

**Suspend the Rules and Pass the Bill, S. 3662**

**(The amendment strikes all after the enacting clause and inserts a new text)**

117<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# **S. 3662**

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

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 16, 2022

Mr. PETERS (for himself, Mr. MORAN, Ms. DUCKWORTH, Mrs. CAPITO, Ms. KLOBUCHAR, and Ms. LUMMIS) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## **A BILL**

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Preventing PFAS  
3 Runoff at Airports Act”.

4 **SEC. 2. TEMPORARY INCREASED COST SHARE AUTHORITY**  
5 **FOR AQUEOUS FILM FORMING FOAM INPUT-**  
6 **BASED TESTING EQUIPMENT.**

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

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

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

14 “(2) DEFINITION OF COVERED EQUIPMENT.—

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

24 “(3) SUNSET.—The higher cost share authority  
25 established in this subsection shall terminate on the  
26 earlier of—

1           “(A) 180 days after the date on which the  
2           eligibility of covered equipment for Airport Im-  
3           provement Program funding under the author-  
4           ity described in paragraph (2) terminates or is  
5           discontinued by the Administrator; or

6           “(B) 5 years after the date of enactment  
7           of this subsection.”.

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

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

22                 (1) potential options for Congress to reimburse  
23          airports that—

24                         (A) are certificated under part 139 of title  
25                         14, Code of Federal Regulations; and

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

4 (i) with Federal funding but with a  
5 Government's share less than 100 percent;

6 or

7 (ii) without Federal funding;

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

10 (3) the status of the Federal Aviation Adminis-  
11 tration's outreach efforts as required under sub-  
12 section (b); and

13 (4) any additional information the Adminis-  
14 trator of the Federal Aviation Administration con-  
15 siders appropriate.

16 (d) AUTHORIZATION OF APPROPRIATIONS.—The  
17 amendments made by this Act shall apply to amounts that  
18 first become available in fiscal year 2023 or thereafter.