

Calendar No. 324

111TH CONGRESS
2^D SESSION

H. R. 4853

IN THE SENATE OF THE UNITED STATES

MARCH 17, 2010

Received

MARCH 18, 2010

Read the first time

MARCH 19, 2010

Read the second time and placed on the calendar

AN ACT

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

2 This Act may be cited as the “Federal Aviation Ad-
3 ministration Extension Act of 2010”.

4 **SEC. 2. EXTENSION OF TAXES FUNDING AIRPORT AND AIR-**
5 **WAY TRUST FUND.**

6 (a) **FUEL TAXES.**—Subparagraph (B) of section
7 4081(d)(2) of the Internal Revenue Code of 1986 is
8 amended by striking “March 31, 2010” and inserting
9 “July 3, 2010”.

10 (b) **TICKET TAXES.**—

11 (1) **PERSONS.**—Clause (ii) of section
12 4261(j)(1)(A) of the Internal Revenue Code of 1986
13 is amended by striking “March 31, 2010” and in-
14 serting “July 3, 2010”.

15 (2) **PROPERTY.**—Clause (ii) of section
16 4271(d)(1)(A) of such Code is amended by striking
17 “March 31, 2010” and inserting “July 3, 2010”.

18 (c) **EFFECTIVE DATE.**—The amendments made by
19 this section shall take effect on April 1, 2010.

20 **SEC. 3. EXTENSION OF AIRPORT AND AIRWAY TRUST FUND**
21 **EXPENDITURE AUTHORITY.**

22 (a) **IN GENERAL.**—Paragraph (1) of section 9502(d)
23 of the Internal Revenue Code of 1986 is amended—

24 (1) by striking “April 1, 2010” and inserting
25 “July 4, 2010”; and

1 (2) by inserting “or the Federal Aviation Ad-
2 ministration Extension Act of 2010” before the
3 semicolon at the end of subparagraph (A).

4 (b) CONFORMING AMENDMENT.—Paragraph (2) of
5 section 9502(e) of such Code is amended by striking
6 “April 1, 2010” and inserting “July 4, 2010”.

7 (c) EFFECTIVE DATE.—The amendments made by
8 this section shall take effect on April 1, 2010.

9 **SEC. 4. EXTENSION OF AIRPORT IMPROVEMENT PROGRAM.**

10 (a) AUTHORIZATION OF APPROPRIATIONS.—

11 (1) IN GENERAL.—Section 48103(7) of title 49,
12 United States Code, is amended to read as follows:

13 “(7) \$3,024,657,534 for the period beginning
14 on October 1, 2009, and ending on July 3, 2010.”.

15 (2) OBLIGATION OF AMOUNTS.—Sums made
16 available pursuant to the amendment made by para-
17 graph (1) may be obligated at any time through
18 September 30, 2010, and shall remain available until
19 expended.

20 (3) PROGRAM IMPLEMENTATION.—For pur-
21 poses of calculating funding apportionments and
22 meeting other requirements under sections 47114,
23 47115, 47116, and 47117 of title 49, United States
24 Code, for the period beginning on October 1, 2009,

1 and ending on July 3, 2010, the Administrator of
2 the Federal Aviation Administration shall—

3 (A) first calculate funding apportionments
4 on an annualized basis as if the total amount
5 available under section 48103 of such title for
6 fiscal year 2010 were \$4,000,000,000; and

7 (B) then reduce by $\frac{89}{365}$ —

8 (i) all funding apportionments cal-
9 culated under subparagraph (A); and

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

13 (b) PROJECT GRANT AUTHORITY.—Section 47104(c)
14 of such title is amended by striking “March 31, 2010,”
15 and inserting “July 3, 2010,”.

16 **SEC. 5. EXTENSION OF EXPIRING AUTHORITIES.**

17 (a) Section 40117(l)(7) of title 49, United States
18 Code, is amended by striking “April 1, 2010.” and insert-
19 ing “July 4, 2010.”.

20 (b) Section 44302(f)(1) of such title is amended—

21 (1) by striking “March 31, 2010,” and insert-
22 ing “July 3, 2010,”; and

23 (2) by striking “June 30, 2010,” and inserting
24 “September 30, 2010,”.

1 (c) Section 44303(b) of such title is amended by
2 striking “June 30, 2010,” and inserting “September 30,
3 2010,”.

4 (d) Section 47107(s)(3) of such title is amended by
5 striking “April 1, 2010.” and inserting “July 4, 2010.”.

6 (e) Section 47115(j) of such title is amended by strik-
7 ing “April 1, 2010,” and inserting “July 4, 2010,”.

8 (f) Section 47141(f) of such title is amended by strik-
9 ing “March 31, 2010.” and inserting “July 3, 2010.”.

10 (g) Section 49108 of such title is amended by striking
11 “March 31, 2010,” and inserting “July 3, 2010,”.

12 (h) Section 161 of the Vision 100—Century of Avia-
13 tion Reauthorization Act (49 U.S.C. 47109 note) is
14 amended by striking “April 1, 2010,” and inserting “July
15 4, 2010,”.

16 (i) Section 186(d) of such Act (117 Stat. 2518) is
17 amended by striking “April 1, 2010,” and inserting “July
18 4, 2010,”.

19 (j) The amendments made by this section shall take
20 effect on April 1, 2010.

21 **SEC. 6. FEDERAL AVIATION ADMINISTRATION OPER-**
22 **ATIONS.**

23 Section 106(k)(1)(F) of title 49, United States Code,
24 is amended to read as follows:

1 “(F) \$7,070,158,159 for the period begin-
2 ning on October 1, 2009, and ending on July
3 3, 2010.”.

4 **SEC. 7. AIR NAVIGATION FACILITIES AND EQUIPMENT.**

5 Section 48101(a)(6) of title 49, United States Code,
6 is amended to read as follows:

7 “(6) \$2,220,252,132 for the period beginning
8 on October 1, 2009, and ending on July 3, 2010.”.

9 **SEC. 8. RESEARCH, ENGINEERING, AND DEVELOPMENT.**

10 Section 48102(a)(14) of title 49, United States Code,
11 is amended to read as follows:

12 “(14) \$144,049,315 for the period beginning on
13 October 1, 2009, and ending on July 3, 2010.”.

14 **SEC. 9. EXTENSION AND FLEXIBILITY FOR CERTAIN ALLO-**
15 **CATED SURFACE TRANSPORTATION PRO-**
16 **GRAMS.**

17 (a) **SHORT TITLE.**—This section may be cited as the
18 “Surface Transportation Extension Modification Act of
19 2010”.

20 (b) **MODIFICATION OF ALLOCATION RULES.**—Section
21 411(d) of the Surface Transportation Extension Act of
22 2010 is amended—

23 (1) in paragraph (1)—

24 (A) in the matter preceding subparagraph

25 (A)—

1 (i) by striking “1301, 1302,”; and

2 (ii) by striking “1198, 1204,”; and

3 (B) in subparagraph (A)—

4 (i) in the matter preceding clause (i)
5 by striking “apportioned under sections
6 104(b) and 144 of title 23, United States
7 Code,” and inserting “specified in section
8 105(a)(2) of title 23, United States Code
9 (except the high priority projects pro-
10 gram),”; and

11 (ii) in clause (ii) by striking “appor-
12 tioned under such sections of such Code”
13 and inserting “specified in such section
14 105(a)(2) (except the high priority projects
15 program)”;

16 (2) in paragraph (2)—

17 (A) in the matter preceding subparagraph
18 (A)—

19 (i) by striking “1301, 1302,”; and

20 (ii) by striking “1198, 1204,”; and

21 (B) in subparagraph (A)—

22 (i) in the matter preceding clause (i)
23 by striking “apportioned under sections
24 104(b) and 144 of title 23, United States
25 Code,” and inserting “specified in section

1 105(a)(2) of title 23, United States Code
2 (except the high priority projects pro-
3 gram),”; and

4 (ii) in clause (ii) by striking “appor-
5 tioned under such sections of such Code”
6 and inserting “specified in such section
7 105(a)(2) (except the high priority projects
8 program)”; and

9 (3) by adding at the end the following:

10 “(5) PROJECTS OF NATIONAL AND REGIONAL
11 SIGNIFICANCE AND NATIONAL CORRIDOR INFRA-
12 STRUCTURE IMPROVEMENT PROGRAMS.—

13 “(A) REDISTRIBUTION AMONG STATES.—

14 Notwithstanding sections 1301(m) and 1302(e)
15 of SAFETEA-LU (119 Stat. 1202 and 1205),
16 the Secretary shall apportion funds authorized
17 to be appropriated under subsection (b) for the
18 projects of national and regional significance
19 program and the national corridor infrastruc-
20 ture improvement program among all States
21 such that each State’s share of the funds so ap-
22 portioned is equal to the State’s share for fiscal
23 year 2009 of funds apportioned or allocated for
24 the programs specified in section 105(a)(2) of
25 title 23, United States Code.

1 “(B) DISTRIBUTION AMONG PROGRAMS.—
2 Funds apportioned to a State pursuant to sub-
3 paragraph (A) shall be—

4 “(i) made available to the State for
5 the programs specified in section 105(a)(2)
6 of title 23, United States Code (except the
7 high priority projects program), and in the
8 same proportion for each such program
9 that—

10 “(I) the amount apportioned to
11 the State for that program for fiscal
12 year 2009; bears to

13 “(II) the amount apportioned to
14 the State for fiscal year 2009 for all
15 such programs; and

16 “(ii) administered in the same manner
17 and with the same period of availability as
18 funding is administered under programs
19 identified in clause (i).”.

20 (c) EXPENDITURE AUTHORITY FROM HIGHWAY
21 TRUST FUND.—Paragraph (1) of section 9503(c) of the
22 Internal Revenue Code of 1986, as amended by the Sur-
23 face Transportation Extension Act of 2010, is amended
24 by striking “in effect on the date of the enactment of such
25 Act)” and inserting “in effect on the later of the date of

1 the enactment of such Act or the date of the enactment
2 of the Surface Transportation Extension Modification Act
3 of 2010)”.
4

5 (d) EFFECTIVE DATE.—The amendments made by
6 this section shall take effect upon the enactment of the
7 Surface Transportation Extension Act of 2010 and shall
8 be treated as being included in that Act at the time of
the enactment of that Act.

Passed the House of Representatives March 17,
2010.

Attest:

LORRAINE C. MILLER,

Clerk.

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

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