



AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—117th Cong., 2d Sess.

S. 3662

To temporarily increase the cost share authority for aqueous film forming foam input-based testing equipment, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Mr. PETERS (for himself, Mr. MORAN, Ms. DUCKWORTH, Mrs. CAPITO, Ms. KLOBUCHAR, and Ms. LUMMIS)

Viz:

- 1 Strike all after the enacting clause and insert the fol-
- 2 lowing:
- 3 **SECTION 1. SHORT TITLE.**
- 4 This Act may be cited as the “Preventing PFAS
- 5 Runoff at Airports Act”.

1 **SEC. 2. TEMPORARY INCREASED COST SHARE AUTHORITY**
 2 **FOR AQUEOUS FILM FORMING FOAM INPUT-**
 3 **BASED TESTING EQUIPMENT.**

4 (a) IN GENERAL.—Section 47109 of title 49, United
 5 States Code, is amended by adding at the end the fol-
 6 lowing new subsection:

7 “(g) SPECIAL RULE FOR COVERED EQUIPMENT.—

8 “(1) IN GENERAL.—The Government’s share of
 9 allowable project costs for covered equipment and its
 10 installation shall be 100 percent.

11 “(2) DEFINITION OF COVERED EQUIPMENT.—

12 For purposes of this subsection, the term ‘covered
 13 equipment’ means aqueous film forming foam input-
 14 based testing equipment that is eligible for Airport
 15 Improvement Program funding based on Federal
 16 Aviation Administration PGL 21-01, titled ‘Exten-
 17 sion of Eligibility for stand-alone acquisition of
 18 input-based testing equipment and truck modifica-
 19 tion’, dated October 5, 2021 (or any other successor
 20 program guidance letter).

21 “(3) SUNSET.—The higher cost share authority
 22 established in this subsection shall terminate 180
 23 days after the date on which the eligibility of covered
 24 equipment for Airport Improvement Program fund-
 25 ing under the authority described in paragraph (2)

1 terminates or is discontinued by the Administrator,
2 whichever is earlier.”.

3 (b) OUTREACH EFFORTS.—Not later than 90 days
4 after the date of enactment of this Act, the Administrator
5 of the Federal Aviation Administration shall conduct an
6 outreach effort to make airports aware of the higher cost
7 share authority established in section 47109(g) of title 49,
8 United States Code, as added by subsection (a).

9 (c) FORWARD-LOOKING AIRPORT REIMBURSE-
10 MENTS.—Not later than 18 months after the date of en-
11 actment of this Act, the Administrator of the Federal
12 Aviation Administration shall provide a briefing to the
13 Committee on Commerce, Science, and Transportation of
14 the Senate and the Committee on Transportation and In-
15 frastructure of the House of Representatives that re-
16 views—

17 (1) potential options for Congress to reimburse
18 airports that—

19 (A) are certificated under part 139 of title
20 14, Code of Federal Regulations; and

21 (B) acquired covered equipment (as de-
22 fined in section 47109(g) of title 49, United
23 States Code) as added by subsection (a)—

1 (i) with Federal funding but with a
2 Government's share less than 100 percent;
3 or

4 (ii) without Federal funding;

5 (2) information relevant to estimating the po-
6 tential cost of providing such reimbursement;

7 (3) the status of the Federal Aviation Adminis-
8 tration's outreach efforts as required under sub-
9 section (b); and

10 (4) any additional information the Adminis-
11 trator of the Federal Aviation Administration con-
12 siders appropriate.