

109TH CONGRESS  
1ST SESSION

# S. 1786

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## AN ACT

To authorize the Secretary of Transportation to make emergency airport improvement project grants-in-aid under title 49, United States Code, for repairs and costs related to damage from Hurricanes Katrina and Rita.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. EMERGENCY USE OF GRANTS-IN-AID FOR AIR-**  
2 **PORT IMPROVEMENTS FOR FISCAL YEARS**  
3 **2005 AND 2006.**

4 (a) IN GENERAL.—The Secretary of Transportation  
5 may make project grants under part B, subtitle VII, of  
6 title 49, United States Code, from amounts that remain  
7 unobligated after the date of enactment of this Act for  
8 fiscal years 2005 and 2006—

9 (1) from apportioned funds under section  
10 47114 of that title apportioned to an airport de-  
11 scribed in subsection (b)(1) or to a State in which  
12 such airport is located; or

13 (2) from funds available for discretionary  
14 grants to such an airport under section 47115 of  
15 such title.

16 (b) ELIGIBLE AIRPORTS AND USES.—The Secretary  
17 may make grants under subsection (a) for—

18 (1) emergency capital costs incurred by a public  
19 use airport in Louisiana, Mississippi, Alabama, or  
20 Texas that is listed in the Federal Aviation Adminis-  
21 tration's National Plan of Integrated Airport Sys-  
22 tems of repairing or replacing public use facilities  
23 that have been damaged as a result of Hurricane  
24 Katrina or Hurricane Rita; and

1           (2) emergency operating costs incurred by an  
2           airport described in paragraph (1) as a result of  
3           Hurricane Katrina or Hurricane Rita.

4           (c) PRIORITIES.—In making grants authorized by  
5           subsection (a), the Secretary shall give priority to—

6           (1) airport development within the meaning of  
7           section 47102 of title 49, United States Code;

8           (2) terminal development within the meaning of  
9           section 47110 of that title;

10          (3) repair or replacement of other public use  
11          airport facilities; and

12          (4) emergency operating costs incurred at pub-  
13          lic use airports in Louisiana, Mississippi, Alabama,  
14          and Texas.

15          (d) MODIFICATION OF CERTAIN OTHERWISE APPLI-  
16          CABLE REQUIREMENTS.—For purposes of any grant au-  
17          thorized by subsection (a)—

18          (1) the Secretary may waive any otherwise ap-  
19          plicable limitation on, or requirement for, grants  
20          under section 47102, 47107(a)(17), 47110, or  
21          47119 of title 49, United States Code, if the Sec-  
22          retary determines that the waiver is necessary to re-  
23          spond, in as timely and efficient a manner as pos-  
24          sible, to the urgent needs of the region damaged by  
25          Hurricane Katrina or Hurricane Rita;

1           (2) the United States Government's share of al-  
2           lowable project costs shall be 100 percent, notwith-  
3           standing the provisions of section 47109 of that  
4           title;

5           (3) any project funded by such a grant shall be  
6           deemed to be an airport development project (within  
7           the meaning of section 47102 of that title), except  
8           for the purpose of establishing priorities under sub-  
9           section (c) of this section among projects to be fund-  
10          ed by such grants; and

11          (4) no project funded by such a grant may be  
12          considered, for the purpose of any other provision of  
13          law, to be a major Federal action significantly af-  
14          fecting the quality of the human environment.

Passed the Senate September 28, 2005.

Attest:

*Secretary.*

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