

## S 633

### Aviation Delay Prevention Act

**Congress:** 107 (2001–2003, Ended)

**Chamber:** Senate

**Policy Area:** Transportation and Public Works

**Introduced:** Mar 27, 2001

**Current Status:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 421.

**Latest Action:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 421. (Jun 13, 2002)

**Official Text:** <https://www.congress.gov/bill/107th-congress/senate-bill/633>

### Sponsor

**Name:** Sen. Hutchison, Kay Bailey [R-TX]

**Party:** Republican • **State:** TX • **Chamber:** Senate

### Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Rockefeller, John D., IV [D-WV]	D · WV		Mar 27, 2001
Sen. McCain, John [R-AZ]	R · AZ		May 2, 2001

### Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Hearings By (subcommittee)	Mar 29, 2001

### Subjects & Policy Tags

#### Policy Area:

Transportation and Public Works

### Related Bills

No related bills are listed.

Aviation Delay Prevention Act - **Title I: Aviation Delay Prevention** - (Sec. 102) Directs the Secretary of Transportation to review and report to specified congressional committees on air carrier overscheduling and air carrier scheduling practices, including flight cancellations for economic reasons at large hub airports.

(Sec. 103) Amends Federal aviation law to allow the Secretary to request that air carriers meet with the Administrator of the Federal Aviation Administration (FAA) to discuss flight reductions at severely congested airports to reduce overscheduling and flight delays during peak hours of operation if the Secretary determines that such a meeting is necessary to meet a serious transportation need or achieve an important public benefit. Authorizes the Secretary to establish a program to authorize by order discussions and agreements between two or more air carriers for the purpose of reducing flight delays during periods of inclement weather. Requires the Secretary to exempt such agreements from U.S. antitrust laws if it is found to be in the public interest.

(Sec. 105) Amends Federal aviation law to revise the definition of "eligible airport-related project" which is financed through the imposition by the Secretary of a passenger facility fee to include, in the case of a project required to enable air service by a competing air carrier at a large hub airport, the construction of facilities in revenue-producing areas in the remainder of the terminal building allocable to the competing air carrier, and aircraft fueling facilities adjacent to the gate, to the extent such facilities are for the basic accommodation of air passengers and not for general commercial retail sales, rental car facilities, or passenger lodging.

(Sec. 106) Directs the Secretary, through rulemaking, to define "on-time departure" as it relates to scheduled airline passenger flights, including setting forth requirements for making accurate and timely information available to airline customers about on-time status of flights.

(Sec. 107) Authorizes the Secretary with respect to the air traffic control contract program to provide grants to an airport sponsor for: (1) the construction or improvement of a nonapproach control tower (effectively eliminating eligibility of Level I air traffic control towers for such grants); and (2) the acquisition and installation of air traffic control equipment to be used in a nonapproach control tower to assist in sustaining or improving the safe and efficient movement of air traffic. Revises eligibility requirements with respect to such grants.

Limits the Federal share of cost of construction of a nonapproach control tower to no more than \$1.1 million.

(Sec. 108) Directs the National Academy of Sciences, with respect to its study of air quality in passenger cabins in aircraft, to work with the Director of the Centers for Disease Control and Prevention in considering the actual measurements of contaminants in such cabins. Directs the Administrator of the FAA to report the study results to specified congressional committees.

(Sec. 109) Declares that nothing in this Act shall be construed to preclude the application of any provision of this Act to the State of Illinois or any other sponsor of a new airport proposed to be constructed there.

(Sec. 110) Directs the Secretary to report to specified congressional committees on the categorical exclusions currently recognized and provide a list of proposed additional categorical exclusions from certain environmental assessment and environmental impact statement requirements for airport projects.

(Sec. 111) Requires the Secretary, not later than 30 days after which the Secretary identifies an airport capacity enhancement project at a congested airport, to publish a notice in the Federal Register requesting comments on whether reasonable alternatives exist to the project, and not later than a specified thereafter, determine whether reasonable

alternatives exist to such project.

**Title II: National Capacity Projects** - (Sec. 202) Directs the Secretary to: (1) identify congested Airport Capacity Benchmark airports with delays that significantly affect the national air transportation system; and (2) require such airports that are not engaged in a runway expansion process and have not initiated a capacity enhancement study (or similar capacity assessment) since 1996 to establish a delay reduction task force to study means of increasing capacity at the airport, or conduct a capacity enhancement study. Requires the Secretary and the airport to complete a planning and environmental review process within five years after the Secretary receives a report or study recommending the construction or reconfiguration of runways at the airport. Provides that an airport at which the construction or reconfiguration of runways is recommended that does not take action to undertake an expansion project shall not be eligible for airport development funds, nor shall any passenger facility fee be approved for such airport to finance certain airport projects.

Authorizes the Secretary, in response to a petition from an airport sponsor or an identified severely congested airport, to designate an airport development project as a national capacity project if it is determined that such designation will significantly enhance the capacity of the national air transportation system.

Directs the Secretary to implement an expedited coordinated environmental review process for national capacity projects that provide for: (1) coordination among Federal, regional, State, and local agencies concerned with the preparation of environmental impact statements or environmental assessments under the National Environmental Policy Act of 1969; (2) an expedited and coordinated process in the conduct of environmental and judicial reviews that ensures that they are done concurrently and not consecutively; and (3) a date certain for completing all environmental reviews.

Authorizes the Secretary to make grants to States and units of local government for land use compatibility plans related to national capacity projects for purposes of making the use of land areas around the airport compatible with aircraft operations if the land use plan or project meets certain requirements.

Authorizes the Secretary to consider prescribing flight procedures to avoid or minimize potentially significant adverse noise impacts of the project during the environmental planning process for a national capacity project that involves the construction of new runways or the reconfiguration of existing runways.

Directs the Secretary to initiate a five-year pilot program funded by airport sponsors for environmental review of national capacity projects.

(Sec. 203) Increases the percentage of discretionary funds for grants for airport noise compatibility planning and programs, including providing a percentage of such funds for grants for airport noise compatibility planning for a national capacity project and for noise mitigation projects approved in an environmental record of decision for an airport development project designated as a national capacity project.

(Sec. 204) Directs the Secretary to provide: (1) a list of planned air traffic and airport-capacity projects at congested Airport Capacity Benchmark airports the completion of which will substantially relieve congestion at such airports; and (2) a list of options for expanding capacity at the eight airports on the list at which the most severe delays are occurring to specified congressional committees.

(Sec. 205) Requires the Secretary to provide quarterly reports to specified congressional committees on the status of construction of each major runway project undertaken at the 40 largest commercial airports in terms of annual enplanements.

## Actions Timeline

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- **Jun 13, 2002:** Committee on Commerce, Science, and Transportation. Reported by Senator Hollings with an amendment in the nature of a substitute. With written report No. 107-162.
- **Jun 13, 2002:** Committee on Commerce, Science, and Transportation. Reported by Senator Hollings with an amendment in the nature of a substitute. With written report No. 107-162.
- **Jun 13, 2002:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 421.
- **Aug 2, 2001:** Committee on Commerce, Science, and Transportation. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Mar 29, 2001:** Committee on Commerce, Science, and Transportation Subcommittee on Aviation. Hearings held. With printed Hearing: S.Hrg. 107-1080.
- **Mar 27, 2001:** Introduced in Senate
- **Mar 27, 2001:** Sponsor introductory remarks on measure. (CR S3000)
- **Mar 27, 2001:** Read twice and referred to the Committee on Commerce, Science, and Transportation.