

1 (g) PROJECT MANAGEMENT OVERSIGHT.—Not more
2 than \$2,000,000 of the aggregate amounts made available
3 under subsections (a) and (b) shall be for activities author-
4 ized under section 11101(e) of the FAST Act (Public Law
5 114–94).

6 **SEC. 7102. RELIEF FOR AIRPORTS.**

7 (a) IN GENERAL.—

8 (1) IN GENERAL.—In addition to amounts oth-
9 erwise available, there is appropriated for fiscal year
10 2021, out of any funds in the Treasury not other-
11 wise appropriated, \$8,000,000,000, to remain avail-
12 able until September 30, 2024, for assistance to
13 sponsors of airports, as such terms are defined in
14 section 47102 of title 49, United States Code, to be
15 made available to prevent, prepare for, and respond
16 to coronavirus.

17 (2) REQUIREMENTS AND LIMITATIONS.—

18 Amounts made available under this section—

19 (A) may not be used for any purpose not
20 directly related to the airport; and

21 (B) may not be provided to any airport
22 that was allocated in excess of 4 years of oper-
23 ating funds to prevent, prepare for, and re-
24 spond to coronavirus in fiscal year 2020.

1 (b) ALLOCATIONS.—The following terms shall apply
2 to the amounts made available under this section:

3 (1) OPERATING EXPENSES AND DEBT SERVICE
4 PAYMENTS.—

5 (A) IN GENERAL.—Not more than
6 \$6,492,000,000 shall be made available for pri-
7 mary airports, as such term is defined in sec-
8 tion 47102 of title 49, United States Code, and
9 certain cargo airports, for costs related to oper-
10 ations, personnel, cleaning, sanitization, jani-
11 torial services, combating the spread of patho-
12 gens at the airport, and debt service payments.

13 (B) DISTRIBUTION.— Amounts made
14 available under this paragraph—

15 (i) shall not be subject to the reduced
16 apportionments under section 47114(f) of
17 title 49, United States Code;

18 (ii) shall first be apportioned as set
19 forth in sections 47114(e)(1)(A),
20 47114(e)(1)(C)(i), 47114(e)(1)(C)(ii),
21 47114(e)(2)(A), 47114(e)(2)(B), and
22 47114(e)(2)(E) of title 49, United States
23 Code; and

24 (iii) shall not be subject to a max-
25 imum apportionment limit set forth in sec-

1 tion 47114(e)(1)(B) of title 49, United
2 States Code.

3 (C) REMAINING AMOUNTS.—Any amount
4 remaining after distribution under subpara-
5 graph (B) shall be distributed to the sponsor of
6 each primary airport (as such term is defined
7 in section 47102 of title 49, United States
8 Code) based on each such primary airport's
9 passenger enplanements compared to the total
10 passenger enplanements of all such primary air-
11 ports in calendar year 2019.

12 (2) FEDERAL SHARE FOR DEVELOPMENT
13 PROJECTS.—

14 (A) IN GENERAL.—Not more than
15 \$608,000,000 allocated under subsection (a)(1)
16 shall be available to pay a Federal share of 100
17 percent of the costs for any grant awarded in
18 fiscal year 2021, or in fiscal year 2020 with less
19 than a 100-percent Federal share, for an air-
20 port development project (as such term is de-
21 fined in section 47102 of title 49).

22 (B) REMAINING AMOUNTS.—Any amount
23 remaining under this paragraph shall be distrib-
24 uted as described in paragraph (1)(C).

25 (3) NONPRIMARY AIRPORTS.—

1 (A) IN GENERAL.—Not more than
2 \$100,000,000 shall be made available for gen-
3 eral aviation and commercial service airports
4 that are not primary airports (as such terms
5 are defined in section 47102 of title 49, United
6 States Code) for costs related to operations,
7 personnel, cleaning, sanitization, janitorial serv-
8 ices, combating the spread of pathogens at the
9 airport, and debt service payments.

10 (B) DISTRIBUTION.—Amounts made avail-
11 able under this paragraph shall be apportioned
12 to each non-primary airport based on the cat-
13 egories published in the most current National
14 Plan of Integrated Airport Systems, reflecting
15 the percentage of the aggregate published eligi-
16 ble development costs for each such category,
17 and then dividing the allocated funds evenly
18 among the eligible airports in each category,
19 rounding up to the nearest thousand dollars.

20 (C) REMAINING AMOUNTS.—Any amount
21 remaining under this paragraph shall be distrib-
22 uted as described in paragraph (1)(C).

23 (4) AIRPORT CONCESSIONS.—

24 (A) IN GENERAL.—Not more than
25 \$800,000,000 shall be made available for spon-

1 ~~sors of primary airports to provide relief from~~
2 ~~rent and minimum annual guarantees to airport~~
3 ~~concessions, of which at least \$640,000,000~~
4 ~~shall be available to provide relief to eligible~~
5 ~~small airport concessions and of which at least~~
6 ~~\$160,000,000 shall be available to provide relief~~
7 ~~to eligible large airport concessions located at~~
8 ~~primary airports.~~

9 (B) DISTRIBUTION.—The amounts made
10 available for each set-aside in this paragraph
11 shall be distributed to the sponsor of each pri-
12 mary airport (as such term is defined in section
13 47102 of title 49, United States Code) based on
14 each such ~~primary airport's passenger~~
15 ~~enplanements compared to the total passenger~~
16 ~~enplanements of all such primary airports in~~
17 ~~calendar year 2019.~~

18 (C) CONDITIONS.—As a condition of ap-
19 proving a grant under this paragraph—

20 (i) the sponsor shall provide such re-
21 lief from the date of enactment of this Act
22 until the sponsor has provided relief equal-
23 ing the total grant amount, to the extent
24 practicable and to the extent permissible

1 under State laws, local laws, and applicable
2 trust indentures; and

3 (ii) for each set-aside, the sponsor
4 shall provide relief from rent and minimum
5 annual guarantee obligations to each eligi-
6 ble airport concession in an amount that
7 reflects each eligible airport concession's
8 proportional share of the total amount of
9 the rent and minimum annual guarantees
10 of those eligible airport concessions at such
11 airport.

12 (c) ADMINISTRATION.—

13 (1) ADMINISTRATIVE EXPENSES.—The Admin-
14 istrator of the Federal Aviation Administration may
15 retain up to 0.1 percent of the funds provided under
16 this section to fund the award of, and oversight by
17 the Administrator of, grants made under this sec-
18 tion.

19 (2) WORKFORCE RETENTION REQUIRE-
20 MENTS.—

21 (A) REQUIRED RETENTION.—As a condi-
22 tion for receiving funds provided under this sec-
23 tion, ~~an airport shall continue to employ,~~
24 ~~through September 30, 2021, at least 90 per-~~
25 ~~cent of the number of individuals employed~~

1 (after making adjustments for retirements or
2 voluntary employee separations) by the airport
3 as of March 27, 2020.

4 (B) WAIVER OF RETENTION REQUIRE-
5 MENT.—The Secretary shall waive the work-
6 force retention requirement if the Secretary de-
7 termines that—

8 (i) the airport is experiencing eco-
9 nomic hardship as a direct result of the re-
10 quirement; or

11 (ii) the requirement reduces aviation
12 safety or security.

13 (C) EXCEPTION.—The workforce retention
14 requirement shall not apply to nonhub airports
15 or nonprimary airports receiving funds under
16 this section.

17 (D) NONCOMPLIANCE.—Any financial as-
18 sistance provided under this section to an air-
19 port that fails to comply with the workforce re-
20 tention requirement described in subparagraph
21 (A), and does not otherwise qualify for a waiver
22 or exception under this paragraph, shall be sub-
23 ject to clawback by the Secretary.

24 (d) DEFINITIONS.—In this section:

1 (1) ELIGIBLE ~~LARGE AIRPORT CONCESSION~~.—

2 The term “eligible large airport concession” means
3 a concession (as defined in section 23.3 of title 49,
4 Code of Federal Regulations), that is in-terminal
5 and has ~~maximum gross receipts, averaged over the~~
6 ~~previous three fiscal years, of more than~~
7 ~~\$56,420,000.~~

8 (2) ELIGIBLE ~~SMALL AIRPORT CONCESSION~~.—

9 The term “eligible small airport concession” means
10 a concession (as defined in section 23.3 of title 49,
11 Code of Federal Regulations), that is ~~in-terminal~~
12 ~~and—~~

13 (A) a small business with ~~maximum gross~~
14 ~~receipts, averaged over the previous 3 fiscal~~
15 ~~years, of less than \$56,420,000; or~~

16 (B) ~~is a joint venture~~, (as defined in section
17 23.3 of title 49, Code of Federal Regulations).

18 **SEC. 7103. EMERGENCY FAA EMPLOYEE LEAVE FUND.**

19 (a) ESTABLISHMENT; APPROPRIATION.—There is es-
20 tablished in the Federal Aviation Administration the
21 Emergency FAA Employee Leave Fund (in this section
22 referred to as the “Fund”), to be administered by the Ad-
23 ministrator of the Federal Aviation Administration, for
24 the purposes set forth in subsection (b). In addition to
25 amounts otherwise available, there is appropriated for fis-