

.....
(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R. _____

To amend title 49, United States Code, to allow additional funds to be provided under the airport improvement program for certain noise mitigation projects, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. SMITH of Washington introduced the following bill; which was referred to the Committee on _____

A BILL

To amend title 49, United States Code, to allow additional funds to be provided under the airport improvement program for certain noise mitigation projects, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Sound Insulation
5 Treatment Repair and Replacement Program Act”.

1 **SEC. 2. SOUND INSULATION REPAIR AND REPLACEMENT**
2 **PROJECTS.**

3 (a) GOVERNMENT SHARE.—Section 47109 of title
4 49, United States Code, is amended by adding at the end
5 the following:

6 “(g) SPECIAL RULE FOR SOUND INSULATION RE-
7 PAIR AND REPLACEMENT.—With respect to a project to
8 carry out sound insulation that is granted a waiver under
9 section 47110(j), the allowable project cost for such
10 project shall be calculated without consideration of any
11 costs that were previously paid by the Government.”.

12 (b) SOUND INSULATION TREATMENT REPAIR AND
13 REPLACEMENT PROJECTS.—Section 47110 of title 49,
14 United States Code, is amended by adding at the end the
15 following:

16 “(j) SPECIAL RULE FOR SOUND INSULATION TREAT-
17 MENT REPAIR AND REPLACEMENT PROJECTS.—

18 “(1) IN GENERAL.—The Secretary shall provide
19 a one-time waiver of the requirement of subsection
20 (b)(4) for a qualifying airport as applied to projects
21 to carry out repair and replacement of sound insula-
22 tion for a residential building for which the airport
23 previously received Federal assistance or federally
24 authorized airport assistance under this subchapter
25 if—

1 “(A) the Secretary determines that the ad-
2 ditional assistance is justified due to—

3 “(i) increased aircraft noise, as deter-
4 mined by the Administrator of the Federal
5 Aviation Administration; or

6 “(ii) the residence containing sound
7 insulation treatments or other type of
8 sound proofing material previously in-
9 stalled under this subchapter that is deter-
10 mined to be eligible pursuant to paragraph
11 (2); and

12 “(B) the building or other structure—

13 “(i) falls within the Day Night Level
14 (DNL) 65 standard according to the most
15 recent noise exposure map, as such term is
16 defined in section 150.7 of title 14, Code
17 of Federal Regulations; or

18 “(ii) fell within such standard at the
19 time the initial noise mitigation was car-
20 ried out and an FAA compliant noise audi-
21 tor has determined that—

22 “(I) such sound insulation treat-
23 ment caused physical damage the resi-
24 dence; or

1 “(II) the materials used for
2 sound insulation treatment were of
3 low quality and have deteriorated,
4 broken, or otherwise no longer func-
5 tion as intended.

6 “(2) ELIGIBILITY DETERMINATION.—To be eli-
7 gible for waiver under this subsection for repair or
8 replacement of sound insulation treatment projects,
9 an applicant shall—

10 “(A) ensure that the applicant and the
11 property owner exhaust any amounts available
12 through warranties, insurance coverage, and
13 legal remedies for the sound insulation treat-
14 ment previously installed on the eligible resi-
15 dence; and

16 “(B) demonstrate that an FAA compliant
17 noise auditor conducted an inspection of the
18 residences and determined that—

19 “(i) the sound insulation for which
20 Federal assistance was previously provided
21 has resulted in structural deterioration
22 that was not caused by failure of the prop-
23 erty owner to repair or adequately main-
24 tain the residential building or through the

1 negligence of the applicant or the property
2 owner; and

3 “(ii) the condition of sound insulation
4 treatment described in subparagraph (A) is
5 not attributed to actions taken by an
6 owner or occupant of the residence.

7 “(3) ADDITIONAL AUTHORITY FOR PERIODIC
8 SURVEYS.—Notwithstanding any other of provision
9 of law, the Secretary shall consider a cost allowable
10 under this subchapter for an airport to conduct peri-
11 odic surveys of properties in which repair and re-
12 placement of sound insulation was carried out under
13 as described in paragraph (1) and for which the air-
14 port previously received Federal assistance or feder-
15 ally authorized airport assistance under this sub-
16 chapter. Such surveys shall be carried out to identify
17 any properties described in the preceding sentence
18 that are eligible for funds under this subsection.”.