properly collected and remitted consistent with this part.

§ 1510.21 Enforcement.
A direct air carrier’s or foreign air carrier’s failure to comply with the requirements 49 U.S.C. 44940 or the provisions of this part may be considered to be an unfair and deceptive practice in violation of 49 U.S.C. 41712 and may also result in a claim due the United States by the carrier pursuant to 49 CFR part 89. These remedies are in addition to any others remedies provided by law.

PART 1511—AVIATION SECURITY INFRASTRUCTURE FEE

§ 1511.1 Applicability and purpose.
(a) This part prescribes the imposition of a fee on air carriers and foreign air carriers in air transportation to pay for the costs of providing U.S. civil aviation security services as described in 49 U.S.C. 44940.
(b) For purposes of this part, the fee will be described as the “Aviation Security Infrastructure Fee.”

§ 1511.3 Definitions.
The following definitions apply for purposes of this part. For other definitions that may be applicable to this part refer to 49 U.S.C. 40102.

Administrator means the Administrator of the Transportation Security Administration or the Administrator’s designee.

Air transportation means the carriage by passenger aircraft of persons or property for compensation or hire in intrastate air transportation, interstate air transportation, or foreign air transportation.

Aircraft means a device that is used or intended to be used for flight in the air.

Fiscal year means the fiscal year for the Federal government, which begins each year October 1 and ends on September 30. The fiscal year is designated by the calendar year in which it ends, e.g., fiscal year 2002 is the year beginning October 1, 2001, and ending September 30, 2002.

Foreign air transportation means air transportation between a place in the United States and any place outside of the United States.

Interstate air transportation means air transportation within the United States.

Intrastate air transportation means air transportation wholly within the same State of the United States.

Passenger aircraft means an aircraft that is used to transport passengers in air transportation.

Property means mail, cargo, carry-on and checked baggage, and any other articles transported by passenger aircraft operated by an air carrier or foreign air carrier in air transportation, but excluding property transported under the “Known Shipper Program.”

§ 1511.5 Imposition of Aviation Security Infrastructure Fees.
(a) Effective February 18, 2002, an Aviation Security Infrastructure Fee will be imposed on air carriers and foreign air carriers engaged in air transportation.
(b) The amount of the Aviation Security Infrastructure Fee for each fiscal year will not exceed, in the aggregate, the amounts paid in calendar year 2000 by air carriers and foreign air carriers for the screening of passengers and property transported by passenger aircraft in the United States, as determined by the Administrator.
(c) For fiscal years 2002, 2003 and 2004, the amount of the Aviation Security Infrastructure Fee imposed on each air
§ 1511.7 Remittance of Aviation Security Infrastructure Fees.

(a) No later than May 31, 2002, each air carrier and foreign air carrier engaged in air transportation must remit to TSA:

(1) 3.273 percent of the total amount the carrier has indicated in Appendix A of this part, or an amount as otherwise determined by the Administrator, which will represent the Aviation Security Infrastructure Fee due for the period running from February 18 through February 28, 2002; and,

(2) 16.666 percent of the total amount the carrier has indicated in Appendix A of this part, or an amount as otherwise determined by the Administrator, which will represent the Aviation Security Infrastructure Fee due for period running from March 1 through April 30, 2002.

(b) Each air carrier and foreign air carrier engaged in air transportation must remit to TSA 8.333 percent of the total amount as determined by the Administrator pursuant to section 1511.5(g) of this part by the last calendar day of each month following September 2004.

(c) Aviation Security Infrastructure Fees must be payable to the “Transportation Security Administration” in U.S. currency and drawn on a U.S. bank.

(1) Aviation Security Infrastructure Fees of $1,000 or more must be remitted by electronic funds transfer.

(2) Aviation Security Infrastructure Fees under $1,000 may be remitted by electronic funds transfer, check, money order, wire transfer, or draft.

(e) Air carriers and foreign air carriers are responsible for paying any bank processing charges on Aviation Security Infrastructure Fees remitted under this part when such charges are assessed on the U.S. government.

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