

requirements for other Federal use” for “Screening of real property for further Federal use before conveyance” in section catchline.

Subsec. (a). Pub. L. 109-364, § 2825(a)(2), added subsec. (a). Former subsec. (a) redesignated (b).

Subsec. (b). Pub. L. 109-364, § 2825(c)(3)(A), substituted “Requirements for Additional Federal Use” for “Requirement” in heading.

Pub. L. 109-364, § 2825(a)(1), redesignated subsec. (a) as (b). Former subsec. (b) redesignated (c).

Subsec. (c). Pub. L. 109-364, § 2825(a)(1), redesignated subsec. (b) as (c).

Subsec. (c)(1). Pub. L. 109-364, § 2825(c)(3)(B), substituted “subsection (b)” for “subsection (a)” in introductory provisions.

Subsec. (d). Pub. L. 109-364, § 2825(c)(3)(C), substituted “subsection (c)(1)” for “subsection (b)(1)”.

Subsec. (e). Pub. L. 109-364, § 2825(c)(3)(D), substituted “subsection (b)” for “this section” in introductory provisions.

Subsec. (f). Pub. L. 109-364, § 2825(b)(5), transferred the text of section 2693 of this title to end of this section and redesignated it as subsec. (f). See Codification note above.

2003—Subsec. (b)(1). Pub. L. 108-136, § 1031(a)(33)(A)(i), inserted “and Congress” before “of the results” in introductory provisions.

Subsec. (b)(2). Pub. L. 108-136, § 1031(a)(33)(A)(ii), inserted “and Congress” before “within such period”.

Subsec. (c). Pub. L. 108-136, § 1031(a)(33)(B), struck out heading and text of subsec. (c). Text read as follows: “If the Administrator of General Services notifies the Secretary concerned under subsection (b) that further Federal use of a parcel of real property authorized or required to be conveyed by any provision of law is requested by a Federal agency, the Secretary concerned shall submit a copy of the notice to Congress.”

Subsec. (d). Pub. L. 108-136, § 1031(a)(33)(C), added subsec. (d) and struck out heading and text of former subsec. (d). Text read as follows: “If the Secretary concerned submits a notice under subsection (c) with regard to a parcel of real property, the Secretary concerned may not proceed with the conveyance of the real property as provided in the provision of law authorizing or requiring the conveyance if Congress enacts a law rescinding the conveyance authority or requirement before the end of the 180-day period beginning on the date on which the Secretary concerned submits the notice.”

Subsec. (e). Pub. L. 108-136, § 1043(c)(4), added par. (1), redesignated pars. (5) and (6) as (2) and (3), respectively, and struck out former pars. (1) to (4) which read as follows:

“(1) Section 2687 of this title.

“(2) Title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526; 10 U.S.C. 2687 note).

“(3) The Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note).

“(4) Any provision of law authorizing the closure or realignment of a military installation that is enacted after November 18, 1997.”

2002—Subsec. (a). Pub. L. 107-217, § 3(b)(16)(A), inserted “subtitle I of title 40 and title III of” before “the Federal Property and Administrative Services Act of 1949” and substituted “(41 U.S.C. 251 et seq.)” for “(40 U.S.C. 471 et seq.)”.

Subsec. (e)(5). Pub. L. 107-217, § 3(b)(16)(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.)”.

1999—Subsec. (a). Pub. L. 106-65, § 1066(a)(26)(A), inserted “enacted after December 31, 1997,” after “any provision of law”.

Subsec. (b)(1). Pub. L. 106-65, § 1066(a)(26)(B), substituted “referred to in subsection (a)” for “required by paragraph (1)” in introductory provisions.

Subsec. (e)(4). Pub. L. 106-65, § 1066(a)(26)(C), substituted “November 18, 1997” for “the date of enact-

ment of the National Defense Authorization Act for Fiscal Year 1998”.

EFFECTIVE DATE

Pub. L. 105-85, div. B, title XXVIII, § 2814(b), Nov. 18, 1997, 111 Stat. 1995, provided that: “Section 2696 of title 10, United States Code, as added by subsection (a) of this section, shall apply with respect to any real property authorized or required to be conveyed under a provision of law covered by such section that is enacted after December 31, 1997.”

TRANSFER OF FUNCTIONS

Effective Aug. 1, 2000, all functions of Director of Bureau of Justice Assistance, other than those enumerated in section 10142(3) to (6) of Title 34, Crime Control and Law Enforcement, transferred to Assistant Attorney General for Office of Justice Programs, see section 1000(a)(1) [title I, § 108(b)] of Pub. L. 106-113, set out as a note under section 10141 of Title 34.

§ 2697. Acceptance and use of landing fees charged for use of domestic military airfields by civil aircraft

(a) **AUTHORITY.**—The Secretary of a military department may impose landing fees for the use by civil aircraft of domestic military airfields under the jurisdiction of that Secretary and may use any fees received under this section as a source of funding for the operation and maintenance of airfields of that department.

(b) **UNIFORM LANDING FEES.**—The Secretary of Defense shall prescribe the amount of the landing fees that may be imposed under this section. Such fees shall be uniform among the military departments.

(c) **USE OF PROCEEDS.**—Amounts received for a fiscal year in payment of landing fees imposed under this section for the use of a military airfield shall be credited to the appropriation that is available for that fiscal year for the operation and maintenance of that military airfield, shall be merged with amounts in the appropriation to which credited, and shall be available for that military airfield for the same period and purposes as the appropriation is available.

(d) **LIMITATION.**—The Secretary of a military department shall determine whether consideration for a landing fee has been received in a lease, license, or other real estate agreement for an airfield and shall use such a determination to offset appropriate amounts imposed under subsection (a) for that airfield.

(Added Pub. L. 111-383, div. A, title III, § 341(a), Jan. 7, 2011, 124 Stat. 4189.)

CHAPTER 160—ENVIRONMENTAL RESTORATION

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AMENDMENTS

2021—Pub. L. 116-283, div. A, title III, §§ 318(b), 319(b), Jan. 1, 2021, 134 Stat. 3519, 3521, added items 2712 and 2713.

2011—Pub. L. 112-81, div. A, title III, § 317(b), title X, § 1061(22)(B), Dec. 31, 2011, 125 Stat. 1360, 1584, struck out item 2706 “Annual reports to Congress” and added item 2711.

2002—Pub. L. 107-314, div. A, title III, § 313(d)(1), Dec. 2, 2002, 116 Stat. 2508, added items 2700 and 2707 and struck out former item 2707 “Definitions”.

2001—Pub. L. 107-107, div. A, title III, § 311(a)(2), Dec. 28, 2001, 115 Stat. 1051, added item 2710.

1999—Pub. L. 106-65, div. A, title III, § 323(b)(2), Oct. 5, 1999, 113 Stat. 563, added item 2709.

1996—Pub. L. 104-201, div. A, title III, § 322(a)(2), Sept. 23, 1996, 110 Stat. 2478, substituted “accounts” for “transfer account” in item 2703.

1991—Pub. L. 102-190, div. A, title III, § 331(a)(2), Dec. 5, 1991, 105 Stat. 1340, added item 2708.

Pub. L. 102-25, title VII, § 701(e)(6), Apr. 6, 1991, 105 Stat. 114, substituted “Annual reports to Congress” for “Annual report to Congress” in item 2706.

1989—Pub. L. 101-189, div. A, title III, § 357(a)(2)(B), Nov. 29, 1989, 103 Stat. 1427, which directed amendment of the item relating to section 2706 in the table of sections at the beginning of chapter 106 to read “Annual reports to Congress”, could not be executed because item 2706 is in this chapter and not in chapter 106.

§ 2700. Definitions

In this chapter:

(1) The term “CERCLA” means the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(2) The term¹ “environment”, “facility”, “hazardous substance”, “person”, “pollutant or contaminant”, “release”, “removal”, “response”, “disposal”, and “hazardous waste” have the meanings given those terms in section 101 of CERCLA (42 U.S.C. 9601).

(3) The term “Administrator” means the Administrator of the Environmental Protection Agency.

(Added Pub. L. 99-499, title II, § 211(a)(1)(B), Oct. 17, 1986, 100 Stat. 1725, § 2707; renumbered § 2700 and amended Pub. L. 107-314, div. A, title III, § 313(a)(1), (c)(1), Dec. 2, 2002, 116 Stat. 2507; Pub. L. 111-383, div. A, title X, § 1075(b)(46)(A), Jan. 7, 2011, 124 Stat. 4371; Pub. L. 116-92, div. A, title III, § 316(b), Dec. 20, 2019, 133 Stat. 1304; Pub. L. 116-283, div. A, title III, § 314(b), Jan. 1, 2021, 134 Stat. 3514.)

REFERENCES IN TEXT

The Comprehensive Environmental Response, Compensation, and Liability Act of 1980, referred to in par. (1), is Pub. L. 96-510, Dec. 11, 1980, 94 Stat. 2767, as

¹ So in original. Probably should be “terms”.

amended, which is classified principally to chapter 103 (§9601 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 9601 of Title 42 and Tables.

AMENDMENTS

2021—Par. (2). Pub. L. 116-283, § 314(b), which directed amendment of par. (1) by substituting “The term” for “(A) The terms” and striking subpar. (B), was executed by making the amendment in par. (2) to reflect the probable intent of Congress. Prior to amendment, subpar. (B) of par. (2) read as follows: “The term ‘facility’ includes real property that is owned by, leased to, or otherwise possessed by the United States at locations at which military activities are conducted under this title or title 32 (including real property owned or leased by the Federal Government that is licensed to and operated by a State for training for the National Guard).”

2019—Par. (2). Pub. L. 116-92 designated existing provisions as subpar. (A) and added subpar. (B).

2011—Par. (2). Pub. L. 111-383 inserted “‘pollutant or contaminant’,” after “‘person’,”.

2002—Pub. L. 107-314, § 313(c)(1), added par. (1) and redesignated former pars. (1) and (2) as (2) and (3), respectively.

Pub. L. 107-314, § 313(a)(1), renumbered section 2707 of this title as this section.

SAVINGS CLAUSE

Pub. L. 116-92, div. A, title III, § 316(d), Dec. 20, 2019, 133 Stat. 1304, provided that: “Nothing in this section [amending this section and sections 2701 and 2707 of this title], or the amendments made by this section, shall affect any requirement or authority under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).”

§ 2701. Environmental restoration program

(a) ENVIRONMENTAL RESTORATION PROGRAM.—

(1) IN GENERAL.—The Secretary of Defense shall carry out a program of environmental restoration at facilities under the jurisdiction of the Secretary. The program shall be known as the “Defense Environmental Restoration Program”.

(2) APPLICATION OF SECTION 120 OF CERCLA.—Activities of the program described in subsection (b)(1) shall be carried out subject to, and in a manner consistent with, section 120 (relating to Federal facilities) of CERCLA (42 U.S.C. 9620).

(3) CONSULTATION WITH EPA.—The program shall be carried out in consultation with the Administrator of the Environmental Protection Agency.

(4) ADMINISTRATIVE OFFICE WITHIN OSD.—The Secretary shall identify an office within the Office of the Secretary which shall have responsibility for carrying out the program.

(b) PROGRAM GOALS.—Goals of the program shall include the following:

(1) The identification, investigation, research and development, and cleanup of contamination from a hazardous substance or pollutant or contaminant.

(2) Correction of other environmental damage (such as detection and disposal of unexploded ordnance) which creates an imminent and substantial endangerment to the public health or welfare or to the environment.

(3) Demolition and removal of unsafe buildings and structures, including buildings and