

Calendar No. 222

104TH CONGRESS
1ST Session

S. 288

[Report No. 104-166]

A BILL

To abolish the Board of Review of the Metropolitan
Washington Airports Authority, and for other
purposes.

NOVEMBER 2, 1995

Reported with an amendment

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1ST SESSION**S. 288****[Report No. 104-166]**

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IN THE SENATE OF THE UNITED STATES

JANUARY 26 (legislative day, JANUARY 10), 1995

Mr. MCCAIN (for himself, Mr. WARNER, and Mr. ROBB) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

NOVEMBER 2, 1995

Reported by Mr. PRESSLER, with an amendment

[Strike all after the enacting clause and insert the part printed in italic]

A BILL

To abolish the Board of Review of the Metropolitan Washington Airports Authority, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. ABOLITION OF BOARD OF REVIEW AND RELAT-**
 2 **ED AUTHORITY.**

3 (a) **ABOLITION OF BOARD OF REVIEW.**—Section
 4 6007 of the Metropolitan Washington Airports Act of
 5 1986 (100 Stat. 1783–379) is amended—

6 (1) by striking subsections (f) and (h);

7 (2) by redesignating subsection (g) as sub-
 8 section (f); and

9 (3) by redesignating subsection (i) as subsection
 10 (g).

11 (b) **CONFORMING AMENDMENTS.**—

12 (1) **RELATIONSHIP TO AND EFFECT OF OTHER**
 13 **LAWS.**—Section 6009(b) of the Metropolitan Wash-
 14 ington Airports Act of 1986 (100 Stat. 1783–384)
 15 is amended by striking “or by reason of the author-
 16 ity” and all that follows through the end of the sub-
 17 section and inserting a period.

18 (2) **SEPARABILITY.**—Section 6011 of the Met-
 19 ropolitan Washington Airports Act of 1986 (100
 20 Stat. 1783–385) is amended by striking “Except as
 21 provided in section 6007(h), if” and inserting “If”.

22 **SEC. 2. ELIMINATION OF RESERVED PARKING AREAS.**

23 (a) **IN GENERAL.**—Effective 30 days after the date
 24 of enactment of this Act, the Airports Authority—

25 (1) shall not provide any reserved parking areas
 26 free of charge to Members of Congress, other Gov-

1 tion relating to the maximum distance over which an air
 2 carrier may operate an aircraft nonstop in air transpor-
 3 tation between Washington National Airport and any
 4 other airport.”.

5 **SEC. 4. CONFORMING AMENDMENTS IN OTHER LAW.**

6 Any reference in any Federal law, Executive order,
 7 rule, regulation, or delegation of authority to the Board
 8 of Review of the Metropolitan Washington Airports Au-
 9 thority or the provisions of law repealed under this Act
 10 is hereby repealed.

11 **SECTION 1. ABOLITION OF BOARD OF REVIEW AND RELAT-**
 12 **ED AUTHORITY.**

13 (a) *ABOLITION OF BOARD OF REVIEW.*—Section 6007
 14 of the Metropolitan Washington Airports Act of 1986 (for-
 15 merly 49 U.S.C. App. 2456) is amended—

16 (1) by striking subsections (f) and (h);

17 (2) by redesignating subsection (g) as subsection
 18 (f); and

19 (3) by redesignating subsection (i) as subsection
 20 (g).

21 (b) *CONFORMING AMENDMENTS.*—

22 (1) *RELATIONSHIP TO AND EFFECT OF OTHER*
 23 *LAWS.*—Section 6009(b) of the Metropolitan Washing-
 24 ton Airports Act of 1986 (formerly 49 U.S.C. App.
 25 2458(b)) is amended by striking “or by reason of the

1 *authority” and all that follows through the end of the*
2 *subsection and inserting a period.*

3 (2) *SEPARABILITY.—Section 6011 of the Metro-*
4 *politan Washington Airports Act of 1986 (formerly 49*
5 *U.S.C. App. 2460) is amended by striking “Except as*
6 *provided in section 6007(h), if” and inserting “If”.*

7 (c) *PROTECTION OF CERTAIN ACTIONS.—Any action*
8 *taken by the Airports Authority and submitted to the Board*
9 *of Review pursuant to section 6007(f)(4) of the Metropolitan*
10 *Washington Airports Act of 1986 before April 1, 1995, shall*
11 *remain in effect and shall not be set aside solely by reason*
12 *of a judicial order invalidating certain functions of the*
13 *Board of Review.*

14 **SEC. 2. SENSE OF THE SENATE.**

15 *It is the sense of the Senate that the Airports Author-*
16 *ity—*

17 (1) *should not provide any reserved parking*
18 *areas free of charge to Members of Congress, other*
19 *Government officials, or diplomats at Washington Na-*
20 *tional Airport or Washington Dulles International*
21 *Airport; and*

22 (2) *should establish a parking policy for such*
23 *airports that provides equal access to the public, and*
24 *does not provide preferential parking privileges to*

1 *Members of Congress, other Government officials, or*
2 *diplomats.*

3 **SEC. 3. CONFORMING AMENDMENTS IN OTHER LAW.**

4 *Any reference in any Federal law, Executive order,*
5 *rule, regulation, or delegation of authority to the Board of*
6 *Review or the provisions of law repealed under this Act is*
7 *hereby repealed.*

8 **SEC. 4. DEFINITIONS.**

9 *For purposes of this Act—*

10 *(1) the terms “Airports Authority”, “Washington*
11 *National Airport”, and “Washington Dulles Inter-*
12 *national Airport” have the same meanings as in sec-*
13 *tion 6004 of the Metropolitan Washington Airports*
14 *Act of 1986; and*

15 *(2) the term “Board of Review” means the Board*
16 *of Review of the Airports Authority.*

17 **SEC. 5. INCREASE IN NUMBER OF PRESIDENTIALLY-AP-**
18 **POINTED MEMBERS OF BOARD.**

19 *(a) IN GENERAL.—Section 6007(e) of the Metropolitan*
20 *Washington Airports Act of 1986 (formerly 49 U.S.C. App.*
21 *2456(e)) is amended—*

22 *(1) by striking “11 members,” in paragraph (1)*
23 *and inserting “13 members”;*

24 *(2) by striking “one member” in paragraph*
25 *(1)(D) and inserting “3 members”; and*

1 (3) *by striking “Seven” in paragraph (5) and*
 2 *inserting “Eight”.*

3 (b) *STAGGERING TERMS FOR PRESIDENTIAL AP-*
 4 *POINTEES.—Of the members first appointed by the Presi-*
 5 *dent after the date of enactment of this Act—*

6 (1) *one shall be appointed for a term that expires*
 7 *simultaneously with the term of the member of the*
 8 *Metropolitan Washington Airports Authority board of*
 9 *directors serving on that date (or, if there is a va-*
 10 *cancy in that office, the member appointed to fill the*
 11 *existing vacancy and the member to whom this para-*
 12 *graph applies shall be appointed for 2 years);*

13 (2) *one shall be appointed for a term ending 2*
 14 *years after the term of the member (or members) to*
 15 *whom paragraph (1) applies expires; and*

16 (3) *one shall be appointed for a term ending 4*
 17 *years after the term of the member (or members) to*
 18 *whom paragraph (1) applies expires.*

19 **SEC. 6. RECONSTITUTED BOARD TO FUNCTION WITHOUT**
 20 **INTERRUPTION.**

21 *Notwithstanding any provision of State law, including*
 22 *those provisions establishing, providing for the establish-*
 23 *ment of, or recognizing the Metropolitan Washington Air-*
 24 *ports Authority, and based upon the Federal interest in the*
 25 *continued functioning of the Metropolitan Washington Air-*

1 ports (as defined in section 6004(4) of the Metropolitan
2 Washington Airports Authority Act of 1986 (formerly 49
3 U.S.C. App. 2451(4)), the board of directors of such Author-
4 ity, including any members appointed under the amend-
5 ments made by section 5, shall continue to meet and act
6 after the date of enactment of this Act until such time as
7 any necessary conforming changes in State law are made
8 in the same manner as if those conforming changes had been
9 enacted on the date of enactment of this Act.

10 **SEC. 7. STATUS UNAFFECTED.**

11 *Nothing in this Act, or the amendments made by this*
12 *Act, shall affect the treatment of the Metropolitan Washing-*
13 *ton Airports Authority under Federal, State, or local tax*
14 *law.*

15 **SEC. 8. OPERATIONAL SLOTS AT NATIONAL AIRPORT.**

16 *Nothing in this Act shall affect the number or distribu-*
17 *tion of operational slots at National Airport.*