

118TH CONGRESS
1ST SESSION

S. 1933

To enhance flight options for consumers flying to and from Ronald Reagan
Washington National Airport.

IN THE SENATE OF THE UNITED STATES

JUNE 13, 2023

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

A BILL

To enhance flight options for consumers flying to and from
Ronald Reagan Washington National Airport.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Direct Capital Access
5 Act” or the “DCA Act”.

1 **SEC. 2. ADDITIONAL WITHIN AND BEYOND PERIMETER**
 2 **SLOT EXEMPTIONS AT RONALD REAGAN**
 3 **WASHINGTON NATIONAL AIRPORT.**

4 (a) INCREASE IN NUMBER OF SLOT EXEMPTIONS.—
 5 Section 41718 of title 49, United States Code, is amended
 6 by adding at the end the following new subsection:

7 “(i) ADDITIONAL SLOT EXEMPTIONS.—

8 “(1) INCREASE IN SLOT EXEMPTIONS.—Not
 9 later than 90 days after the date of enactment of
 10 this subsection, the Secretary shall grant, by order,
 11 56 exemptions from—

12 “(A) the application of sections
 13 49104(a)(5), 49109, and 41714 to air carriers
 14 to operate limited frequencies and aircraft on
 15 routes between Ronald Reagan Washington Na-
 16 tional Airport and airports located within or be-
 17 yond the perimeter described in section 49109;
 18 and

19 “(B) the requirements of subparts K, S,
 20 and T of part 93, Code of Federal Regulations.

21 “(2) INCREMENTAL DCA SLOT ALLOCATIONS.—

22 “(A) IN GENERAL.—Of the slot exemptions
 23 made available under paragraph (1), the Sec-
 24 retary shall make 40 available to incumbent air
 25 carriers qualifying for status as a non-limited
 26 incumbent carrier and 16 available to incum-

1 bent carriers qualifying for status as a limited
2 incumbent carrier at Ronald Reagan Wash-
3 ington National Airport as of the date of enact-
4 ment of this subsection.

5 “(B) AIR CARRIER REQUIREMENTS.—An
6 air carrier granted a slot exemption made avail-
7 able under paragraph (1)—

8 “(i) may operate up to a maximum of
9 8 of the newly authorized slot exemptions;

10 “(ii) shall have sole discretion con-
11 cerning the use of an exemption made
12 available under paragraph (1), including
13 the initial or any subsequent within or be-
14 yond perimeter destinations to be served;
15 and

16 “(iii) shall file a notice of intent with
17 the Secretary and subsequent notices of in-
18 tent, when appropriate, to inform the Sec-
19 retary of any change in circumstances con-
20 cerning the use of any exemption made
21 available under paragraph (1).

22 “(3) NOTICES OF INTENT.—Notices of intent
23 under paragraph (2)(B)(iii) shall specify the within
24 or beyond perimeter destinations to be served.

1 “(4) CONDITIONS.—Flight operations carried
2 out by an air carrier using an exemption granted
3 under this subsection shall be subject to the fol-
4 lowing conditions:

5 “(A) An air carrier granted an exemption
6 under this subsection is prohibited from trans-
7 ferring the rights to its slot exemptions pursu-
8 ant to section 41714(j).

9 “(B) The exemptions granted under sub-
10 section (2)—

11 “(i) may not be for operations be-
12 tween the hours of 10:00 p.m. and 7:00
13 a.m.; and

14 “(ii) may not increase the number of
15 operations at Ronald Reagan Washington
16 National Airport in any 1-hour period dur-
17 ing the hours between 7:00 a.m. and 9:59
18 p.m. by more than 8 operations.”.

19 (b) CONFORMING AMENDMENTS.—Section 41718 of
20 title 49, United States Code, is amended—

21 (1) in subsection (c)(2)—

22 (A) in subparagraph (A)—

23 (i) in clause (i), by inserting “or
24 (i)(2)” after “(g)(2)”; and

1 (ii) in clause (ii), by striking “and
2 (g)” and inserting “(g), and (i)”; and
3 (B) in subparagraph (B), by inserting “or
4 (i)(2)” after “(g)(3)”; and
5 (2) in subsection (h)(1), by inserting “or (i)”
6 after “subsection (g)”.

7 (c) PRESERVATION OF EXISTING WITHIN-PERIM-
8 ETER AIR SERVICE.—In recognition of the importance of
9 preserving air service, as it exists on the date of enactment
10 of this section, between Ronald Reagan Washington Na-
11 tional Airport and within-perimeter airports and commu-
12 nities, this section and the amendments made by this sec-
13 tion shall not be construed as authorizing any limited in-
14 cumbent or non-limited incumbent air carrier holding slots
15 or slot exemptions at Ronald Reagan Washington Na-
16 tional Airport as of the date of enactment of this sub-
17 section to use an existing within-perimeter slot to serve
18 an airport beyond the perimeter described in section
19 49109 of title 49, United States Code.

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