

**AMENDMENT TO RULES COMMITTEE PRINT 116-**

**54**

**OFFERED BY MR. RUIZ OF CALIFORNIA**

In division E, at the end of title I add the following:

1 **SEC. \_\_\_\_ . RELEASE OF RESTRICTIONS, CONDITIONS, AND**  
2 **LIMITATIONS ON THE USE, ENCUMBRANCE,**  
3 **CONVEYANCE, AND CLOSURE OF THE BAN-**  
4 **NING MUNICIPAL AIRPORT.**

5 (a) **IN GENERAL.**—The United States, acting  
6 through the Administrator of the Federal Aviation Admin-  
7 istration, shall release the City of Banning, California  
8 from all restrictions, conditions, and limitations on the  
9 use, encumbrance, conveyance, and closure of the Banning  
10 Municipal Airport, as described in the most recent airport  
11 layout plan approved by the Federal Aviation Administra-  
12 tion, to the extent such restrictions, conditions, and limita-  
13 tions are enforceable by the Administrator.

14 (b) **LIMITATION.**—The release under subsection (a)  
15 shall not be executed before the City of Banning, Cali-  
16 fornia, or its designee, transfers to the Department of  
17 Transportation of the State of California—

18 (1) the amounts described in subsection (c), to  
19 be used for Federal Aviation Administration-ap-

1 proved capital improvements within the meaning of  
2 airport development (as defined in section 47102(3)  
3 of title 49, United States Code) at other public use,  
4 general aviation airports serving the region; and

5 (2) for no consideration, all airport and avia-  
6 tion-related equipment of the Banning Municipal  
7 Airport owned by the City of Banning and deter-  
8 mined by the Federal Aviation Administration or  
9 Department of Transportation of the State of Cali-  
10 fornia to be salvageable for use at other airports.

11 (c) AMOUNTS DESCRIBED.—The amounts described  
12 in this subsection are the following:

13 (1) An amount equal to the fair market value  
14 for the highest and best use of the Banning Munic-  
15 ipal Airport property determined in good faith by  
16 two independent and qualified real estate appraisers  
17 and an independent review appraiser on or after the  
18 date of the enactment of this Act.

19 (2) An amount equal to the unamortized por-  
20 tion of any Federal development grants other than  
21 land paid to the City of Banning for use at the Ban-  
22 ning Municipal Airport, which may be paid with, and  
23 shall be an allowable use of, airport revenue notwith-  
24 standing section 47107 or 47133 of title 49, United  
25 States Code.

1           (3) An amount equal to the airport revenues,  
2           along with accrued interest, remaining in the airport  
3           account for the Banning Municipal Airport as of the  
4           date of the enactment of this Act and otherwise due  
5           to or received by the City of Banning after such date  
6           of enactment pursuant to sections 47107(b) and  
7           47133 of title 49, United States Code.

8           (d) RULE OF CONSTRUCTION.—Nothing in this sec-  
9           tion shall be construed to limit the applicability of—

10           (1) the requirements and processes under sec-  
11           tion 46319 of title 49, United States Code;

12           (2) the requirements under the National Envi-  
13           ronmental Policy Act of 1969 (42 U.S.C. 4321 et  
14           seq.);

15           (3) the requirements and processes under part  
16           157 of title 14, Code of Federal Regulations; or

17           (4) the public notice requirements under section  
18           47107(h)(2) of title 49, United States Code.

