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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To provide for funding from the Aviation Insurance Revolving Fund to continue certain Federal Aviation Administration activities in the event of a Government shutdown, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. GRAVES (for himself, Mr. LARSEN of Washington, Mr. NEHLS, and Mr. CARSON) introduced the following bill; which was referred to the Committee on _____

A BILL

To provide for funding from the Aviation Insurance Revolving Fund to continue certain Federal Aviation Administration activities in the event of a Government shutdown, 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 “Aviation Funding Sol-
5 vency Act”.

1 **SEC. 2. TEMPORARY FUNDING FOR FEDERAL AVIATION AD-**
2 **MINISTRATION IN EVENT OF LAPSE IN AP-**
3 **PROPRIATION.**

4 (a) IN GENERAL.—Subject to subsection (c) and not-
5 withstanding section 44307 of title 49, United States
6 Code, if, with respect to the Federal Aviation Administra-
7 tion, an appropriation measure for a fiscal year is not en-
8 acted before the beginning of such fiscal year or a law
9 making continuing appropriations is not in effect, covered
10 amounts in the Aviation Insurance Revolving Fund shall
11 be available to the Administrator for continuing programs,
12 projects, or activities (including the costs of direct loans
13 and loan guarantees) that were conducted with amounts
14 made available for the Federal Aviation Administration,
15 including for the accounts “Federal Aviation Administra-
16 tion—Operations” and “Federal Aviation Administra-
17 tion—Facilities and Equipment” in the preceding fiscal
18 year—

19 (1) in the corresponding appropriation Act for
20 such preceding fiscal year; or

21 (2) if the corresponding appropriation bill for
22 such preceding fiscal year did not become law, in a
23 law making continuing appropriations for such pre-
24 ceding fiscal year.

25 (b) RATE FOR OPERATIONS.—Appropriations and
26 funds made available, and authority granted, for a pro-

1 gram, project, or activity for any fiscal year pursuant to
2 this section shall be at a rate for operations not greater
3 than—

4 (1) the rate for operations provided for in the
5 regular appropriation Act providing for such pro-
6 gram, project, or activity for the preceding fiscal
7 year; or

8 (2) in the absence of such an Act, the rate for
9 operations provided for such program, project, or ac-
10 tivity pursuant to an Act making continuing appro-
11 priations for such preceding fiscal year.

12 (c) AVAILABILITY.—Appropriations and funds made
13 available, and authority granted, for any fiscal year pursu-
14 ant to this section for a program, project, or activity shall
15 be available for the period beginning with the first day
16 of a lapse in appropriations in any fiscal year and ending
17 with the date on which either—

18 (1) the applicable regular appropriation bill for
19 such fiscal year becomes law (whether or not such
20 law provides for such program, project, or activity);
21 or

22 (2) an Act making continuing appropriations
23 becomes law.

24 (d) TERMS AND CONDITIONS.—An appropriation or
25 funds made available, or authority granted, for a program,

1 project, or activity for any fiscal year pursuant to this sec-
2 tion shall be subject to the terms and conditions imposed
3 with respect to the appropriation made or funds made
4 available for the preceding fiscal year, or authority grant-
5 ed for such program, project, or activity under current
6 law.

7 (e) END OF FISCAL YEAR.—If this section is in effect
8 at the end of a fiscal year, funding levels shall continue
9 as provided in this section for the next fiscal year.

10 (f) EXPENDITURES AND OBLIGATIONS.—Expendi-
11 tures and obligations made for a program, project, or ac-
12 tivity for any fiscal year pursuant to this section shall be
13 charged to the applicable appropriation, fund, or author-
14 ization whenever a regular appropriation bill or a law mak-
15 ing continuing appropriations until the end of a fiscal year
16 providing for such program, project, or activity for such
17 period becomes law.

18 (g) PRIORITIZATION.—If the Administrator deter-
19 mines that covered amounts are insufficient to continue
20 all programs, projects, or activities described in subsection
21 (a), the Administrator shall prioritize continuing the pay-
22 ment of compensation for employees of the Air Traffic Or-
23 ganization of the Administration using covered amounts.

1 (h) TERMINATION.—This section shall not apply to
2 a program, project, or activity during any portion of a fis-
3 cal year—

4 (1) if any other provision of law (other than an
5 authorization of appropriations)—

6 (A) makes an appropriation, makes funds
7 available, or grants authority for such program,
8 project, or activity to continue for such period;
9 or

10 (B) specifically provides that no appropria-
11 tion shall be made, no funds shall be made
12 available, or no authority shall be granted for
13 such program, project, or activity to continue
14 for such period; or

15 (2) if continuing such program, project, or ac-
16 tivity under this section would cause the balance of
17 the Aviation Insurance Revolving Fund to decrease
18 to less than \$1,000,000,000.

19 (i) COVERED AMOUNTS DEFINED.—In this section,
20 the term “covered amounts” means the balance of the
21 amounts in the Aviation Insurance Revolving Fund minus
22 \$1,000,000,000.

1 **SEC. 3. EXTENSION OF NON-PREMIUM WAR RISK INSUR-**
2 **ANCE.**

3 Section 44310 of title 49, United States Code, is
4 amended—

5 (1) by striking “(a) IN GENERAL.—The” and
6 inserting “The”; and

7 (2) by striking subsection (b).