

Aug. 21, 2002, 116 Stat. 1298; Pub. L. 108-178, §4(b)(7), Dec. 15, 2003, 117 Stat. 2641; Pub. L. 111-350, §5(b)(55), Jan. 4, 2011, 124 Stat. 3847.)

#### AMENDMENTS

2011—Subsec. (g). Pub. L. 111-350 substituted “division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41” for “title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)”.

2003—Subsec. (g). Pub. L. 108-178 substituted “title III of the Federal Property and Administrative Services Act of 1949” for “subtitle III of the Federal Property and Administrative Services Act of 1949” and made technical correction to reference to (41 U.S.C. 251 et seq.).

2002—Subsec. (b)(2)(D). Pub. L. 107-217, §3(b)(40)(A), substituted “chapter 5 of title 40” for “title II of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481 et seq.)”.

Subsec. (d). Pub. L. 107-217, §3(b)(40)(B), substituted “chapter 5 of title 40” for “title II of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481 et seq.)”.

Subsec. (g). Pub. L. 107-217, §3(b)(40)(C), inserted “subtitle I of title 40 and subtitle III of” before “the Federal Property and Administrative Services Act of 1949” and “(41 U.S.C. 251 et seq.)” at end.

1993—Subsec. (a)(1). Pub. L. 103-160, §2851(a)(1), substituted “Administrator of General Services” for “Secretary of the Air Force”.

Subsec. (a)(2)(D). Pub. L. 103-160, §2851(b), added subpar. (D) and struck out former subpar. (D) which read as follows: “is surrounded by lands that are adjacent to such tract and that are owned in fee simple by one owner or by more than one owner jointly, in common, or by the entirety.”

Subsec. (b). Pub. L. 103-160, §2851(c), amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: “The Secretary shall convey, for fair market value, the interest of the United States in any tract of land referred to in subsection (a) or in any easement in connection with any such tract of land to any person or persons who, with respect to such tract of land, own lands referred to in paragraph (2)(D) of such subsection and are ready, willing, and able to purchase such interest for the fair market value of such interest. Whenever such interest of the United States is available for purchase under this section, the Secretary shall transmit a notice of the availability of such interest to each such person.”

Subsec. (c). Pub. L. 103-160, §2851(a)(2), substituted “Administrator” for “Secretary”.

Subsec. (e). Pub. L. 103-160, §2851(a)(3), substituted “Secretary of the Air Force with respect to such tract, and (2) such additional terms and conditions as the Administrator” for “Secretary with respect to such tract, and (2) such additional terms and conditions as the Secretary”.

Subsec. (f). Pub. L. 103-160, §2851(a)(4), substituted “Administrator” for “Secretary”.

#### EFFECTIVE DATE OF 2003 AMENDMENT

Amendment by Pub. L. 108-178 effective Aug. 21, 2002, see section 5 of Pub. L. 108-178, set out as a note under section 5334 of Title 5, Government Organization and Employees.

### § 9782. Maintenance and repair of real property

(a) ALLOCATION OF FUNDS.—The Secretary of the Air Force shall allocate funds authorized to be appropriated by a provision described in subsection (c) and a provision described in subsection (d) for maintenance and repair of real property at military installations of the Department of the Air Force without regard to whether the installation is supported with funds author-

ized by a provision described in subsection (c) or (d).

(b) MIXING OF FUNDS PROHIBITED ON INDIVIDUAL PROJECTS.—The Secretary of the Air Force may not combine funds authorized to be appropriated by a provision described in subsection (c) and funds authorized to be appropriated by a provision described in subsection (d) for an individual project for maintenance and repair of real property at a military installation of the Department of the Air Force.

(c) RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FUNDS.—The provision described in this subsection is a provision of a national defense authorization Act that authorizes funds to be appropriated for a fiscal year to the Air Force for research, development, test, and evaluation.

(d) OPERATION AND MAINTENANCE FUNDS.—The provision described in this subsection is a provision of a national defense authorization Act that authorizes funds to be appropriated for a fiscal year to the Air Force for operation and maintenance.

(Added Pub. L. 105-85, div. A, title II, §242(a), Nov. 18, 1997, 111 Stat. 1666.)

### § 9783. Johnston Atoll: reimbursement for support provided to civil air carriers

(a) AUTHORITY OF THE SECRETARY.—The Secretary of the Air Force may, under regulations prescribed by the Secretary, require payment by a civil air carrier for support provided by the United States to the carrier at Johnston Atoll that is either—

(1) requested by the civil air carrier; or

(2) determined under the regulations as being necessary to accommodate the civil air carrier’s use of Johnston Atoll.

(b) AMOUNT OF CHARGES.—Any amount charged an air carrier under subsection (a) for support shall be equal to the total amount of the actual costs to the United States of providing the support. The amount charged may not include any amount for an item of support that does not satisfy a condition described in paragraph (1) or (2) of subsection (a).

(c) RELATIONSHIP TO LANDING FEES.—No landing fee shall be charged an air carrier for a landing of an aircraft of the air carrier at Johnston Atoll if the air carrier is charged under subsection (a) for support provided to the air carrier.

(d) DISPOSITION OF PAYMENTS.—(1) Amounts collected from an air carrier under this section shall be credited to appropriations available for the fiscal year in which collected, as follows:

(A) For support provided by the Air Force, to appropriations available for the Air Force for operation and maintenance.

(B) For support provided by the Army, to appropriations available for the Army for chemical demilitarization.

(2) Amounts credited to an appropriation under paragraph (1) shall be merged with funds in that appropriation and shall be available, without further appropriation, for the purposes and period for which the appropriation is available.

(e) DEFINITIONS.—In this section: