

## Union Calendar No. 372

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

# H. R. 5912

[Report No. 116-464]

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

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### IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 2020

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

JULY 29, 2020

Additional sponsors: Mr. SPANO and Mr. WITTMAN

JULY 29, 2020

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 2020”.

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 as a result of short-  
13           ening the project’s duration;”.

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



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