

TITLE 49 - TRANSPORTATION
SUBTITLE VII - AVIATION PROGRAMS
PART B - AIRPORT DEVELOPMENT AND NOISE
CHAPTER 471 - AIRPORT DEVELOPMENT
SUBCHAPTER I - AIRPORT IMPROVEMENT

§ 47128. State block grant program

(a) **General Requirements.**— The Secretary of Transportation shall prescribe regulations to carry out a State block grant program. The regulations shall provide that the Secretary may designate not more than 9 qualified States for fiscal years 2000 and 2001 and 10 qualified States for each fiscal year thereafter to assume administrative responsibility for all airport grant amounts available under this subchapter, except for amounts designated for use at primary airports.

(b) **Applications and Selection.**— A State wishing to participate in the program must submit an application to the Secretary. The Secretary shall select a State on the basis of its application only after—

- (1) deciding the State has an organization capable of effectively administering a block grant made under this section;
- (2) deciding the State uses a satisfactory airport system planning process;
- (3) deciding the State uses a programming process acceptable to the Secretary;
- (4) finding that the State has agreed to comply with United States Government standard requirements for administering the block grant; and
- (5) finding that the State has agreed to provide the Secretary with program information the Secretary requires.

(c) **Safety and Security Needs and Needs of System.**— Before deciding whether a planning process is satisfactory or a programming process is acceptable under subsection (b)(2) or (b)(3) of this section, the Secretary shall ensure that the process provides for meeting critical safety and security needs and that the programming process ensures that the needs of the national airport system will be addressed in deciding which projects will receive money from the Government. In carrying out this subsection, the Secretary shall permit a State to use the priority system of the State if such system is not inconsistent with the national priority system.

(Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 1277; Pub. L. 103–429, § 6(70), Oct. 31, 1994, 108 Stat. 4387; Pub. L. 104–264, title I, § 147(a)–(c)(1), Oct. 9, 1996, 110 Stat. 3223; Pub. L. 104–287, § 5(84), Oct. 11, 1996, 110 Stat. 3397; Pub. L. 105–102, § 3(d)(1)(E), Nov. 20, 1997, 111 Stat. 2215; Pub. L. 106–181, title I, § 138, Apr. 5, 2000, 114 Stat. 85.)

Historical and Revision Notes

Pub. L. 103–272

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
47128(a)		
49 App.:2227(a) (1st sentence), (b) (1st sentence).		
		Sept. 3, 1982, Pub. L. 97–248, 96 Stat. 324, § 534; added Dec. 30, 1987, Pub. L. 100–223, § 116, 101 Stat. 1507; Nov. 5, 1990, Pub. L. 101–508, § 9114, 104 Stat. 1388–364; Oct. 31, 1992, Pub. L. 102–581, § 116, 106 Stat. 4881.
47128(b)(1)		
49 App.:2227(c) (1st, 2d sentences).		
47128(b)(2)		
49 App.:2227(b) (last sentence).		

NB: This unofficial compilation of the U.S. Code is current as of Jan. 4, 2012 (see <http://www.law.cornell.edu/uscode/uscpri.html>).

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
47128(c)		
49 App.:2227(c) (last sentence).		
47128(d)		
49 App.:2227(a) (last sentence), (d).		

In subsection (a), the words “Not later than 180 days after December 30, 1987” and “to become effective on October 1, 1989” are omitted as obsolete.

In subsection (b)(1)(A), the words “agency or” are omitted as surplus.

In subsection (b)(1)(D), the words “procedural and other” are omitted as surplus.

In subsection (d), the text of 49 App.:2227(d) is omitted as executed.

Pub. L. 103–429

This amends 49:47128(c) to correct an error in the codification enacted by section 1 of the Act of July 5, 1994 (Public Law 103–272, 108 Stat. 1278).

Pub. L. 104–287

This makes a clarifying amendment to the catchline for 49:47128(d).

Amendments

2000—Subsec. (a). Pub. L. 106–181 substituted “9 qualified States for fiscal years 2000 and 2001 and 10 qualified States for each fiscal year thereafter” for “8 qualified States for fiscal year 1997 and 9 qualified States for each fiscal year thereafter”.

1997—Subsec. (d). Pub. L. 105–102 repealed Pub. L. 104–287, § 5(84). See 1996 Amendment note below.

1996—Pub. L. 104–264, § 147(c)(1)(A), substituted “grant program” for “grant pilot program” in section catchline.

Subsec. (a). Pub. L. 104–264, § 147(a)(1), (c)(1)(B), substituted “block grant program” for “block grant pilot program” and “8 qualified States for fiscal year 1997 and 9 qualified States for each fiscal year thereafter” for “7 qualified States”.

Subsec. (b). Pub. L. 104–264, § 147(a)(2), (3), struck out “(1)” before “A State wishing”, redesignated subpars. (A) to (E) as pars. (1) to (5), respectively, and struck out former par. (2) which read as follows: “For the fiscal years ending September 30, 1993–1996, the States selected shall include Illinois, Missouri, and North Carolina.”

Subsec. (c). Pub. L. 104–264, § 147(b), substituted “(b)(2) or (b)(3)” for “(b)(1)(B) or (C)” and inserted at end “In carrying out this subsection, the Secretary shall permit a State to use the priority system of the State if such system is not inconsistent with the national priority system.”

Subsec. (d). Pub. L. 104–287, § 5(84), which directed amendment of heading by striking “and report”, was repealed by Pub. L. 105–102.

Pub. L. 104–264, § 147(c)(1)(C), struck out subsec. (d) which read as follows:

“(d) Ending Effective Date and Report.—This section is effective only through September 30, 1996.”

1994—Subsec. (c). Pub. L. 103–429 substituted “subsection (b)(1)(B) or (C)” for “subsection (b)(2) or (3)”.

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 1997 Amendment

Pub. L. 105–102, § 3(d), Nov. 20, 1997, 111 Stat. 2215, provided that the amendment made by section 3 (d)(1)(E) is effective Oct. 11, 1996.

Amendment by Pub. L. 105–102 effective as if included in the provisions of the Act to which the amendment relates, see section 3(f) of Pub. L. 105–102, set out as a note under section 106 of this title.

NB: This unofficial compilation of the U.S. Code is current as of Jan. 4, 2012 (see <http://www.law.cornell.edu/uscode/uscpint.html>).

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.

Effective Date of 1994 Amendment

Amendment by Pub. L. 103–429 effective July 5, 1994, see section 9 of Pub. L. 103–429, set out as a note under section 321 of this title.