

**CONSOLIDATED APPROPRIATIONS RESOLUTION, 2003-
(FED. AVIATION RELATED)**

[Division I of Public Law 108–7; 117 Stat. 384]

[This Act has not been amended]

【Currency: This publication is a compilation of the text of Division I of Public Law 108–7. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

AN ACT Making consolidated appropriations for the fiscal year ending September 30, 2003, and for other purposes.

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SEC. 352. FAA NOTICE TO AIRMEN FDC 2/0199. (A) IN GENERAL.—THE SECRETARY OF TRANSPORTATION—

(1) shall maintain in full force and effect, for a period of 1 year after the date of enactment of this Act, the restrictions imposed under Federal Aviation Administration Notice to Airmen FDC 2/0199 and the restrictions that had been in effect on September 26, 2002 and that were imposed under local Notices to Airmen based on or derived from Notice to Airmen FDC 1/3353;

(2) shall rescind immediately any waivers or exemptions from those restrictions that are in effect on the date of enactment of this Act; and

(3) may not grant any waivers or exemptions from those restrictions, except—

(A) as authorized by air traffic control for operational or safety purposes;

(B) for operational purposes of an event, stadium, or other venue, including (in the case of a sporting event) equipment or parts, transport of team members, officials of the governing body and immediate family members and guests of such teams and officials to and from the event, stadium, or other venue;

(C) for broadcast coverage for any broadcast rights holder;

(D) for safety and security purposes of the event, stadium, or other venue; or

(E) to operate an aircraft in restricted airspace to the extent necessary to arrive at or depart from an airport using standard air traffic procedures.

(b) **WAIVERS.**—Beginning no earlier than 1 year after the date of enactment of this Act, the Secretary may modify or terminate such restrictions, or issue waivers or exemptions from such restrictions, if the Secretary promulgates, after public notice and an opportunity for comment, a rule setting forth the standards under which the Secretary may grant a waiver or exemption. Such standards shall provide a level of security at least equivalent to that provided by the waiver policy applied by the Secretary as of the date of enactment of this Act.

(c) **FUNDING LIMITATION.**—Unless and until the Secretary promulgates a rule in accordance with subsection (b) above, none of the funds made available in this Act or any other Act may be used to terminate or limit the restrictions described in paragraph (a)(1) above or to grant waivers of, or exemptions from, such restrictions except as provided in paragraph (a)(3) above.

(d) **BROADCAST CONTRACTS NOT AFFECTED.**—Nothing in this section shall be construed to affect contractual rights pertaining to any broadcasting agreement.

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SEC. 367. LETTERS OF INTENT FOR AIRPORT SECURITY IMPROVEMENT PROJECTS.—(a) The Under Secretary of Transportation for Security may issue a letter of intent to an airport committing to obligate from future budget authority an amount, not more than the Federal Government's share of the project's cost, for an airport security improvement project (including interest costs and costs of formulating the project) at the airport. The letter shall establish a schedule under which the Under Secretary will reimburse the airport for the Government's share of the project's costs, as amounts become available, if the airport, after the Under Secretary issues the letter, carries out the project without receiving amounts under Chapter 471 of title 49.

(b) The airport shall notify the Under Secretary of the airport's intent to carry out the airport security improvement project before the project begins.

(c) A letter of intent may be issued under this section only if—

(1) The airport security improvement project to which the letter applies involves the replacement of baggage conveyer systems or the reconfiguration of terminal baggage areas in order to install explosive detection systems; and

(2) The Under Secretary determines that the project will improve security or will improve the efficiency of the airport without lessening security.

(d) A letter of intent issued under this section is not an obligation of the Government under section 1501 of title 31, and the letter is not deemed to be an administrative commitment for financing. An obligation or administrative commitment may be made only as amounts are provided in authorization and appropriations laws.

(e) The Government's share of the project's cost shall be 75 percent for a project at an airport having at least 0.25 percent of the

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total number of passenger boardings each year at all airports and 90 percent for a project at any other airport.

(f) Nothing in this section shall be construed to prohibit the obligation of amounts pursuant to a letter of intent under this section in the same fiscal year as the letter of intent is issued.

(g) The Under Secretary shall notify the House and Senate Committees on Appropriations, the House Transportation and Infrastructure Committee, and the Senate Commerce, Science, and Transportation Committee at least 3 days prior to the issuance of a letter of intent under this section.

(h) There is authorized to be appropriated to carry out this section \$500,000,000 in each of fiscal years 2003, 2004, 2005, 2006, and 2007.

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