

Union Calendar No. 23

117TH CONGRESS
1ST SESSION

H. R. 468

[Report No. 117–40]

To amend title 49, United States Code, to permit the use of incentive payments to expedite certain federally financed airport development projects.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 2021

Mr. GRAVES of Missouri (for himself and Mr. GRAVES of Louisiana) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

MAY 28, 2021

Reported from the Committee on Transportation and Infrastructure; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To amend title 49, United States Code, to permit the use of incentive payments to expedite certain federally financed airport development projects.

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 “Expedited Delivery of
5 Airport Infrastructure Act of 2021”.

6 **SEC. 2. ALLOWABLE COST STANDARDS FOR AIRPORT DE-**
7 **VELOPMENT PROJECTS.**

8 (a) IN GENERAL.—Section 47110(b)(1) of title 49,
9 United States Code, is amended—

10 (1) by striking “(1) if the cost necessarily” and
11 inserting “(1)(A) if the cost necessarily”;

12 (2) by striking the semicolon at the end and in-
13 serting “; or”; and

14 (3) by adding at the end the following:

15 “(B) if the cost is an incentive payment in-
16 curred in carrying out the project described in sub-
17 paragraph (A) that is to be provided to a contractor
18 upon early completion of a project, if—

19 “(i) such payment does not exceed the less-
20 er of 5 percent of the initial construction con-
21 tract amount or \$1,000,000;

22 “(ii) the level of contractor’s control of, or
23 access to, the worksite necessary to shorten the
24 duration of the project does not negatively im-
25 pact the operation of the airport;

1 “(iii) the contract specifies application of
2 the incentive structure in the event of unfore-
3 seeable, non-weather delays beyond the control
4 of the contractor;

5 “(iv) nothing in any agreement with the
6 contractor prevents the airport operator from
7 retaining responsibility for the safety, efficiency,
8 and capacity of the airport during the execution
9 of the grant agreement; and

10 “(v) the Secretary determines that the use
11 of an incentive payment is likely to increase air-
12 port capacity or efficiency or result in cost sav-
13 ings as a result of shortening the project’s du-
14 ration;”.

15 (b) TECHNICAL CORRECTION.—Section 47110(e)(7)
16 of title 49, United States Code, is amended in the heading
17 by striking “PARTNERSHIP PROGRAM AIRPORTS” and in-
18 serting “PARTNERSHIP PROGRAM AIRPORTS”.

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