

112TH CONGRESS
1ST SESSION

H. R. 2553

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 the airport improvement program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 15, 2011

Mr. MICA (for himself, Mr. CAMP, and Mr. PETRI) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, 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 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 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Airport and Airway
5 Extension Act of 2011, Part IV”.

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

3 (a) FUEL TAXES.—Subparagraph (B) of section
 4 4081(d)(2) of the Internal Revenue Code of 1986 is
 5 amended by striking “July 22, 2011” and inserting “Sep-
 6 tember 16, 2011”.

7 (b) TICKET TAXES.—

8 (1) PERSONS.—Clause (ii) of section
 9 4261(j)(1)(A) of the Internal Revenue Code of 1986
 10 is amended by striking “July 22, 2011” and insert-
 11 ing “September 16, 2011”.

12 (2) PROPERTY.—Clause (ii) of section
 13 4271(d)(1)(A) of such Code is amended by striking
 14 “July 22, 2011” and inserting “September 16,
 15 2011”.

16 (c) EFFECTIVE DATE.—The amendments made by
 17 this section shall take effect on July 23, 2011.

18 **SEC. 3. EXTENSION OF AIRPORT AND AIRWAY TRUST FUND**
 19 **EXPENDITURE AUTHORITY.**

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

22 (1) by striking “July 23, 2011” and inserting
 23 “September 17, 2011”; and

24 (2) by inserting “or the Airport and Airway Ex-
 25 tension Act of 2011, Part IV” before the semicolon
 26 at the end of subparagraph (A).

1 (b) CONFORMING AMENDMENT.—Paragraph (2) of
2 section 9502(e) of such Code is amended by striking “July
3 23, 2011” and inserting “September 17, 2011”.

4 (c) EFFECTIVE DATE.—The amendments made by
5 this section shall take effect on July 23, 2011.

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

7 (a) AUTHORIZATION OF APPROPRIATIONS.—

8 (1) IN GENERAL.—Section 48103 of title 49,
9 United States Code, is amended by striking para-
10 graph (8) and inserting the following:

11 “(8) \$3,380,178,082 for the period beginning
12 on October 1, 2010, and ending on September 16,
13 2011.”.

14 (2) OBLIGATION OF AMOUNTS.—Subject to lim-
15 itations specified in advance in appropriation Acts,
16 sums made available pursuant to the amendment
17 made by paragraph (1) may be obligated at any time
18 through September 30, 2011, and shall remain avail-
19 able until expended.

20 (b) PROJECT GRANT AUTHORITY.—Section 47104(c)
21 of such title is amended by striking “July 22, 2011,” and
22 inserting “September 16, 2011,”.

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

2 (a) Section 40117(l)(7) of title 49, United States
3 Code, is amended by striking “July 23, 2011.” and insert-
4 ing “September 17, 2011.”.

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

6 (1) by striking “July 22, 2011,” and inserting
7 “September 16, 2011,”; and

8 (2) by striking “October 31, 2011,” and insert-
9 ing “December 31, 2011.”.

10 (c) Section 44303(b) of such title is amended by
11 striking “October 31, 2011,” and inserting “December 31,
12 2011.”.

13 (d) Section 47107(s)(3) of such title is amended by
14 striking “July 23, 2011.” and inserting “September 17,
15 2011.”.

16 (e) Section 47115(j) of such title is amended by strik-
17 ing “July 23, 2011,” and inserting “September 17,
18 2011.”.

19 (f) Section 47141(f) of such title is amended by strik-
20 ing “July 22, 2011.” and inserting “September 16,
21 2011.”.

22 (g) Section 49108 of such title is amended by striking
23 “July 22, 2011,” and inserting “September 16, 2011.”.

24 (h) Section 161 of the Vision 100—Century of Avia-
25 tion Reauthorization Act (49 U.S.C. 47109 note) is

1 amended by striking “July 23, 2011,” and inserting “Sep-
2 tember 17, 2011,”.

3 (i) Section 186(d) of such Act (117 Stat. 2518) is
4 amended by striking “July 23, 2011,” and inserting “Sep-
5 tember 17, 2011,”.

6 (j) The amendments made by this section shall take
7 effect on July 23, 2011.

8 **SEC. 6. ESSENTIAL AIR SERVICE REFORM.**

9 (a) IN GENERAL.—Section 41731(a)(1) of title 49,
10 United States Code, is amended—

11 (1) in subparagraph (A) by redesignating
12 clauses (i) through (iii) as subclauses (I) through
13 (III), respectively;

14 (2) by redesignating subparagraphs (A) and
15 (B) as clauses (i) and (ii), respectively;

16 (3) in clause (i)(I) (as so redesignated) by in-
17 serting “(A)” before “(i)(I)”;

18 (4) in subparagraph (A)(ii) (as so redesign-
19 ated)—

20 (A) by striking “determined” and inserting
21 “was determined”;

22 (B) by striking “Secretary” and inserting
23 “Secretary of Transportation”; and

24 (C) by striking the period at the end and
25 inserting a semicolon; and

1 (5) by adding at the end the following:

2 “(B) is located not less than 90 miles from
3 the nearest medium or large hub airport; and

4 “(C) had an average subsidy per passenger
5 of less than \$1,000 during the most recent fis-
6 cal year, as determined by the Secretary.”.

7 (b) LIMITATION ON AUTHORITY TO DECIDE A PLACE
8 NOT AN ELIGIBLE PLACE.—Section 41731(b) of such title
9 is amended—

10 (1) by striking “Secretary of Transportation”
11 and inserting “Secretary”; and

12 (2) by striking “on the basis of a passenger
13 subsidy at that place or on another basis” and in-
14 serting “on any basis”.

15 (c) EXCEPTIONS AND WAIVERS.—Section 41731 of
16 such title is amended by adding at the end the following:

17 “(c) EXCEPTIONS FOR LOCATIONS IN ALASKA.—
18 Subsections (a)(1)(B) and (a)(1)(C) shall not apply with
19 respect to a location in the State of Alaska.

20 “(d) WAIVERS.—The Secretary may waive subsection
21 (a)(1)(B) with respect to a location if the Secretary deter-
22 mines that the geographic characteristics of the location
23 result in undue difficulty in accessing the nearest medium
24 or large hub airport.”.

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