



AMENDMENT NO. _____

Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—114th Cong., 2d Sess.

H. R. 4721

To amend title 49, United States Code, to extend authorizations for the airport improvement program, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended

to be proposed by *Mr. Thune for himself*

and Mr. Hatch, Mr. Nelson, and Mr. Wyden

Viz:

1 Strike all after the enacting clause and insert the fol-

2 lowing:

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Airport and Airway Extension Act of 2016”.

6 (b) **TABLE OF CONTENTS.**—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—AIRPORT AND AIRWAY PROGRAMS

Sec. 101. Extension of airport improvement program.

Sec. 102. Extension of expiring authorities.

Sec. 103. Federal Aviation Administration operations.

- Sec. 104. Air navigation facilities and equipment.
- Sec. 105. Research, engineering, and development.
- Sec. 106. Compliance with aviation funding requirement.
- Sec. 107. Essential air service.

TITLE II—REVENUE PROVISIONS

- Sec. 201. Expenditure authority from Airport and Airway Trust Fund.
- Sec. 202. Extension of taxes funding Airport and Airway Trust Fund.

1 **TITLE I—AIRPORT AND AIRWAY**
2 **PROGRAMS**

3 **SEC. 101. EXTENSION OF AIRPORT IMPROVEMENT PRO-**
4 **GRAM.**

5 (a) AUTHORIZATION OF APPROPRIATIONS.—

6 (1) IN GENERAL.—Section 48103(a) of title 49,
7 United States Code, is amended by striking
8 “\$1,675,000,000 for the period beginning on Octo-
9 ber 1, 2015, and ending on March 31, 2016” and
10 inserting “\$2,652,083,333 for the period beginning
11 on October 1, 2015, and ending on July 15, 2016.”.

12 (2) OBLIGATION OF AMOUNTS.—Subject to lim-
13 itations specified in advance in appropriation Acts,
14 sums made available pursuant to the amendment
15 made by paragraph (1) may be obligated at any time
16 through September 30, 2016, and shall remain avail-
17 able until expended.

18 (3) PROGRAM IMPLEMENTATION.—For pur-
19 poses of calculating funding apportionments and
20 meeting other requirements under sections 47114,
21 47115, 47116, and 47117 of title 49, United States

1 Code, for the period beginning on October 1, 2015,
2 and ending on July 15, 2016, the Administrator of
3 the Federal Aviation Administration shall—

4 (A) first calculate such funding apportion-
5 ments on an annualized basis as if the total
6 amount available under section 48103 of such
7 title for fiscal year 2016 were \$3,350,000,000;
8 and

9 (B) then reduce by 20.83 percent—

10 (i) all funding apportionments cal-
11 culated under subparagraph (A); and

12 (ii) amounts available pursuant to sec-
13 tions 47117(b) and 47117(f)(2) of such
14 title.

15 (b) PROJECT GRANT AUTHORITY.—Section 47104(c)
16 of title 49, United States Code, is amended, in the matter
17 preceding paragraph (1), by striking “March 31, 2016,”
18 and inserting “July 15, 2016,”.

19 **SEC. 102. EXTENSION OF EXPIRING AUTHORITIES.**

20 (a) Section 47107(r)(3) of title 49, United States
21 Code, is amended by striking “April 1, 2016” and insert-
22 ing “July 16, 2016”.

23 (b) Section 47115(j) of title 49, United States Code,
24 is amended by striking “March 31, 2016” and inserting
25 “July 15, 2016”.

1 (c) Section 47124(b)(3)(E) of title 49, United States
2 Code, is amended by striking “\$5,175,000 for the period
3 beginning on October 1, 2015, and ending on March 31,
4 2016,” and inserting “\$8,193,750 for the period begin-
5 ning on October 1, 2015, and ending on July 15, 2016,”.

6 (d) Section 47141(f) of title 49, United States Code,
7 is amended by striking “March 31, 2016” and inserting
8 “July 15, 2016”.

9 (e) Section 186(d) of the Vision 100—Century of
10 Aviation Reauthorization Act (117 Stat. 2518) is amended
11 by striking “March 31, 2016” and inserting “July 15,
12 2016”.

13 (f) Section 409(d) of the Vision 100—Century of
14 Aviation Reauthorization Act (49 U.S.C. 41731 note) is
15 amended by striking “March 31, 2016” and inserting
16 “July 15, 2016”.

17 (g) Section 411(h) of the FAA Modernization and
18 Reform Act of 2012 (49 U.S.C. 42301 prec. note) is
19 amended by striking “March 31, 2016” and inserting
20 “July 15, 2016”.

21 (h) Section 822(k) of the FAA Modernization and
22 Reform Act of 2012 (49 U.S.C. 47141 note) is amended
23 by striking “March 31, 2016” and inserting “July 15,
24 2016”.

1 **SEC. 103. FEDERAL AVIATION ADMINISTRATION OPER-**
2 **ATIONS.**

3 Section 106(k) of title 49, United States Code, is
4 amended—

5 (1) in paragraph (1), by amending subpara-
6 graph (E) to read as follows:

7 “(E) \$7,711,387,500 for the period begin-
8 ning on October 1, 2015, and ending on July
9 15, 2016.”; and

10 (2) in paragraph (3) by striking “March 31,
11 2016” and inserting “July 15, 2016”.

12 **SEC. 104. AIR NAVIGATION FACILITIES AND EQUIPMENT.**

13 Section 48101(a)(5) of title 49, United States Code,
14 is amended to read as follows:

15 “(5) \$2,058,333,333 for the period beginning
16 on October 1, 2015, and ending on July 15, 2016.”.

17 **SEC. 105. RESEARCH, ENGINEERING, AND DEVELOPMENT.**

18 Section 48102(a)(9) of title 49, United States Code,
19 is amended to read as follows:

20 “(9) \$124,093,750 for the period beginning on
21 October 1, 2015, and ending on July 15, 2016.”.

22 **SEC. 106. COMPLIANCE WITH AVIATION FUNDING REQUIRE-**
23 **MENT.**

24 The budget authority authorized in this Act, includ-
25 ing the amendments made by this Act, shall be deemed
26 to satisfy the requirements of subsections (a)(1)(B) and

1 (a)(2) of section 48114 of title 49, United States Code,
2 for the period beginning on October 1, 2015, and ending
3 on July 15, 2016.

4 **SEC. 107. ESSENTIAL AIR SERVICE.**

5 Section 41742(a)(2) of title 49, United States Code,
6 is amended by striking “\$77,500,000 for the period begin-
7 ning on October 1, 2015, and ending on March 31, 2016,”
8 and inserting “\$122,708,333 for the period beginning on
9 October 1, 2015, and ending on July 15, 2016,”.

10 **TITLE II—REVENUE PROVISIONS**

11 **SEC. 201. EXPENDITURE AUTHORITY FROM AIRPORT AND**
12 **AIRWAY TRUST FUND.**

13 (a) IN GENERAL.—Section 9502(d)(1) of the Inter-
14 nal Revenue Code of 1986 is amended—

15 (1) in the matter preceding subparagraph (A),
16 by striking “April 1, 2016” and inserting “July 16,
17 2016”; and

18 (2) in subparagraph (A), by striking the semi-
19 colon at the end and inserting “or the Airport and
20 Airway Extension Act of 2016;”.

21 (b) CONFORMING AMENDMENT.—Section 9502(e)(2)
22 of such Code is amended by striking “April 1, 2016” and
23 inserting “July 16, 2016”.

1 **SEC. 202. EXTENSION OF TAXES FUNDING AIRPORT AND**
2 **AIRWAY TRUST FUND.**

3 (a) **FUEL TAXES.**—Section 4081(d)(2)(B) of the In-
4 ternal Revenue Code of 1986 is amended by striking
5 “March 31, 2016” and inserting “July 15, 2016”.

6 (b) **TICKET TAXES.**—

7 (1) **PERSONS.**—Section 4261(k)(1)(A)(ii) of
8 such Code is amended by striking “March 31, 2016”
9 and inserting “July 15, 2016”.

10 (2) **PROPERTY.**—Section 4271(d)(1)(A)(ii) of
11 such Code is amended by striking “March 31, 2016”
12 and inserting “July 15, 2016”.

13 (c) **FRACTIONAL OWNERSHIP PROGRAMS.**—

14 (1) **TREATMENT AS NON-COMMERCIAL AVIA-**
15 **TION.**—Section 4083(b) of such Code is amended by
16 striking “April 1, 2016” and inserting “July 16,
17 2016”.

18 (2) **EXEMPTION FROM TICKET TAXES.**—Section
19 4261(j) of such Code is amended by striking “March
20 31, 2016” and inserting “July 15, 2016”.