

Except as otherwise specifically provided, section applicable only to fiscal years beginning after Sept. 30, 1996, and not to be construed as affecting funds made available for a fiscal year ending before Oct. 1, 1996, see section 3 of Pub. L. 104-264, set out as an Effective Date of 1996 Amendment note under section 106 of this title.

**[§ 48112. Repealed. Pub. L. 115-254, div. B, title I, § 115, Oct. 5, 2018, 132 Stat. 3201]**

Section, added Pub. L. 106-181, title I, §107(a), Apr. 5, 2000, 114 Stat. 73, related to adjustment to AIP program funding.

**§ 48113. Reprogramming notification requirement**

Before reprogramming any amounts appropriated under section 106(k), 48101(a), or 48103, for which notification of the Committees on Appropriations of the Senate and the House of Representatives is required, the Secretary of Transportation shall transmit a written explanation of the proposed reprogramming to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(Added Pub. L. 106-181, title I, §108(a), Apr. 5, 2000, 114 Stat. 73.)

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE**

Section applicable only to fiscal years beginning after Sept. 30, 1999, see section 3 of Pub. L. 106-181, set out as an Effective Date of 2000 Amendments note under section 106 of this title.

**§ 48114. Funding for aviation programs**

**(a) AUTHORIZATION OF APPROPRIATIONS.—**

**(1) AIRPORT AND AIRWAY TRUST FUND GUARANTEE.—**

**(A) IN GENERAL.—**The total budget resources made available from the Airport and Airway Trust Fund each fiscal year pursuant to sections 48101, 48102, 48103, and 106(k) shall—

(i) in fiscal year 2013, be equal to 90 percent of the estimated level of receipts plus interest credited to the Airport and Airway Trust Fund for that fiscal year; and

(ii) in fiscal years 2014 through 2018, be equal to the sum of—

(I) 90 percent of the estimated level of receipts plus interest credited to the Airport and Airway Trust Fund for that fiscal year; and

(II) the actual level of receipts plus interest credited to the Airport and Airway Trust Fund for the second preceding fiscal year minus the total amount made available for obligation from the Airport and Airway Trust Fund for the second preceding fiscal year.

Such amounts may be used only for the aviation investment programs listed in subsection (b)(1).

**(B) GUARANTEE.—**No funds may be appropriated or limited for aviation investment programs listed in subsection (b)(1) unless the amount described in subparagraph (A) has been provided.

**(2) ADDITIONAL AUTHORIZATIONS OF APPROPRIATIONS FROM THE GENERAL FUND.—**In any fiscal year through fiscal year 2018, if the amount described in paragraph (1) is appropriated, there is further authorized to be appropriated from the general fund of the Treasury such sums as may be necessary for the Federal Aviation Administration Operations account.

**(b) DEFINITIONS.—**In this section, the following definitions apply:

**(1) TOTAL BUDGET RESOURCES.—**The term “total budget resources” means the total amount made available from the Airport and Airway Trust Fund for the sum of obligation limitations and budget authority made available for a fiscal year for the following budget accounts that are subject to the obligation limitation on contract authority provided in this title and for which appropriations are provided pursuant to authorizations contained in this title:

(A) 69-8106-0-7-402 (Grants in Aid for Airports).

(B) 69-8107-0-7-402 (Facilities and Equipment).

(C) 69-8108-0-7-402 (Research and Development).

(D) 69-8104-0-7-402 (Trust Fund Share of Operations).

**(2) ESTIMATED LEVEL OF RECEIPTS PLUS INTEREST.—**The term “estimated level of receipts plus interest” means the level of excise taxes and interest credited to the Airport and Airway Trust Fund under section 9502 of the Internal Revenue Code of 1986 for a fiscal year as set forth in the President’s budget baseline projection as defined in section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177) (Treasury identification code 20-8103-0-7-402) for that fiscal year submitted pursuant to section 1105 of title 31, United States Code.

**(c) ENFORCEMENT OF GUARANTEES.—**

**(1) TOTAL AIRPORT AND AIRWAY TRUST FUND FUNDING.—**It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report that would cause total budget resources in a fiscal year for aviation investment programs described in subsection (b) to be less than the amount required by subsection (a)(1)(A) for such fiscal year.

**(2) CAPITAL PRIORITY.—**It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report that provides an appropriation (or any amendment thereto) for any fiscal year through fiscal year 2018 for Research and Development or Operations if the sum of the obligation limitation for Grants-in-Aid for Airports and the appropriation for Facilities and Equipment for such fiscal year is below the sum of the authorized levels for Grants-in-Aid for Airports and for Facilities and Equipment for such fiscal year.

(Added Pub. L. 108-176, title I, §104(a), Dec. 12, 2003, 117 Stat. 2496; amended Pub. L. 112-95, title I, §104, Feb. 14, 2012, 126 Stat. 16; Pub. L. 114-55,