carry out the contract air traffic control tower program: <ul style="list-style-type: none"> ○ \$9.5 mil. for 2010 ○ \$10 mil. for 2011 • Allows DOT to use funds that are not necessary in the FY in which they were awarded to carry out the program • Increases the cap on the federal share of the cost of construction of a nonapproach control tower from \$1.5 mil. to \$2 mil. • Provides that for low activity level I air traffic control tower programs: <ul style="list-style-type: none"> ○ where DOT determines that a tower operating under the program has a benefit to cost ratio of less than 1.0, the sponsor is exempt from paying the portion of the costs that exceeds the benefit for 18 months ○ DOT may use funds not needed in a FY to carry out the program • Requires sponsors to pay costs exceeding benefits, only where costs exceed “benefits with the maximum allowable cost share for FAA Part 139 certified airports capped at 20 percent for those airports with fewer than 50,000 annual passenger enplanements
<p>Improvement of Airfield Pavements</p>		<p>(Sec. 606)</p> <ul style="list-style-type: none"> • Provides for the continuation of the program to consider awards to

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		nonprofit concrete and asphalt pavement research foundations to improve the design, construction, rehabilitation, and repair of airfield pavements
Antitrust Exemptions	<p>(Sec. 426)</p> <ul style="list-style-type: none"> • Requires the Comptroller General to conduct a study regarding international alliances and grant exemptions from antitrust laws in connection with such alliances, includes issues in which the study must consider, such as public benefits, competition level, pries, etc. • Report is due with one year of the enactment • Within one year of submitting the report, DOT must determine whether to adopt any policy changes recommended in the report • Exemptions relating to international alliances granted by DOT shall expire on the last day of the third year since enactment of this Act, unless renewed by DOT • DOT must make a written determination for a renewal 	
Solid Waste Recycling Plans at Airports, Sec. 47102(5) (definition of airport planning) Sec. 48106	<p>(Sec. 132)</p> <ul style="list-style-type: none"> • Expands the definition of airport planning to include planning to minimize generation of, and to recycle, airport solid waste in a manner consistent with local and state recycling laws 	<p>(Sec. 714)</p> <ul style="list-style-type: none"> • Expands the definition of airport planning to include planning to minimize generation of, and to recycle, airport solid waste in a manner consistent with local and state recycling laws • Allows DOT to issue grants from the Trust Fund for projects at airports with master plans that address solid waste recycling
State Block Grant Program, Environmental Compliance, Sec. 47128	<p>(Sec. 502)</p> <ul style="list-style-type: none"> • Requires DOT to issue guidance (instead of regulations) to carry out the state block grant program and designate a limited number of 	<p>(Sec. 209)</p> <ul style="list-style-type: none"> • Requires DOT to issue guidance (instead of regulations) to carry out the state block grant program • Adds a requirement that DOT select

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	<p>qualified states</p> <ul style="list-style-type: none"> • Adds a requirement that DOT select a state applicant only after determining that it has complied with NEPA, state and local policy acts, executive orders, agency regulations and guidance, and other federal environmental requirements • Adds a provision requiring the agency (other than FAA) which is responsible for issuing an approval, license, or permit ensuring compliance with a federal environmental requirement applicable a project using state block grant funds to use the environmental analysis prepared by the state and supplement as necessary to comply with federal requirements 	<p>a state applicant only after determining that it has complied with federal environmental requirements or an agreed upon equivalent</p> <ul style="list-style-type: none"> • Adds a provision requiring any agency which is responsible for issuing an approval, license, or permit ensuring compliance with a federal environmental requirement applicable a project using state block grant funds to use the environmental analysis prepared by the state • Establishes a pilot program for 3 states that do not participate in the state block grant program
Funding for Special Studies Relating to Environmental and Noise Measures, Sec. 47173	<p>(Sec. 503)</p> <ul style="list-style-type: none"> • Allows the FAA to accept funds from airport sponsors to hire staff or consultants to facilitate the timely processing, review, and completion of environmental activities associated with an airport development project; conduct special environmental studies related to federally funded projects; conduct special studies to support approved noise compatibility measures in Part 150; and to conduct special studies to support environmental mitigation in a FAA ROD or FONSI. 	<p>(Sec. 210)</p> <ul style="list-style-type: none"> • Allows the FAA to accept funds from airport sponsors to hire staff or consultants to conduct special environmental studies related to federally funded projects, special studies to support approved noise compatibility measures in Part 150, or special studies to support environmental mitigation in a FAA ROD or FONSI.
Emission Credits, Sec. 47139	<p>(Sec. 152)</p> <ul style="list-style-type: none"> • Disallows emissions credit for airport development projects necessary for compliance with Americans with Disabilities Act and the Federal Water Pollution Control Act 	<p>(Sec. 208)</p> <ul style="list-style-type: none"> • Disallows emissions credit for airport development projects necessary for compliance with Americans with Disabilities Act and the Federal Water Pollution Control Act
Pilot Program		(Sec. 610)

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<p>for Zero Emissions Vehicles, Sec. 47136A (new section)</p>		<ul style="list-style-type: none"> • Requires DOT to establish a pilot program through which the sponsor of a participating public use airport may use funds from AIP grants, noise compatibility programs, or PFC revenue for acquiring and operating zero emission vehicles • Restricts participation to airports located in nonattainment areas, unless there is a shortage of eligible applicants • Requires DOT to give priority to applicant airports that will achieve the greatest air quality benefits measured by the amount of emissions reduced per-dollar-of-funds expended • Requires that the federal government’s share of costs be 50% • Requires DOT to submit a report to Congress within 18 months of enactment
<p>Emissions from Airport Power Sources, Sec. 47140A (new section)</p>		<p>(Sec. 611)</p> <ul style="list-style-type: none"> • Requires DOT to establish a program through which eligible airport sponsors can receive noise compatibility program grants to assess the airport’s energy requirements in order to identify opportunities to reduce harmful emissions and increase energy efficiency
<p>Airport Cooperative Research Program, Sec. 44511(f)</p>	<p>(Sec. 101)</p> <ul style="list-style-type: none"> • Authorizes \$15 mil. for 2010-12 for the Airport Cooperative Research Program 	<p>(Sec. 601)</p> <ul style="list-style-type: none"> • Removes the 4-year time limit on the Airport Cooperative Research Program, making it an ongoing program • Authorizes use of \$15 mil. per year in 2010 and 2011 of research grant funds, of which at least \$5 mil. must be used for research related to reduction of community exposure to civil aircraft noise, reduction of civil aviation emissions, or addressing water quality issues
<p>CLEEN</p>	<p>(Sec. 507)</p>	<p>(Sec. 602)</p>

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<p>program Sec. 47511 (new section)</p>	<ul style="list-style-type: none"> • Requires DOT and NASA to enter into a cooperative agreement with an institution or entity to carry out a program for the development, maturing, and certification of CLEEN engine and airframe technology for aircraft over the next 10 years • Defines “of CLEEN engine and airframe technology” as continuous lower energy, emissions, and noise engine and airframe technology • Establishes certain environmental and noise objectives for the partnership • Provides the following funding amounts for the partnership: <ul style="list-style-type: none"> ○ \$25 mil. for 2010 ○ \$33 mil. for 2011 ○ \$50 mil. for 2012 • Requires FAA to publish an annual report until completion of the program 	<ul style="list-style-type: none"> • Establishes a research program relating to reducing civilian aircraft energy use, emissions, and source noise with equivalent safety through grants or other measures • Requires FAA to designate one or more institutions or entities as a Consortium for Continuous Low Energy, Emissions, and Noise to perform the research • Encourages selecting members that have existing facilities and experience and requires that the Center for Excellence (established under this Act) be a member • Establishes certain environmental and noise objectives for the program to achieve by Jan. 1, 2016
<p>Production of Alternative Fuel Technology</p>		<p>(Sec. 603)</p> <ul style="list-style-type: none"> • Requires DOT to establish a research program related to developing jet fuel from natural gas, biomass and other renewable sources through grants issued under Sec. 48102 (Trust Fund, aviation research and development account) • Encourages use of institutions that have existing facilities and experience and encourages using the Langley Research Center of NASA • Requires that FAA designate an institution as a Center of Excellence for Alternative Jet-Fuel Research in Civil Aircraft (which shall be a member of CLEEN)
<p>Production of Clean Coal Fuel Technology</p>		<p>(Sec. 604)</p> <ul style="list-style-type: none"> • Requires DOT to establish a research program related to development of jet fuel from clean

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		<p>coal through grants or other measures</p> <ul style="list-style-type: none"> • Encourages use of institutions that have existing facilities and experience • Requires that FAA designate an institution as a Center of Excellence for Alternative Coal-to-Jet-Fuel Research
<p>Siting Wind Farms Near FAA Facilities</p>		<p>(Sec. 612)</p> <ul style="list-style-type: none"> • Requires FAA to complete a survey and assessment of FAA facility leases, including leases for FAA facilities located near areas suitable for construction and operation of wind farms in order to address safety and operational concerns associated with the construction, alteration, establishment, or expansion of wind farms • Requires the Comptroller General to issue a report in response, regarding the impacts of wind farms, mitigation strategies, etc. • Requires FAA to issue guidelines in response to Comptroller General’s report, which may include zone systems, turbine height limitations, etc.
<p>Environmental Mitigation Demonstration Pilot Program, Sec. 47143 (new section)</p>	<p>(Sec. 509)</p> <ul style="list-style-type: none"> • Establishes a pilot program of no more than 6 projects at public use airports under which DOT may issue grants under 47117(e)(1)(A) (for noise compatibility, mitigation, or compliance with CAA) for environmental mitigation demonstration projects that will measurably reduce or mitigate aviation impacts on noise, air quality or water quality in the vicinity of the airport • Defines “environmental mitigation demonstration project” as a project that introduces new conceptual environmental mitigation 	<p>(Sec. 213)</p> <ul style="list-style-type: none"> • Establishes a pilot program of no more than 6 projects at public use airports under which DOT may issue grants under 47117(e)(1)(A) (for noise compatibility, mitigation, or compliance with CAA) for environmental mitigation demonstration projects that will measurably reduce or mitigate aviation impacts on noise, air quality or water quality in the vicinity of the airport • Defines “environmental mitigation demonstration project” as a project that introduces new conceptual environmental mitigation

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	<p>techniques which have already been approved in labs or new methods for efficient adaptation of new concepts to airport operations, which will demonstrate whether new technology for environmental mitigation are practical to implement at or near airports and are capable of reducing noise, airport emissions, greenhouse gas emissions, or water quality impacts in significant amounts</p> <ul style="list-style-type: none"> • Makes such mitigation demonstration projects eligible for PFC programs • Requires DOT to give priority to applicants whose projects will achieve the greatest reductions in impacts either on an absolute basis or per-dollar-of-funds expended basis • Requires that the federal government’s share of costs be 50% • Sets a \$2.5 mil. grant funding cap • Provides that FAA may develop and publish information on the results of projects, including identifying best practices for reducing or mitigating aviation impacts on noise and air and water quality 	<p>techniques which have already been approved in labs or new methods for efficient adaptation of new concepts to airport operations, which will demonstrate whether new technology for environmental mitigation are practical to implement at or near airports and are capable of reducing noise, emissions, or water quality impacts in significant amounts</p> <ul style="list-style-type: none"> • Requires DOT to give priority to applicants whose projects will achieve the greatest reductions in impacts either on an absolute basis or per-dollar-of-funds expended basis • Requires that the federal government’s share of costs be 50% • Provides that the maximum amount of grant funding available is \$2.5 mil. • Provides that FAA may develop and publish information identifying best practices for reducing or mitigating aviation impacts on noise and air and water quality
<p>Aircraft Departure Pilot Program</p>	<p>(Sec. 510)</p> <ul style="list-style-type: none"> • Establishes a pilot program at no more than 5 public use airports to test air traffic flow management tools, methodologies, and procedures that will allow air traffic controllers to reduce the length of ground holds and idling time for aircraft • Requires DOT to give priority to applicant airports at which improvements in ground control are likely to achieve the greatest fuel savings or air quality or other 	

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	<p>environmental benefits, as measured by the amount of reduced fuel, emissions, or other benefits per-dollar-of-funds expended</p> <ul style="list-style-type: none"> • Sets a \$5 mil. expenditure cap at any one airport in the program • Requires DOT to submit a report to Congress within 3 years of enactment, which shall include a plan for implementing methodologies developed under the program 	
<p>Redevelopment of Airport Properties</p>		<p>(Sec. 712)</p> <ul style="list-style-type: none"> • Requires FAA to establish a pilot program at no more than 4 public use airports for local airport operators with approved noise compatibility programs, through which operators may use airport development grant funds to support joint planning, engineering design, and environmental permitting for the redevelopment of property purchased with noise mitigation funds or PFC revenues to encourage airport-compatible land uses • Adds a measure for noise compatibility planning joint comprehensive land use planning • Restricts circumstances in which the FAA may issue a grant under this section • Requires that the federal government’s share of costs be 80% • Sunsets the pilot program on Sept. 30, 2011
<p>Sustainable Air Traffic Control Facilities</p>	<p>(Sec. 511)</p> <ul style="list-style-type: none"> • Requires FAA to implement sustainable practices for the incorporation of energy efficient design, equipment, systems, and other measures in the construction of air traffic control facilities in order to reduce energy consumption and improve 	<p>(Sec. 221)</p> <ul style="list-style-type: none"> • Requires FAA to establish an airport sustainability working group to assist with issues pertaining to airport sustainability practices • Provides that membership in the group is an unpaid position, members serve at their own expense

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	<p>environmental performance</p> <ul style="list-style-type: none"> • Authorizes amounts from Sec. 48101 (Trust Fund account for air navigation facilities) to carry out the program 	
Standards for Engine Noise and Emissions	<p>(Sec. 512)</p> <ul style="list-style-type: none"> • Requires FAA to arrange for the National Academy of Public Administration, or another qualified independent entity, to review, in consultation with the FAA and EPA, whether to locate the regulatory responsibility for the establishment of engine noise and emissions standards for civil aircraft within one of the agencies • Requires FAA to submit a report to Congress within 6 months of enactment 	
Measures to Improve Efficiency of Airport Buildings		<p>(Sec. 222)</p> <ul style="list-style-type: none"> • Adds as a policy that the AIP be administered to allow measures to improve efficiency of airport buildings, such as for high-performance green building
Glycol Recovery Vehicles, Airport Development, Sec. 47102		<p>(Sec. 215)</p> <ul style="list-style-type: none"> • Adds the acquisition of glycol recovery vehicles as an airport development activity
Research of Aircraft Improvement / Environmental		<p>(Sec. 216)</p> <ul style="list-style-type: none"> • Requires research for programs designed to reduce gases or particles emitted
Excise Tax on Kerosene Used in Aviation	<p>(Sec. 1002)</p> <ul style="list-style-type: none"> • Extends specified rates for aviation fuels to Sept. 30, 2012 • Extends appropriations to the Trust Fund to Oct. 1, 2012 • Adds a new tax on aviation-grade kerosene, at the rate of 35.9 cents per gallon • Increases tax on aviation gasoline from 19.3 to 24.1 cents per gallon 	<p>(Sec. 801)</p> <ul style="list-style-type: none"> • Extends specified rates for aviation fuels to Sept. 30, 2013 <p>(Sec. 802)</p> <ul style="list-style-type: none"> • Extends appropriations to the Trust Fund to Oct. 1, 2013 <p>(Sec. 803)</p> <ul style="list-style-type: none"> • Adds a new tax on aviation-grade kerosene, at the rate of 35.9 cents

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		per gallon
Aviation Fuel Prices		(Sec. 727) <ul style="list-style-type: none"> Requires the Comptroller General to conduct a study and report to Congress on the impact of increases in fuel prices on the Trust Fund and aviation industry in general
Air Cabin Quality Technology	(Sec. 513) <ul style="list-style-type: none"> Requires FAA to initiate research and development work on effective air cleaning and sensor technology for the engine and auxiliary power unit (APU) for bleed air supplied to the cabin and deck Authorizes appropriations, but does not specify a fund or account 	(Sec. 613) <ul style="list-style-type: none"> Requires FAA to implement a research program for the development of air cleaning technology for the engine and auxiliary power unit (APU) bleed air supplied to the cabin and deck Authorizes appropriations, but does not specify a fund or account
European Union's Emission Trading Proposal	(Sec. 514) <ul style="list-style-type: none"> Indicates that it is the sense of Congress that the EU's directive extending the EU's emissions trading proposal to international civil aviation without working through the International Civil Aviation Organization (ICAO) is inconsistent with the Convention on International Civil Aviation and is antithetical to building international cooperation to address greenhouse gas emissions by aircraft Proposes that the EU work instead with other contracting states of the ICAO to develop a consensual approach 	
Interagency Research Initiative on the Impact of Aviation on the Climate	(Sec. 903) <ul style="list-style-type: none"> Requires the FAA, NASA, and the U.S. Climate Change Science Program to carry out a research initiative to assess the impact of aviation on the climate 	
Review of FAA's Energy and Environment-related	(Sec. 911) <ul style="list-style-type: none"> Requires the FAA and the National Research Council to review the FAA's Energy and Environment-related Research 	

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Research Programs	Programs	
Grant Eligibility for Flight Assessment, Sec. 47504	<p>(Sec. 504)</p> <ul style="list-style-type: none"> • Adds a provision allowing DOT to make a grant to an airport operator for completing environmental review activities for proposals to implement flight procedures at airports that have been approved as part of a noise compatibility program • Allows the FAA to accept funds from airport operator provided to the operator through this grant program, in order to hire additional staff or consultants to facilitate in environmental activities associated with flight procedures • Provides that these grant funds shall be credited as offsetting collections to the account that finances the activities 	<p>(Sec. 211)</p> <ul style="list-style-type: none"> • Adds a provision allowing DOT to make a grant to an airport operator for completing environmental review activities for proposals to implement flight procedures at airports that have been approved as part of a noise compatibility program • Allows the FAA to accept funds from airport operator provided to the operator through this grant program, in order to hire additional staff or consultants to facilitate in environmental activities associated with flight procedures. Provides that such funds received by FAA are not subject to applicable gift receipts procedures.
Fair Market Value of Residential Properties, Sec. 47504	<p>(Sec. 505)</p> <ul style="list-style-type: none"> • Requires DOT to ensure that appraisals for acquiring property for purposes of noise abatement do not account for any increase or decrease in property value that might be caused by the noise abatement project itself 	
Soundproofing of Residences, Sec. 47504, 44705	<p>(Sec. 506)</p> <ul style="list-style-type: none"> • Allows DOT to issue grants to airport operators and units of local government to soundproof residential buildings within the noise impact area that are adversely affected by airport noise, but only if: <ul style="list-style-type: none"> ○ Residential properties are within an airport noise contour prepared by the operator using DOT guidance and methodology ○ Residential properties cannot be removed from the noise contour for at least a 5-year 	<ul style="list-style-type: none"> •

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	<p>period by changes in airport configuration or flight procedures</p> <ul style="list-style-type: none"> ○ The land use jurisdiction will take appropriate action (e.g., zoning) to restrict use of land to uses compatible with normal airport operations ○ DOT determines that project is compatible with noise compatibility program <ul style="list-style-type: none"> ● Requires DOT to establish criteria to determine which residences in the 65 DNL area suffer the greatest noise impact ● Gives priority for grants to properties likely to suffer greatest noise impacts 	
<p>Aircraft Not complying with Stage 3 Noise Levels, Sec. 47534 (new section)</p>	<p>(Sec. 508)</p> <ul style="list-style-type: none"> ● Prohibits the operation of a civil subsonic jet airplane weighing less than 75,000 lbs for which an airworthiness certificate has been issued, to or from a U.S. airport, unless it complies with stage 3 noise levels ● This prohibition does not apply until after Dec. 31, 2013 ● Provides that the prohibition does not apply to aircraft operating outside of the 48 contiguous states ● Allows DOT to grant exceptions in several circumstances, such as to deliver the aircraft for sale outside of the 48 contiguous states 	<p>(Sec. 710)</p> <ul style="list-style-type: none"> ● Prohibits the operation of a civil subsonic jet airplane weighing less than 75,000 lbs for which an airworthiness certificate has been issued, to or from a U.S. airport, unless it complies with stage 3 noise levels ● Provides that the prohibition does not apply to aircraft operating outside of the 48 contiguous states ● Waives the prohibition where airport operators choose to opt out and allow such aircraft ● Allows DOT to grant exceptions in several circumstances, such as to deliver the aircraft for sale outside of the 48 contiguous states ● Prohibition to take effect 5 years after enactment of Act
<p>Noise Complaint Hotlines at Large Hub Airports</p>	<p>(Sec. 518)</p> <ul style="list-style-type: none"> ● Requires operators of large hub airports to publish on the internet a telephone number to receive aviation noise complaints related to the airport within 3 months of enactment ● Requires operators to submit reports 	

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	to the FAA	
Conveyance of Land in St. George, Utah	<p>(Sec. 831)</p> <ul style="list-style-type: none"> • Authorizes FAA to grant releases from terms, conditions, reservations, and restrictions contained in the deed conveying property in St. George, Utah for airport purposes • Allows the City to receive FMV for any conveyance • Restricts the City’s use of proceeds from the sale to development or improvement of a replacement public airport 	<p>(Sec. 219)</p> <ul style="list-style-type: none"> • Authorizes FAA to grant releases from terms, conditions, reservations, and restrictions contained in the deed conveying property in St. George, Utah for airport purposes • Allows the City to receive FMV for any conveyance • Restricts the City’s use of proceeds from the sale to development or improvement of a replacement public airport
Westchester County Airport	<p>(Sec. 517)</p> <ul style="list-style-type: none"> • Requires FAA to conduct rulemaking to determine whether Westchester County Airport should be authorized to limit aircraft operations between the hours of 12 a.m. and 6:30 a.m. • Notice of proposed rule is due within 180 days of enactment • Issuance of the final rule is due not later than 16 months after the close of the comment period 	
Southern Nevada Land Transfer		<p>(Sec. 728)</p> <ul style="list-style-type: none"> • Requires the Interior to convey land to Clark County as soon as practicable after FAA approves an airport layout plan and issues a ROD after an EIS • Requires that the land be used for flood mitigation infrastructure • Exempts the land from mining and geothermal leasing laws
Authorization of Use of Lands in Las Vegas (McCarren Int’l Airport)		<p>(Sec. 434)</p> <ul style="list-style-type: none"> • Authorizes Clark County to permit transient lodging (hotels, sports arenas, etc...) on lands in the LV McCarren Int’l Airport Environs Overlay Dist that fall below certain DNL, excludes structures that

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		would be hazards to air navigation
Grants for Airports in the Marshall Islands, Sec. 47115(j)	(Sec. 142) <ul style="list-style-type: none"> • Extends the eligibility of a sponsor at an airport in the Marshall Islands, Federated States of Micronesia, and Republic of Palau to 2012 	(Sec. 704) <ul style="list-style-type: none"> • Extends the eligibility of a sponsor at an airport in the Marshall Islands, Federated States of Micronesia, and Republic of Palau to 2011
Metropolitan Washington Airports Authority, Sec. 49108	(Sec. 149) <ul style="list-style-type: none"> • Repeals the limitation on DOT from approving an application of the Metropolitan Washington Airports Authority for an airport development project grant or to impose a PFC 	(Sec. 718) <ul style="list-style-type: none"> • Repeals the limitation on DOT from approving an application of the Metropolitan Washington Airports Authority for an airport development project grant or to impose a PFC
Midway Island Airport	(Sec. 150) <ul style="list-style-type: none"> • Extends DOT’s authority to provide funding to the Interior for funding airport development at Midway Island Airport to 2012 	(Sec. 704) <ul style="list-style-type: none"> • Extends DOT’s authority to provide funding to the Interior for funding airport development at Midway Island Airport to 2011
Apportionment to Puerto Rico/ U.S. Territories, Sec. 47114(e)	(Sec. 151) <ul style="list-style-type: none"> • Adds a supplemental minimum apportionment to airports in Puerto Rico • Allows for additional apportionment to U.S. Territories if the total apportionment is less than 1.5% of total apportioned under 47114(c) and (d) 	(Sec. 217) <ul style="list-style-type: none"> • Adds a supplemental minimum apportionment to airports in “any United States territory” • Allows for additional apportionment to U.S. Territories if the total apportionment is less than 1.5% of total apportioned under 47114(c) and (d).
Palm Beach Int’l Airport	(Sec. 832) <ul style="list-style-type: none"> • Requires the FAA to ensure replacement of any air traffic control towers or facilities placed into operation at Palm Beach Int’l Airport prior to Sept. 30, 2009, including an operating terminal radar approach control 	
Santa Monica Airport	(Sec. 833) <ul style="list-style-type: none"> • Encourages the FAA to enter into good faith discussions with the City of Santa Monica to achieve 	

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	runway safety area solutions consistent with FAA design guidelines	
Reagan Nat'l Airport, Sec. 41718	<p>(Sec. 403)</p> <ul style="list-style-type: none"> • Increases the number of beyond perimeter exemptions that DOT shall grant from 24 to 34 • Increases the number of operations at Reagan between any 1-hour period between 7 a.m. to 9:59 p.m. that DOT may grant from 3 to 5 operations • Requires DOT to reduce the hourly air carrier slot quota for certain times at Reagan by a total of 10 slots that are available for allocation • Rearranges scheduling priorities for new entrant carriers and limited incumbent carriers 	
Teterboro Airport		<p>(Sec. 711)</p> <ul style="list-style-type: none"> • Prohibits the FAA from challenging or influencing weight restrictions on prior permission rules at Teterboro Airport, except in an emergency
Merrill Field Airport, Anchorage, Alaska	<p>(Sec. 814)</p> <ul style="list-style-type: none"> • The U.S. (BLM) releases all restrictions, conditions, and limitations on the use, encumbrance, or conveyance of lands located in Anchorage, Alaska • Releases Anchorage from outstanding grant obligations owed to FAA for land that is subsequently conveyed or used by the State transportation department for a federally subsidized highway project 	<p>(Sec. 218)</p> <ul style="list-style-type: none"> • The U.S. (BLM) releases all restrictions, conditions, and limitations on the use, encumbrance, or conveyance of lands located in Anchorage, Alaska • Releases Anchorage from outstanding grant obligations owed to FAA for land that is subsequently conveyed or used by the State transportation department for a federally subsidized highway project
LaGuardia, Newark Liberty, and JFK Airports	<p>(Sec. 515)</p> <ul style="list-style-type: none"> • Encourages the Port Authority of New York and New Jersey to undertake a Part 150 study and pay particular attention to the 	<p>(Sec. 726)</p> <ul style="list-style-type: none"> • Requires FAA to work with the New York and New Jersey and the Philadelphia Int'l Airport to monitor the air noise impacts of the

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	impacts on neighborhoods, including homes, businesses, and places of worship surrounding La Guardia, Newark, and JFK Airports	airspace redesign and to submit the report to Congress
Newark Liberty Airport		(Sec. 723) <ul style="list-style-type: none"> Requires FAA to report on its plan to staff the Newark Liberty Airport air traffic control tower at negotiated staffing levels within 1 year of enactment
Massachusetts Port Authority	(Sec. 516) <ul style="list-style-type: none"> Requires the Comptroller General to conduct a study to determine whether the FAA and the Massachusetts Port Authority are complying with the ROD issued on Aug. 2, 2002 	
Lost Nation Airport, Ohio	(Sec. 810) <ul style="list-style-type: none"> Allows DOT to approve the sale of Lost Nation Airport from the city of Willoughby to Lake County if certain conditions are met, including the assumption of grant obligations Allows DOT to issue grants to assist in the sale 	
Pollock Municipal Airport, Louisiana	(Sec. 811) <ul style="list-style-type: none"> Requires the FAA to approve the city's request for closure of the airport and release the town from conditions in the conveyance document Requires the FAA to prevent closure of the airport for non-aeronautical uses Requires continued operation until closure is approved Requires the town to transfer proceeds from the sale to the sponsor of a public airport designated by FAA 	
Washington, DC Zone	(Sec. 813) <ul style="list-style-type: none"> Requires the FAA, Homeland Security, and DOD to submit a plan for a Washington, DC Air 	

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	<p>Defense Identification Zone that will decrease operational impacts and improve aviation access to airports in the National Capital Region</p>	
Long Island and Staten Island, New York	<p>(Sec. 818)</p> <ul style="list-style-type: none"> Requires the FAA to conduct a study on helicopter operations over Long Island and Staten Island, NY 	
College Point Marine Transfer Station, New York	<p>(Sec. 829)</p> <ul style="list-style-type: none"> Finds that the College Point Marine Transfer Station would constitute as a hazard to air navigation 	
<p>Essential Air Service program, Sec. 41737, 41742, 41747, 41749, 41750</p> <p>&</p> <p>Small Community Air Service Development Program, Sec. 41743</p> <p>&</p> <p>Per passenger subsidy cap</p>	<p>(Sec. 405)</p> <ul style="list-style-type: none"> Increases amount of funds authorized to carry out EAS program from the Trust Fund from \$77 to \$ 150 mil. Reauthorizes appropriations to and agreements for the Small Community Air Service Development Program through 2012 Requires amounts credited in excess of \$50 mil. to be shared equally in order to carry out the obligations to the Small Community Air Service Development Program (Sec. 41743) and the EAS program or actions to improve rural air safety (Sec. 41742(b)) <p>(Sec. 404)</p> <ul style="list-style-type: none"> Adds goals that DOT should consider when determining the amount of compensation and issuing guidelines in EAS contracts: <ul style="list-style-type: none"> Encourage carriers to improve air services to small and rural communities through financial incentives in EAS contracts based on 	<p>(Sec. 415)</p> <ul style="list-style-type: none"> Increases the amount of funds authorized to carry out the EAS program from the Airport and Airways Trust Fund from \$77 mil. to \$150 mil. Requires amounts credited in excess of the \$50 mil. to be used for “community and regional choice programs” (Sec. 41745) and to remain available until expended. <p>(Sec. 412)</p> <ul style="list-style-type: none"> Extends the effectiveness of DOT’s orders regarding the eligibility of places for EAS subsidies to Sept. 30, 2013. <p>(Sec. 413)</p> <ul style="list-style-type: none"> Adds goals that DOT should consider when determining the amount of compensation and issuing guidelines in EAS contracts: <ul style="list-style-type: none"> Encourage carriers to improve air services to small and rural communities through financial incentives in EAS contracts based on specific performance goals. Promote long-term contracts to encourage carriers to serve

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	<p>specific performance goals, such as improving on-time performance, etc.</p> <ul style="list-style-type: none"> ○ Promote long-term contracts to encourage carriers to serve small and rural communities ● Requires DOT to revise guidelines to incorporate the above goals within 90 days of enactment ● Requires DOT to issue a report analyzing impacts of the guidelines on performance and satisfaction within 2 years <p>(Sec. 406)</p> <ul style="list-style-type: none"> ● Adds as a priority for the Small Community Air Service Development Program multiple communities that cooperate to submit a region or multistate application to improve air service <p>(Sec. 413)</p> <ul style="list-style-type: none"> ● Increases the \$200 per passenger subsidy cap to account for the cost of fuel in the year preceding date of enactment ● Places designated as ineligible prior to enactment are not eligible under the increased subsidy cap ● Requires DOT to publish in the FR, within 60 days of enactment, notice of the cap increase as an interim final rule to allow for public comment <p>(Sec. 414)</p> <ul style="list-style-type: none"> ● Requires DOT to give at least 45 days notice prior to issuing a final decision to end compensation due to costs exceeding the subsidy cap ● Provides the community with an opportunity to submit a proposal explaining that it can provide service with an amount of compensation that would not 	<p>small and rural communities.</p> <p>(Sec. 414)</p> <ul style="list-style-type: none"> ● Establishes a funding program to assist airports that DOT has determined no longer qualify for a subsidy. Funds may not exceed twice the amount of compensation received by the airport in the fiscal year prior to the ineligibility determination, and may be used for development, to defray expenses, or to develop innovative air service options (e.g., air taxi services). <p>(Sec. 416)</p> <ul style="list-style-type: none"> ● Reauthorizes appropriations to the Small Community Air Service Development Program through 2011. ● Adds as a priority for the Small Community Air Service Development Program multiple communities that cooperate to submit a region or multistate application to improve air service. <p>(Sec. 417)</p> <ul style="list-style-type: none"> ● Requires EAS applications to include a marketing plan. <p>(Sec. 418)</p> <ul style="list-style-type: none"> ● Extend DOT’s authority to enter into EAS contracts to 2011. ● Allows the state or local government to apply for compensation to an otherwise eligible place that exceeds the per passenger subsidy cap. DOT must approve the application if the state or locality agrees to pay the difference between the passenger subsidy and a certain amount (unspecified in the legislation) ● DOT will continue to pay subsidy for carriers in eligible places which
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	<p>exceed the cap</p> <p>(Sec. 415)</p> <ul style="list-style-type: none"> • Adds a provision allowing a state or locality to submit a proposal to DOT requesting that DOT restore the eligibility of place where eligibility was terminated. DOT must restore eligibility if the per passenger subsidy does not exceed the cap <p>(Sec. 417)</p> <ul style="list-style-type: none"> • Authorizes DOT to make emergency adjustments to compensation amounts for fuel costs without regard to contracts or notice requirements, pending availability of funds <p>(Sec. 412)</p> <ul style="list-style-type: none"> • Repeals EAS Local Participation Program 	<p>exceed the cap, so long as DOT deems it necessary to maintain air transport to that place, and the state or locality continues to pay the difference in cost</p> <ul style="list-style-type: none"> • Requires DOT to periodically review service exceeding the cap and to make adjustments based on consultation with the state and locality • Requires an air carrier to provide notice of intent to DOT, the affected community, and the state or local government prior to ending, suspending, or reducing air transportation to an eligible place. Notice must be provided at least 30 days in advance • Allows a state or local government to submit a proposal to DOT to receive compensation for a “preferred air carrier,” which is a carrier that is not the lowest bid, but is preferred by the affected community over the lowest cost bid to provide service to an eligible place • DOT must approve a proposal for a preferred air carrier if the state or local government is willing to pay the difference between the rate of compensation that DOT would provide to the lowest bid and the estimated rate of the preferred air carrier • DOT will continue to pay subsidy for preferred air carriers in eligible places which exceed the cap, so long as DOT deems it necessary to maintain air transport to that place, and the state or locality continues to pay the difference in cost • Requires a preferred air carrier to provide notice of intent to DOT, the affected community, and the state or local government prior to ending,
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		<p>suspending, or reducing air transportation to an eligible place. Notice must be provided at least 30 days in advance</p> <ul style="list-style-type: none"> • Allows a state or locality to submit a proposal to DOT requesting that DOT restore the eligibility of place where eligibility was terminated. DOT must restore eligibility if the per passenger subsidy does not exceed the cap • Requires DOT to disregard any compensation adjustments for fuel costs when determining whether compensation exceeds the allowable per passenger subsidy <p>(Sec. 419)</p> <ul style="list-style-type: none"> • Repeals EAS Local Participation Program
Office of Rural Aviation	<p>(Sec. 416)</p> <ul style="list-style-type: none"> • Establishes the Office of Rural Aviation, which shall monitor the status of air service to small communities, develop proposals to improve service to small communities, and carry out other functions deemed appropriate by DOT 	<p>(Sec. 418)</p> <ul style="list-style-type: none"> • Establishes the Office of Rural Aviation, which shall develop a uniform 4-year contract for EAS air carriers, develop a mechanism for comparing applications for basic essential air service compensation, and select an air carrier to provide the EAS
Emergency Contingency Plans, Sec. 42301	<p>(Sec. 407)</p> <ul style="list-style-type: none"> • Requires air carriers at a large or medium hub airport to submit an emergency contingency plan 	
Unmanned Aircraft Systems	<p>(Sec. 321)</p> <ul style="list-style-type: none"> • Requires DOT to develop a comprehensive plan to safely integrate commercial unmanned aircraft systems into the national airspace within 9 months of enactment of this Act <p>(Sec. 322)</p> <ul style="list-style-type: none"> • Requires DOT to determine within 6 months of enactment whether unmanned systems may operate safely in the national airspace 	<p>(Sec. 320)</p> <ul style="list-style-type: none"> • Requires FAA to develop a comprehensive plan to safely integrate commercial unmanned aircraft systems into the national airspace within 1 year of enactment of this Act, which should include a pilot program with 4 test sites by 2012, establishes funding, etc.

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	<p>before completion of the plan and rulemaking</p> <p>(Sec. 323)</p> <ul style="list-style-type: none"> • Requires DOT to issue guidance on the operation of unmanned aircraft systems within 9 months of enactment 	
<p>Air Carrier Reports, Sec. 41708</p>	<p>(Sec. 402)</p> <ul style="list-style-type: none"> • Requires air carriers to file monthly reports on each flight that is diverted from its scheduled destination to another airport and each flight that is cancelled after departing the gate but prior to take off 	
<p>Airport Master Plans, Sec. 47101</p>	<p>(Sec. 153)</p> <ul style="list-style-type: none"> • Adds additional goals for airport master plans, including encouraging airport sponsors and officials to consider customer convenience, airport ground access, and access to airport facilities in plans 	