

118TH CONGRESS
1ST SESSION

H. R. 5711

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.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 26, 2023

Mr. GRAVES of Missouri (for himself, Mr. LARSEN of Washington, and Mr. SMITH of Missouri) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

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.

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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Airport and Airway Extension Act of 2023”.

1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—FEDERAL AVIATION PROGRAMS

Sec. 101. Airport improvement program.
 Sec. 102. Extension of expiring authorities; miscellaneous authorizations.
 Sec. 103. Federal Aviation Administration operations.
 Sec. 104. Air navigation facilities and equipment.
 Sec. 105. Research, engineering, and development.
 Sec. 106. Small community air service.

TITLE II—AVIATION REVENUE PROVISIONS

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

3 **TITLE I—FEDERAL AVIATION**
 4 **PROGRAMS**

5 **SEC. 101. AIRPORT IMPROVEMENT PROGRAM.**

6 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
 7 48103(a) of title 49, United States Code, is amended—

8 (1) in paragraph (5) by striking the “and” at
 9 the end;

10 (2) in paragraph (6) by striking the period at
 11 the end and inserting “; and”; and

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

13 “(7) \$842,076,502 for the period beginning on
 14 October 1, 2023, and ending on December 31,
 15 2023.”.

16 (b) OBLIGATION AUTHORITY.—Subject to limitations
 17 specified in advance in appropriation Acts, sums made
 18 available pursuant to the amendment made by subsection

1 (a) may be obligated at any time through September 30,
2 2024, and shall remain available until expended.

3 (c) PROGRAM IMPLEMENTATION.—For purposes of
4 calculating funding apportionments and meeting other re-
5 quirements under sections 47114, 47115, 47116, and
6 47117 of title 49, United States Code, for the period be-
7 ginning on October 1, 2023, and ending on December 31,
8 2023, the Administrator of the Federal Aviation Adminis-
9 tration shall—

10 (1) first calculate such funding apportionments
11 on an annualized basis as if the total amount avail-
12 able under section 48103 of such title for fiscal year
13 2024 was \$3,350,000,000; and

14 (2) then reduce by 75 percent—

15 (A) all funding apportionment amounts
16 calculated under paragraph (1); and

17 (B) amounts made available pursuant to
18 subsections (b) and (f)(2) of section 47117 of
19 such title.

20 (d) EXTENSION OF PROJECT GRANT AUTHORITY.—
21 Section 47104(c) of title 49, United States Code, is
22 amended in the matter preceding paragraph (1) by strik-
23 ing “September 30, 2023,” and inserting “December 31,
24 2023,”.

1 (e) EXTENSION OF SPECIAL RULE FOR APPORTION-
2 MENTS.—Section 47114(c)(1)(J) of title 49, United
3 States Code, is amended by striking “2023 to” and insert-
4 ing “2023, and for the period beginning on October 1,
5 2023, and ending on December 31, 2023, to”.

6 **SEC. 102. EXTENSION OF EXPIRING AUTHORITIES; MIS-**
7 **CELLANEOUS AUTHORIZATIONS.**

8 (a) AUTHORITY TO PROVIDE INSURANCE.—Section
9 44310(b) of title 49, United States Code, is amended by
10 striking “September 30, 2023” and inserting “December
11 31, 2023”.

12 (b) UNMANNED AIRCRAFT TEST RANGES.—Section
13 44803(h) of title 49, United States Code, is amended by
14 striking “September 30, 2023” and inserting “December
15 31, 2023”.

16 (c) SPECIAL AUTHORITY FOR CERTAIN UNMANNED
17 AIRCRAFT SYSTEMS.—Section 44807(d) of title 49,
18 United States Code, is amended by striking “September
19 30, 2023” and inserting “December 31, 2023”.

20 (d) EXTENSION OF AIRPORT SAFETY AND AIRSPACE
21 HAZARD MITIGATION AND ENFORCEMENT.—Section
22 44810(h) of title 49, United States Code, is amended by
23 striking “September 30, 2023” and inserting “December
24 31, 2023”.

1 (e) COMPETITIVE ACCESS REPORTING REQUIRE-
2 MENT.—Section 47107(r)(3) of title 49, United States
3 Code, is amended by striking “October 1, 2023” and in-
4 serting “January 1, 2024”.

5 (f) MARSHALL ISLANDS, MICRONESIA, AND
6 PALAU.—Section 47115(i) of title 49, United States Code,
7 is amended by inserting “, and for the period beginning
8 on October 1, 2023, and ending on December 31, 2023”
9 after “fiscal years 2018 through 2023”.

10 (g) SUPPLEMENTAL DISCRETIONARY FUNDS.—Sec-
11 tion 47115(j)(4)(A) of title 49, United States Code, is
12 amended by inserting at the end the following:

13 “(vi) \$140,401,803 for the period be-
14 ginning on October 1, 2023, and ending on
15 December 31, 2023.”.

16 (h) COMPATIBLE LAND USE PLANNING AND
17 PROJECTS BY STATE AND LOCAL GOVERNMENTS.—Sec-
18 tion 47141(f) of title 49, United States Code, is amended
19 by striking “September 30, 2023” and inserting “Decem-
20 ber 31, 2023”.

21 (i) NON-MOVEMENT AREA SURVEILLANCE PILOT
22 PROGRAM.—Section 47143(e) of title 49, United States
23 Code, is amended by striking “October 1, 2023” and in-
24 serting “January 1, 2024”.

1 (j) WEATHER REPORTING PROGRAMS.—Section
2 48105 of title 49, United States Code, is amended by add-
3 ing at the end the following:

4 “(5) \$9,803,278 for the period beginning on
5 October 1, 2023, and ending on December 31,
6 2023.”.

7 (k) LEARNING PERIOD.—Section 50905(c)(9) of title
8 51, United States Code, is amended by striking “October
9 1, 2023” and inserting “January 1, 2024”.

10 (l) MIDWAY ISLAND AIRPORT.—Section 186(d) of the
11 Vision 100—Century of Aviation Reauthorization Act
12 (Public Law 108–176; 117 Stat. 2518) is amended by in-
13 serting “and for the period beginning on October 1, 2023,
14 and ending on December 31, 2023,” after “fiscal years
15 2018 through 2023”.

16 (m) FINAL ORDER ESTABLISHING MILEAGE AND
17 ADJUSTMENT ELIGIBILITY.—Section 409(d) of the Vision
18 100—Century of Aviation Reauthorization Act (49 U.S.C.
19 41731 note) is amended by striking “September 30,
20 2023” and inserting “December 31, 2023”.

21 (n) CONTRACT WEATHER OBSERVERS.—Section
22 2306(b) of the FAA Extension, Safety, and Security Act
23 of 2016 (Public Law 114–190; 130 Stat. 641) is amended
24 by striking “October 1, 2023” and inserting “January 1,
25 2024”.

1 (o) REMOTE TOWER PILOT PROGRAM.—Section
2 161(a)(10) of the FAA Reauthorization Act of 2018 (49
3 U.S.C. 47104 note) is amended by striking “September
4 30, 2023” and inserting “December 31, 2023”.

5 (p) AIRPORT ACCESS ROADS IN REMOTE LOCATIONS;
6 STORAGE FACILITIES FOR SNOW REMOVAL EQUIP-
7 MENT.—Section 162 of the FAA Reauthorization Act of
8 2018 (49 U.S.C. 47102 note) is amended by inserting
9 “and for the period beginning on October 1, 2023, and
10 ending on December 31, 2023” after “fiscal years 2018
11 through 2023”.

12 (q) UAS REMOTE DETECTION AND IDENTIFICATION
13 PILOT PROGRAM.—Section 372(d) of the FAA Reauthor-
14 ization Act of 2018 (49 U.S.C. 44810 note) is amended
15 by striking “September 30, 2023” and inserting “Decem-
16 ber 31, 2023”.

17 (r) ADVISORY COMMITTEE FOR AVIATION CONSUMER
18 PROTECTION.—Section 411(h) of the FAA Modernization
19 and Reform Act of 2012 (49 U.S.C. 42301 note) is
20 amended by striking “September 30, 2023” and inserting
21 “December 31, 2023”.

22 (s) AVIATION CONSUMER ADVOCATE.—Section
23 424(e) of the FAA Reauthorization Act of 2018 (49
24 U.S.C. 42302 note) is amended by striking “September
25 30, 2023” and inserting “December 31, 2023”.

1 (t) ADVISORY COMMITTEE ON AIR TRAVEL NEEDS
2 OF PASSENGERS WITH DISABILITIES.—Section 439(g) of
3 the FAA Reauthorization Act of 2018 (49 U.S.C. 41705
4 note) is amended by striking “September 30, 2023” and
5 inserting “December 31, 2023”.

6 (u) ENHANCED TRAFFIC SERVICES.—Section 547(e)
7 of the FAA Reauthorization Act of 2018 (49 U.S.C.
8 40103 note) is amended by striking “September 30,
9 2023” and inserting “December 31, 2023”.

10 (v) PILOT PROGRAM FOR REDEVELOPMENT OF AIR-
11 PORT PROPERTIES.—Section 822(k) of the FAA Mod-
12 ernization and Reform Act of 2012 (49 U.S.C. 47141
13 note) is amended by striking “September 30, 2023” and
14 inserting “December 31, 2023”.

15 **SEC. 103. FEDERAL AVIATION ADMINISTRATION OPER-**
16 **ATIONS.**

17 Section 106(k) of title 49, United States Code, is
18 amended—

19 (1) in paragraph (1)—

20 (A) in subparagraph (E) by striking “and”
21 at the end;

22 (B) in subparagraph (F) by striking the
23 period at the end and inserting “; and”; and

24 (C) by inserting after subparagraph (F)
25 the following:

1 “(G) \$2,995,027,322 for the period begin-
2 ning on October 1, 2023, and ending on De-
3 cember 31, 2023.”; and

4 (2) in paragraph (3) by inserting “and for the
5 period beginning on October 1, 2023, and ending on
6 December 31, 2023” after “fiscal years 2018
7 through 2023”.

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

9 Section 48101(a) of title 49, United States Code, is
10 amended by adding at the end the following:

11 “(7) \$740,273,224 for the period beginning on
12 October 1, 2023, and ending on December 31,
13 2023.”.

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

15 Section 48102(a) of title 49, United States Code, is
16 amended—

17 (1) in paragraph (14), by striking “and”;

18 (2) in paragraph (15) by striking the period at
19 the end and inserting “; and”; and

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

21 “(16) \$64,098,360 for the period beginning on
22 October 1, 2023, and ending on December 31,
23 2023.”.

1 **SEC. 106. SMALL COMMUNITY AIR SERVICE.**

2 (a) **ESSENTIAL AIR SERVICE AUTHORIZATION.**—Sec-
3 tion 41742(a)(2) of title 49, United States Code, is
4 amended by striking “2023” and inserting “2023, and
5 \$89,191,486 for the period beginning on October 1, 2023,
6 and ending on December 31, 2023,”.

7 (b) **AIRPORTS NOT RECEIVING SUFFICIENT SERV-**
8 **ICE.**—Section 41743(e)(2) of title 49, United States Code,
9 is amended by inserting “, and \$2,513,661 for the period
10 beginning on October 1, 2023, and ending on December
11 31, 2023,” after “fiscal years 2018 through 2023”.

12 **TITLE II—AVIATION REVENUE**
13 **PROVISIONS**

14 **SEC. 201. EXPENDITURE AUTHORITY FROM AIRPORT AND**
15 **AIRWAY TRUST FUND.**

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

18 (1) in the matter preceding subparagraph (A)
19 by striking “October 1, 2023” and inserting “Janu-
20 ary 1, 2024”; and

21 (2) in subparagraph (A) by striking the semi-
22 colon at the end and inserting “or the Airport and
23 Airway Extension Act of 2023;”.

24 (b) **CONFORMING AMENDMENT.**—Section 9502(e)(2)
25 of such Code is amended by striking “October 1, 2023”
26 and inserting “January 1, 2024”.

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 “Sep-
5 tember 30, 2023” and inserting “December 31, 2023”.

6 (b) **TICKET TAXES.**—

7 (1) **PERSONS.**—Section 4261(k)(1)(A)(ii) of
8 such Code is amended by striking “September 30,
9 2023” and inserting “December 31, 2023”.

10 (2) **PROPERTY.**—Section 4271(d)(1)(A)(ii) of
11 such Code is amended by striking “September 30,
12 2023” and inserting “December 31, 2023”.

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

14 (1) **FUEL TAX.**—Section 4043(d) of such Code
15 is amended by striking “September 30, 2023” and
16 inserting “December 31, 2023”.

17 (2) **TREATMENT AS NONCOMMERCIAL AVIA-**
18 **TION.**—Section 4083(b) of such Code is amended by
19 striking “October 1, 2023” and inserting “January
20 1, 2024”.

21 (3) **EXEMPTION FROM TICKET TAX.**—Section
22 4261(j) of such Code is amended by striking “Sep-
23 tember 30, 2023” and inserting “December 31,
24 2023”.

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