

(hereafter in this section referred to as an ‘MWAAs police officer’); and

“(2) is subject to the Civil Service Retirement System or the Federal Employees’ Retirement System by virtue of section 49107(b) of title 49, United States Code.

“(b) ELIGIBILITY TO BE TREATED AS A LAW ENFORCEMENT OFFICER FOR RETIREMENT PURPOSES.—

“(1) IN GENERAL.—Any qualified MWAAs police officer may, by written election submitted in accordance with applicable requirements under subsection (c), elect to be treated as a law enforcement officer (within the meaning of section 8331 or 8401 of title 5, United States Code, as applicable), and to have all prior service described in paragraph (2) similarly treated.

“(2) PRIOR SERVICE DESCRIBED.—The service described in this paragraph is all service which an individual performed, prior to the effective date of such individual’s election under this section, as—

- “(A) an MWAAs police officer; or
- “(B) a member of the police force of the Federal Aviation Administration (hereafter in this section referred to as an ‘FAA police officer’).

“(c) REGULATIONS.—The Office of Personnel Management shall prescribe any regulations necessary to carry out this section, including provisions relating to the time, form, and manner in which any election under this section shall be made. Such an election shall not be effective unless—

“(1) it is made before the employee separates from service with the Metropolitan Washington Airports Authority, but in no event later than 1 year after the regulations under this subsection take effect; and

“(2) it is accompanied by payment of an amount equal to, with respect to all prior service of such employee which is described in subsection (b)(2)—

- “(A) the employee deductions that would have been required for such service under chapter 83 or 84 of title 5, U.S.C. (as the case may be) if such election had then been in effect, minus
- “(B) the total employee deductions and contributions under such chapter 83 and 84 (as applicable) that were actually made for such service, taking into account only amounts required to be credited to the Civil Service Retirement and Disability Fund. Any amount under paragraph (2) shall be computed with interest, in accordance with section 8334(e) of such title 5.

“(d) GOVERNMENT CONTRIBUTIONS.—Whenever a payment under subsection (c)(2) is made by an individual with respect to such individual’s prior service (as described in subsection (b)(2)), the Metropolitan Washington Airports Authority shall pay into the Civil Service Retirement and Disability Fund any additional contributions for which it would have been liable, with respect to such service, if such individual’s election under this section had then been in effect (and, to the extent of any prior FAA police officer service, as if it had then been the employing agency). Any amount under this subsection shall be computed with interest, in accordance with section 8334(e) of title 5, United States Code.

“(e) CERTIFICATIONS.—The Office of Personnel Management shall accept, for the purpose of this section, the certification of—

- “(1) the Metropolitan Washington Airports Authority (or its designee) concerning any service performed by an individual as an MWAAs police officer; and
- “(2) the Federal Aviation Administration (or its designee) concerning any service performed by an individual as an FAA police officer.

“(f) REIMBURSEMENT TO COMPENSATE FOR UNFUNDED LIABILITY.—

“(1) IN GENERAL.—The Metropolitan Washington Airports Authority shall pay into the Civil Service Retirement and Disability Fund an amount (as determined by the Director of the Office of Personnel Management) equal to the amount necessary to reimburse the Fund for any estimated increase in the unfunded

liability of the Fund (to the extent the Civil Service Retirement System is involved), and for any estimated increase in the supplemental liability of the Fund (to the extent the Federal Employees’ Retirement System is involved), resulting from the enactment of this section.

“(2) PAYMENT METHOD.—The Metropolitan Washington Airports Authority shall pay the amount so determined in five equal annual installments, with interest (which shall be computed at the rate used in the most recent valuation of the Federal Employees’ Retirement System).”

[§ 49108. Repealed. Pub. L. 112–95, title I, § 150, Feb. 14, 2012, 126 Stat. 32]

Section, added Pub. L. 105–102, §2(26), Nov. 20, 1997, 111 Stat. 2213; amended Pub. L. 106–181, title II, §231(h), Apr. 5, 2000, 114 Stat. 115; Pub. L. 108–176, title VIII, §804, Dec. 12, 2003, 117 Stat. 2587; Pub. L. 110–330, §5(h), Sept. 30, 2008, 122 Stat. 3718; Pub. L. 111–12, §5(g), Mar. 30, 2009, 123 Stat. 1458; Pub. L. 111–69, §5(h), Oct. 1, 2009, 123 Stat. 2055; Pub. L. 111–116, §5(g), Dec. 16, 2009, 123 Stat. 3032; Pub. L. 111–153, §5(g), Mar. 31, 2010, 124 Stat. 1085; Pub. L. 111–161, §5(g), Apr. 30, 2010, 124 Stat. 1127; Pub. L. 111–197, §5(g), July 2, 2010, 124 Stat. 1354; Pub. L. 111–216, title I, §104(g), Aug. 1, 2010, 124 Stat. 2350; Pub. L. 111–249, §5(h), Sept. 30, 2010, 124 Stat. 2628; Pub. L. 111–329, §5(g), Dec. 22, 2010, 124 Stat. 3567; Pub. L. 112–7, §5(g), Mar. 31, 2011, 125 Stat. 32; Pub. L. 112–16, §5(g), May 31, 2011, 125 Stat. 219; Pub. L. 112–21, §5(g), June 29, 2011, 125 Stat. 234; Pub. L. 112–27, §5(g), Aug. 5, 2011, 125 Stat. 271; Pub. L. 112–30, title II, §205(h), Sept. 16, 2011, 125 Stat. 358; Pub. L. 112–91, §5(h), Jan. 31, 2012, 126 Stat. 4, related to limitations on Secretary of Transportation’s authority to approve an application of the Metropolitan Washington Airports Authority.

§ 49109. Nonstop flights

An air carrier may not operate an aircraft nonstop in air transportation between Ronald Reagan Washington National Airport and another airport that is more than 1,250 statute miles away from Ronald Reagan Washington National Airport.

(Added Pub. L. 105–102, §2(26), Nov. 20, 1997, 111 Stat. 2213; amended Pub. L. 105–154, §2(a)(1)(D), Feb. 6, 1998, 112 Stat. 3.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
49109	(unclassified).	Oct. 18, 1986, Pub. L. 99–500, title VI, §6012, 100 Stat. 1783–385. Oct. 30, 1986, Pub. L. 99–591, title VI, §6012, 100 Stat. 3341–388.

AMENDMENTS

1998—Pub. L. 105–154 substituted “Ronald Reagan Washington National Airport” for “Washington National Airport” in two places.

§ 49110. Use of Dulles Airport Access Highway

The Metropolitan Washington Airports Authority shall continue in effect and enforce section 4.2(1) and (2) of the Metropolitan Washington Airports Regulations, as in effect on February 1, 1995. The district courts of the United States have jurisdiction to compel the Airports Authority and its officers and employees to comply with this section. The Attorney General or an aggrieved party may bring an action on behalf of the United States Government.

(Added Pub. L. 105–102, §2(26), Nov. 20, 1997, 111 Stat. 2213.)