

carried out when any restriction in the Notice is in effect.

“(L) in fiscal year 2002, payments for debt service on indebtedness incurred to carry out a project at an airport owned or controlled by the sponsor or at a privately owned or operated airport passenger terminal financed by indebtedness incurred by the sponsor if the Secretary determines that such payments are necessary to prevent a default on the indebtedness.”

Par. (3)(M). Pub. L. 108-176, § 159(b)(1)(A), redesignated subpar. (M) as (J).

Pub. L. 108-7 added subpar. (M).

Par. (6). Pub. L. 108-176, § 801(a)(6), added par. (6) and struck out former par. (6) which read as follows: “‘amount made available under section 48103 of this title’ means the amount authorized for grants under section 48103 of this title as reduced by any law enacted after September 3, 1982.”

Par. (10). Pub. L. 108-176, § 801(a)(5), added par. (10). Former par. (10) redesignated (14).

Par. (10)(A), (B). Pub. L. 108-176, § 801(a)(3), added subpars. (A) and (B) and struck out former subpars. (A) and (B) which read as follows:

“(A) means revenue passenger boardings on an aircraft in service in air commerce as the Secretary determines under regulations the Secretary prescribes; and

“(B) includes passengers who continue on an aircraft in international flight that stops at an airport in the 48 contiguous States, Alaska, or Hawaii for a nontraffic purpose.”

Par. (11). Pub. L. 108-176, § 159(d), amended section as amended by Pub. L. 108-176, § 801, by adding par. (11).

Pub. L. 108-176, § 801(a)(4), redesignated par. (11) as (15).

Pars. (12) to (18). Pub. L. 108-176, § 801(a)(4), (5), added pars. (12) and (13) and redesignated pars. (10) to (14) as (14) to (18), respectively. Former pars. (15) to (18) redesignated (19) to (22), respectively.

Pars. (19), (20). Pub. L. 108-176, § 801(a)(4), redesignated pars. (15) and (16) as (19) and (20), respectively. Former pars. (19) and (20) redesignated (24) and (25), respectively.

Pars. (21) and (22). Pub. L. 108-176, § 801(a)(4), redesignated pars. (17) and (18) as pars. (21) and (22), respectively.

Par. (23). Pub. L. 108-176, § 801(a)(2), added par. (23).

Pars. (24), (25). Pub. L. 108-176, § 801(a)(1), redesignated pars. (19) and (20) as (24) and (25), respectively.

2001—Par. (3)(B)(x). Pub. L. 107-71, § 119(a)(5), added cl. (x).

Par. (3)(J) to (L). Pub. L. 107-71, § 119(a)(1), added subpars. (J) to (L).

2000—Par. (3)(B)(ii). Pub. L. 106-181, § 121(c)(1), substituted “, universal access systems, and emergency call boxes,” for “and universal access systems,” and inserted “and integrated in-pavement lighting systems for runways and taxiways and other runway and taxiway incursion prevention devices” before semicolon at end.

Par. (3)(B)(iii). Pub. L. 106-181, § 121(c)(2), inserted before semicolon at end “, including closed circuit weather surveillance equipment if the airport is located in Alaska”.

Par. (3)(B)(vii), (viii). Pub. L. 106-181, § 122, added cls. (vii) and (viii).

Par. (3)(B)(ix). Pub. L. 106-181, § 514(a), added cl. (ix).

Par. (3)(H). Pub. L. 106-181, § 123(b), added subpar. (H).

Par. (3)(I). Pub. L. 106-181, § 137(b), added subpar. (I).

1996—Par. (3)(E). Pub. L. 104-264, § 142(b)(1)(A), inserted “or under section 40117” before period at end.

Par. (3)(F). Pub. L. 104-264, § 142(b)(1)(B), struck out “paid for by a grant under this subchapter and” after “airport, if”.

1994—Par. (3)(B)(ii). Pub. L. 103-305 inserted “, including explosive detection devices and universal access systems,” after “or security equipment”.

#### EFFECTIVE DATE OF 2003 AMENDMENT

Amendment by Pub. L. 108-176 applicable only to fiscal years beginning after Sept. 30, 2003, except as other-

wise specifically provided, see section 3 of Pub. L. 108-176, set out as a note under section 106 of this title.

#### EFFECTIVE DATE OF 2000 AMENDMENT

Amendment by Pub. L. 106-181 applicable only to fiscal years beginning after Sept. 30, 1999, see section 3 of Pub. L. 106-181, set out as a note under section 106 of this title.

#### EFFECTIVE DATE OF 1996 AMENDMENT

Except as otherwise specifically provided, amendment by Pub. L. 104-264 applicable only to fiscal years beginning after Sept. 30, 1996, and not to be construed as affecting funds made available for a fiscal year ending before Oct. 1, 1996, see section 3 of Pub. L. 104-264, set out as a note under section 106 of this title.

#### TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

#### GUIDANCE

Pub. L. 108-176, title I, § 159(b)(2), Dec. 12, 2003, 117 Stat. 2510, provided that:

“(A) ELIGIBLE LOW-EMISSION MODIFICATIONS AND IMPROVEMENTS.—The Secretary of Transportation, in consultation with the Administrator of the Environmental Protection Agency, shall issue guidance describing eligible low-emission modifications and improvements, and stating how airport sponsors will demonstrate benefits, under section 47102(3)(K) of title 49, United States Code, as added by this subsection.

“(B) ELIGIBLE LOW-EMISSION VEHICLE TECHNOLOGY.—The Secretary, in consultation with the Administrator, shall issue guidance describing eligible low-emission vehicle technology, and stating how airport sponsors will demonstrate benefits, under section 47102(3)(L) of title 49, United States Code, as added by this subsection.”

#### § 47103. National plan of integrated airport systems

(a) GENERAL REQUIREMENTS AND CONSIDERATIONS.—The Secretary of Transportation shall maintain the plan for developing public-use airports in the United States, named “the national plan of integrated airport systems”. The plan shall include the kind and estimated cost of eligible airport development the Secretary of Transportation considers necessary to provide a safe, efficient, and integrated system of public-use airports adequate to anticipate and meet the needs of civil aeronautics, to meet the national defense requirements of the Secretary of Defense, and to meet identified needs of the United States Postal Service. Airport development included in the plan may not be limited to meeting the needs of any particular classes or categories of public-use airports. In maintaining the plan, the Secretary of Transportation shall consider the needs of each segment of civil aviation and the relationship of the airport system to—

(1) the rest of the transportation system, including connection to the surface transportation network; and

(2) forecasted technological developments in aeronautics.

(b) SPECIFIC REQUIREMENTS.—In maintaining the plan, the Secretary of Transportation shall—

(1) to the extent possible and as appropriate, consult with departments, agencies, and in-

strumentalities of the United States Government, with public agencies, and with the aviation community; and

(2) make every reasonable effort to address the needs of air cargo operations and rotary wing aircraft operations.

(c) AVAILABILITY OF DOMESTIC MILITARY AIRPORTS AND AIRPORT FACILITIES.—To the extent possible, the Secretary of Defense shall make domestic military airports and airport facilities available for civil use. In advising the Secretary of Transportation under subsection (a) of this section, the Secretary of Defense shall indicate the extent to which domestic military airports and airport facilities are available for civil use.

(d) PUBLICATION.—The Secretary of Transportation shall publish the plan every 2 years.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1251; Pub. L. 112–95, title I, §152(a), Feb. 14, 2012, 126 Stat. 32.)

#### HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
47103(a) .....	49 App.:2203(a)(1) (2d-last sentences).	Sept. 3, 1982, Pub. L. 97–248, §504(a)(1), 96 Stat. 675; Dec. 30, 1987, Pub. L. 100–223, §104(a)(1)(A), (2), 101 Stat. 1489.
47103(b) .....	49 App.:2203(a)(2).  49 App.:2203(c).	Sept. 3, 1982, Pub. L. 97–248, 96 Stat. 324, §504(a)(2); added Dec. 30, 1987, Pub. L. 100–223, §104(a)(1)(B), 101 Stat. 1489. Sept. 3, 1982, Pub. L. 97–248, §504(c), 96 Stat. 676.
47103(c) .....	49 App.:2203(d)(1).	Sept. 3, 1982, Pub. L. 97–248, §504(d)(1), 96 Stat. 676; Dec. 30, 1987, Pub. L. 100–223, §104(b)(2), 101 Stat. 1489.
47103(d) .....	49 App.:2203(a)(1) (1st sentence).	

In subsection (a), before clause (1), the words “shall maintain” and “In maintaining” are substituted for “In reviewing and revising” for clarity and consistency in the revised title. The word “named” is substituted for “After September 3, 1982, the revised national airport system plan shall be known as”, and the words “the national defense requirements of the Secretary of Defense” are substituted for “requirements in support of the national defense as determined by the Secretary of Defense”, to eliminate unnecessary words. The words “included in the plan may not be limited to meeting the needs of any particular” are substituted for “identified by this plan shall not be limited to the requirements of any” for clarity and consistency in this section. The words “among other things” are omitted as surplus.

In subsection (b), before clause (1), the words “In maintaining” are substituted for “In reviewing and revising” for consistency in this section. In clause (1), the words “departments, agencies, and instrumentalities of the United States Government” are substituted for “Federal . . . agencies” for consistency in the revised title and with other titles of the United States Code. In clauses (2) and (3), the words “As soon as feasible following December 30, 1987” are omitted as obsolete. In clause (3), the word “legitimate” is omitted as surplus.

In subsection (c), the words “Secretary of Defense” are substituted for “Department of Defense” because of 10:133.

In subsection (d), the words “Not later than two years after September 3, 1982” are omitted as executed.

#### AMENDMENTS

2012—Subsec. (a). Pub. L. 112–95, §152(a)(1)(A), substituted “the airport system to” for “each airport to” in introductory provisions.

Subsec. (a)(1). Pub. L. 112–95, §152(a)(1)(B), substituted “system, including connection to the surface transportation network; and” for “system in the particular area;”.

Subsec. (a)(2). Pub. L. 112–95, §152(a)(1)(C), substituted period at end for “; and”.

Subsec. (a)(3). Pub. L. 112–95, §152(a)(1)(D), struck out par. (3) which read as follows: “forecasted developments in other modes of intercity transportation.”

Subsec. (b). Pub. L. 112–95, §152(a)(2), inserted “and” at end of par. (1), redesignated par. (3) as (2) and struck out “, Short Takeoff and Landing/Very Short Takeoff and Landing aircraft operations,” after “air cargo operations”, and struck out former par. (2) which read as follows: “consider tall structures that reduce safety or airport capacity; and”.

Subsec. (d). Pub. L. 112–95, §152(a)(3), struck out “status of the” before “plan”.

#### § 47104. Project grant authority

(a) GENERAL AUTHORITY.—To maintain a safe and efficient nationwide system of public-use airports that meets the present and future needs of civil aeronautics, the Secretary of Transportation may make project grants under this subchapter from the Airport and Airway Trust Fund.

(b) INCURRING OBLIGATIONS.—The Secretary may incur obligations to make grants from amounts made available under section 48103 of this title as soon as the amounts are apportioned under section 47114(c) and (d)(2) of this title.

(c) EXPIRATION OF AUTHORITY.—After September 30, 2015, the Secretary may not incur obligations under subsection (b) of this section, except for obligations of amounts—

(1) remaining available after that date under section 47117(b) of this title; or

(2) recovered by the United States Government from grants made under this chapter if the amounts are obligated only for increases under section 47108(b)(2) and (3) of this title in the maximum amount of obligations of the Government for any other grant made under this title.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1252; Pub. L. 103–305, title I, §101(b), Aug. 23, 1994, 108 Stat. 1571; Pub. L. 103–429, §6(63), Oct. 31, 1994, 108 Stat. 4385; Pub. L. 104–264, title I, §101(b), Oct. 9, 1996, 110 Stat. 3216; Pub. L. 105–277, div. C, title I, §110(b)(2), Oct. 21, 1998, 112 Stat. 2681–587; Pub. L. 106–6, §2(b), Mar. 31, 1999, 113 Stat. 10; Pub. L. 106–31, title VI, §6002(b), May 21, 1999, 113 Stat. 113; Pub. L. 106–59, §1(b), Sept. 29, 1999, 113 Stat. 482; Pub. L. 106–181, title I, §101(b), Apr. 5, 2000, 114 Stat. 65; Pub. L. 108–176, title I, §101(b), Dec. 12, 2003, 117 Stat. 2494; Pub. L. 110–190, §4(b), Feb. 28, 2008, 122 Stat. 644; Pub. L. 110–253, §4(b), June 30, 2008, 122 Stat. 2418; Pub. L. 110–330, §4(b), Sept. 30, 2008, 122 Stat. 3718; Pub. L. 111–12, §4(b), Mar. 30, 2009, 123 Stat. 1458; Pub. L. 111–69, §4(b), Oct. 1, 2009, 123 Stat. 2055; Pub. L. 111–116, §4(b), Dec. 16, 2009, 123 Stat. 3032; Pub. L. 111–153, §4(b), Mar. 31, 2010, 124 Stat. 1085; Pub. L. 111–161, §4(b), Apr. 30, 2010, 124 Stat. 1127; Pub. L. 111–197, §4(b), July 2, 2010, 124 Stat. 1354; Pub. L. 111–216, title I, §103, Aug. 1, 2010, 124 Stat. 2349; Pub. L. 111–249, §4(b), Sept. 30, 2010, 124 Stat. 2628; Pub. L. 111–329, §4(b), Dec. 22, 2010, 124 Stat. 3567; Pub. L. 112–7, §4(b), Mar. 31, 2011, 125 Stat. 32; Pub. L. 112–16, §4(b), May 31, 2011, 125 Stat. 219; Pub. L.