



**FAA REAUTHORIZATION:  
GAAC PRIORITIES IN CURRENT LAW AND A COMPARISON OF HOUSE AND SENATE BILLS WITH THE  
CONFERENCE REPORT**

<b>Current Law - Vision (100 – Century of Aviation Reauthorization Act) and FAA Policy</b>	<b>H.R. 658 – 4 year bill</b>	<b>S. 223 – 2 year bill</b>	<b>GAAC Position / Conference</b>
<p><b>Funding</b> AIP: \$14.2 billion over four years, increasing by \$100 million each year from \$3.4 billion in FY 2004 to \$3.7 billion in FY 2007.</p> <p>Current cost share – Vision 100 changed the cost share to 95/5, increasing the federal share of project costs that may be covered by discretionary AIP grants to small airports.</p>	<p>Funding AIP: \$12.2 billion (avg \$3.05 billion/year) 90/10 cost share, unless in distressed community, then 95/5</p>	<p>Funding AIP: \$8.1 billion (avg \$4.05 billion/year) 95/5 cost share</p>	<p>GAAC supports a four-year reauthorization bill that provides at least \$8.1 billion for the AIP program and maintains the 95/5 cost share as proposed by the Senate in S. 223.</p> <p><b>Conference:</b> <b>\$3.35 billion for FY 2012 through FY 2015</b> <b>90/10 cost share, unless in distressed community, then 95/5</b></p>

<p><b>Through-the-fence</b>  In Advisory Circular 150/6190-7 (8-28-06), FAA officially defines Through the Fence (TTF) as:</p> <p>“ Through-the-fence operations are those activities permitted by an airport sponsor through an agreement that permits access to the public landing area by independent entities or operations offering an aeronautical activity or to owners of aircraft based on land adjacent to, but not part of, the airport property. The obligation to make an airport available for the use and benefit of the public does not impose any requirement for the airport sponsor to permit ground access by aircraft from adjacent property.”</p> <p>In order to receive AIP funding, the airport sponsor is required to execute a contract with the FAA. This contract includes 39 grant assurances – a series of performance metrics – that the airport sponsor agrees to abide by in operating the airport. On March 18, 2011, the FAA published an Interim Policy that amends one of the grant assurances to prohibit <b>new</b> residential through the fence access to a federally-funded airport.</p>	<p><b>Through-the-fence</b>  The bill stipulates that the sponsor of a general aviation airport should not be considered in violation of a federal grant assurance solely because the sponsor has an existing TTF agreement.</p> <p>The committee report argues that airports should have the flexibility to enter into through-the-fence agreements if they want to and can remain in compliance with their grant assurances.</p>	<p><b>Through-the-fence</b>  Language not included</p>	<p>GAAC supports the language included in H.R. 658 to ensure that airport sponsors are not determined to be in violation of federal grant assurances, and therefore subject to withdrawal of AIP funding, due to an existing TTF agreement.</p> <p><i>Adopts House language but modifies it to include language in the agreement between an airport sponsor and a property owner prohibiting any aircraft refueling from occurring on that property.</i></p>
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<p><b>NextGen</b></p>	<p><b>NextGen</b> Requires consultation with GA representatives in development of NextGen plan.</p> <p>Development of Plan- Not later than 120 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall develop a plan to expedite the equipage of general aviation and commercial aircraft with NextGen technologies.</p>	<p><b>NextGen</b> The Administrator shall take into account the unique role of general aviation and involve GA in working groups.</p>	<p>GAAC supports Congressional efforts to ensure that general aviation is considered and GA representatives are involved in the development of the NextGen plan.</p> <p><i>The FAA Administrator shall issue a report that identifies incentive options to encourage the equipage of aircraft with NexGen technologies that includes input from industry stakeholders, including GA.</i></p>
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Other issues of note:

The conference report amends the **special apportionment rules** by allowing 35 percent, but not more than \$300 million annually, for grants for various airport noise, compatible land use, Clean Air Act compliance, **and certain water quality mitigation projects**.

The conference report directs the U.S. Comptroller General to conduct a study and report to Congress on **the impact of increases in aviation fuel prices** on the Airport and Airway Trust Fund and the aviation industry in general. The study shall include an assessment of the impact of increases in aviation fuel prices on:

- (1) general aviation;
- (2) commercial passenger aviation;
- (3) piston aircraft purchase and use;
- (4) the aviation services industry, including repair and maintenance services;
- (5) aviation manufacturing;
- (6) aviation exports; and
- (7) the use of small airport installations.