

or permanent funding for operations of the Federal Aviation Administration.

(d) RULES OF THE SENATE.—The provisions of this section are enacted—

(1) as an exercise of the rulemaking power of the Senate and as such they are deemed a part of the rules of the Senate and they supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of the Senate to change the rules (so far as relating to the procedure of the Senate) at any time, in the same manner and to the same extent as in the case of any other rule of the Senate.

(Added Pub. L. 104-264, title II, §275(a), Oct. 9, 1996, 110 Stat. 3246.)

#### REFERENCES IN TEXT

Section 274(c) of the Air Traffic Management System Performance Improvement Act of 1996, referred to in subsec. (a), is section 274(c) of Pub. L. 104-264, which is set out as a note under section 40101 of this title.

#### EFFECTIVE DATE

Section effective on date that is 30 days after Oct. 9, 1996, see section 203 of Pub. L. 104-264, set out as an Effective Date of 1996 Amendment note under section 106 of this title.

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 Repealed.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.)

#### 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, title I, §106(a), Sept. 30, 2015, 129 Stat. 524; Pub. L. 114–190, title I, §1106(a), July 15, 2016, 130 Stat. 618; Pub. L. 115–63, title I, §107(a), Sept. 29, 2017, 131 Stat. 1170; Pub. L. 115–254, div. B, title I, §116, Oct. 5, 2018, 132 Stat. 3201.)

## REFERENCES IN TEXT

Section 9502 of the Internal Revenue Code of 1986, referred to in subsec. (b)(2), is classified to section 9502 of Title 26, Internal Revenue Code.

Section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985, referred to in subsec. (b)(2), is classified to section 907 of Title 2, The Congress.

## AMENDMENTS

2018—Subsec. (a)(1)(A)(ii). Pub. L. 115–254 substituted “in fiscal years 2014 through 2018” for “in fiscal year 2014 and each fiscal year thereafter” in introductory provisions.

2017—Subsec. (a)(2). Pub. L. 115–63, §107(a)(1), substituted “2018” for “2017”.

Subsec. (c)(2). Pub. L. 115–63, §107(a)(2), substituted “2018” for “2017”.

2016—Subsec. (a)(2). Pub. L. 114–190, §1106(a)(1), substituted “fiscal year 2017,” for “fiscal year 2016.”

Subsec. (c)(2). Pub. L. 114–190, §1106(a)(2), substituted “fiscal year 2017” for “fiscal year 2016”.

2015—Subsec. (a)(2). Pub. L. 114–55, §106(a)(1), substituted “2016” for “2015”.

Subsec. (c)(2). Pub. L. 114–55, §106(a)(2), substituted “2016” for “2015”.

2012—Subsec. (a)(1)(A). Pub. L. 112–95, §104(a), amended subpar. (A) generally. Prior to amendment, text read as follows: “The total budget resources made available from the Airport and Airway Trust Fund each fiscal year through fiscal year 2007 pursuant to sections 48101, 48102, 48103, and 106(k) of title 49, United States Code, shall be equal to the level of receipts plus interest credited to the Airport and Airway Trust Fund for that fiscal year. Such amounts may be used only for aviation investment programs listed in subsection (b).”

Subsec. (a)(1)(B). Pub. L. 112–95, §104(b), substituted “subsection (b)(1)” for “subsection (b)”.

Subsec. (a)(2). Pub. L. 112–95, §104(c), substituted “2015” for “2007”.

Subsec. (b)(2). Pub. L. 112–95, §104(d), substituted “Estimated level” for “Level” in heading and “estimated level of receipts plus interest” for “level of receipts plus interest” in text.

Subsec. (c)(2). Pub. L. 112–95, §104(e), substituted “2015” for “2007”.

## EFFECTIVE DATE

Section applicable only to fiscal years beginning after Sept. 30, 2003, except as otherwise specifically provided, see section 3 of Pub. L. 108–176, set out as an Effective Date of 2003 Amendment note under section 106 of this title.

## DEEMED REFERENCES TO CHAPTERS 509 AND 511 OF TITLE 51

General references to “this title” deemed to refer also to chapters 509 and 511 of Title 51, National and Commercial Space Programs, see section 4(d)(8) of Pub. L. 111–314, set out as a note under section 101 of this title.

**CHAPTER 482—ADVANCE APPROPRIATIONS FOR AIRPORT AND AIRWAY TRUST FACILITIES**

Sec.  
48201. Advance appropriations.

**§ 48201. Advance appropriations**

(a) MULTIYEAR AUTHORIZATIONS.—Beginning with fiscal year 1999, any authorization of appropriations for an activity for which amounts are to be appropriated from the Airport and Airway Trust Fund established under section 9502 of the Internal Revenue Code of 1986 shall provide funds for a period of not less than 3 fiscal years unless the activity for which appropriations are authorized is to be concluded before the end of that period.

(b) MULTIYEAR APPROPRIATIONS.—Beginning with fiscal year 1999, amounts appropriated from the Airport and Airway Trust Fund shall be appropriated for periods of 3 fiscal years rather than annually.

(Added Pub. L. 104–264, title II, §277(a), Oct. 9, 1996, 110 Stat. 3248.)

## REFERENCES IN TEXT

Section 9502 of the Internal Revenue Code of 1986, referred to in subsec. (a), is classified to section 9502 of Title 26, Internal Revenue Code.

## EFFECTIVE DATE

Section effective on date that is 30 days after Oct. 9, 1996, see section 203 of Pub. L. 104–264, set out as an Effective Date of 1996 Amendment note under section 106 of this title.

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.

**[CHAPTER 483—REPEALED]****[§ 48301. Repealed. Pub. L. 115–254, div. K, title I, § 1991(g)(1), Oct. 5, 2018, 132 Stat. 3645]**

Section, added Pub. L. 107–71, title I, §118(c)(1), Nov. 19, 2001, 115 Stat. 627; amended Pub. L. 108–458, title IV, §4029, Dec. 17, 2004, 118 Stat. 3727; Pub. L. 110–53, title XVI, §1618, Aug. 3, 2007, 121 Stat. 489, related to aviation security funding.

**PART D—PUBLIC AIRPORTS****CHAPTER 491—METROPOLITAN WASHINGTON AIRPORTS**

Sec.  
49101. Findings.