

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.”

Executive Documents

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.

§ 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 instrumentalities 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) NON-COMPLIANT AIRPORTS.—

- (1) IN GENERAL.—The Secretary shall include in the plan a detailed statement listing airports the Secretary has reason to believe are

not in compliance with grant assurances or other requirements with respect to airport lands and shall include—

- (A) the circumstances of noncompliance;
- (B) the timeline for corrective action with respect to such noncompliance; and
- (C) any corrective action the Secretary intends to require to bring the airport sponsor into compliance.

(2) LISTING.—The Secretary is not required to conduct an audit or make a final determination before including an airport on the list referred to in paragraph (1).

(e) 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; Pub. L. 118–63, title II, §218(e), May 16, 2024, 138 Stat. 1055.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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).	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.
	49 App.:2203(c).	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.

Editorial Notes

AMENDMENTS

2024—Subsecs. (d), (e). Pub. L. 118–63 added subsec. (d) and redesignated former subsec. (d) as (e).

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”.

Statutory Notes and Related Subsidiaries

POPULOUS COUNTIES WITHOUT AIRPORTS

Pub. L. 118–63, title VII, §732, May 16, 2024, 138 Stat. 1273, provided that: “Notwithstanding any other provision of law, the Secretary [of Transportation] may not deny inclusion in the national plan of integrated airport systems maintained under section 47103 of title 49, United States Code, to an airport or proposed airport if the airport or proposed airport—

“(1) is located in the most populous county (as such term is defined in section 2 of title 1, United States Code) of a State that does not have an airport listed in the national plan;

“(2) has an airport sponsor that was established before January 1, 2017;

“(3) is located more than 15 miles away from another airport listed in the national plan;

“(4) demonstrates how the airport will meet the operational activity required, through a forecast validated by the Secretary, within the first 10 years of operation;

“(5) meets FAA [Federal Aviation Administration] airport design standards;

“(6) submits a benefit-cost analysis;

“(7) presents a detailed financial plan to accomplish construction and ongoing maintenance; and

“(8) has the documented support of the State government for the entry of the airport or proposed airport into the national 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, 2028, 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. 112–21, §4(b), June 29, 2011, 125 Stat. 234; Pub. L. 112–27, §4(b), Aug. 5, 2011, 125 Stat. 271; Pub. L. 112–30, title II, §204(b), Sept. 16, 2011, 125 Stat. 358; Pub. L. 112–91, §4(b), Jan. 31, 2012, 126 Stat. 4; Pub. L. 112–95, title I, §101(b), Feb. 14, 2012, 126 Stat. 15; Pub. L. 114–55, title I, §101(b), Sept. 30, 2015, 129 Stat. 523; Pub. L. 114–141, title I, §101(b), Mar. 30, 2016, 130 Stat. 323; Pub. L. 114–190, title I, §1101(b), July 15, 2016, 130 Stat. 617; Pub. L. 115–63, title I, §101(b), Sept. 29, 2017, 131 Stat. 1169; Pub. L. 115–141, div. M, title I, §101(b), Mar. 23, 2018, 132 Stat. 1046; Pub. L. 115–254, div. B, title I, §111(b), Oct. 5, 2018, 132 Stat. 3199; Pub. L. 118–15, div. B, title II, §2201(d), Sept. 30, 2023, 137 Stat. 82; Pub. L. 118–34, title I, §101(d), Dec. 26, 2023, 137 Stat. 1113; Pub. L. 118–41, title I, §101(d), Mar. 8, 2024, 138 Stat. 21; Pub. L. 118–63, title I, §101(b), May 16, 2024, 138 Stat. 1033.)

HISTORICAL AND REVISION NOTES PUB. L. 103–272

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
47104(a)	49 App.:2202(a)(24).	Sept. 3, 1982, Pub. L. 97–248, §503(a)(24), 96 Stat. 674; Dec. 30, 1987, Pub. L. 100–223, §103(c)(1), 101 Stat. 1488.
	49 App.:2204(a) (1st sentence).	Sept. 3, 1982, Pub. L. 97–248, §505(a) (1st sentence), 96 Stat. 676.
47104(b)	49 App.:2204(b)(1) (1st sentence).	Sept. 3, 1982, Pub. L. 97–248, §505(b)(1), 96 Stat. 677; Nov. 5, 1990, Pub. L. 101–508, §9104(2), 104 Stat. 1388–355; Oct. 31, 1992, Pub. L. 102–581, §102(b), 106 Stat. 4877.
47104(c)	49 App.:2204(b)(1) (last sentence).	

In subsection (a), the words “project grants” are substituted for “grants . . . for airport development and airport planning by project grants” in 49 App.:2204(a) to eliminate unnecessary words and because of the definitions of “project” and “project grant” in section 47102 of the revised title.