

“(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 MWAA 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.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|--|
| 49110 | (unclassified). | Oct. 18, 1986, Pub. L. 99-500, title VI, § 6013, as added Oct. 9, 1996, Pub. L. 104-264, title IX, § 906, 110 Stat. 3277. Oct. 30, 1986, Pub. L. 99-591, title VI, § 6013, as added Oct. 9, 1996, Pub. L. 104-264, title IX, § 906, 110 Stat. 3277. |

The words “Except as provided by subsection (b)” and “the requirements of” are omitted as unnecessary.

§ 49111. Relationship to and effect of other laws

(a) SAME POWERS AND RESTRICTIONS UNDER OTHER LAWS.—To ensure that the Metropolitan Washington Airports Authority has the same proprietary powers and is subject to the same restrictions under United States law as any other airport except as otherwise provided in this chapter, during the period that the lease authorized by section 6005 of the Metropolitan

Washington Airports Act of 1986 (Public Law 99-500; 100 Stat. 1783-375; Public Law 99-591; 100 Stat. 3341-378) is in effect—

(1) the Metropolitan Washington Airports are deemed to be public airports for purposes of chapter 471 of this title; and

(2) the Act of June 29, 1940 (ch. 444, 54 Stat. 686), the First Supplemental Civil Functions Appropriations Act, 1941 (ch. 780, 54 Stat. 1030), and the Act of September 7, 1950 (ch. 905, 64 Stat. 770), do not apply to the operation of the Metropolitan Washington Airports, and the Secretary of Transportation is relieved of all responsibility under those Acts.

(b) INAPPLICABILITY OF CERTAIN LAWS.—The Metropolitan Washington Airports and the Airports Authority are not subject to the requirements of any law solely by reason of the retention by the United States Government of the fee simple title to those airports.

(c) POLICE POWER.—Virginia shall have concurrent police power authority over the Metropolitan Washington Airports, and the courts of Virginia may exercise jurisdiction over Ronald Reagan Washington National Airport.

(d) PLANNING.—(1) The authority of the National Capital Planning Commission under section 8722 of title 40 does not apply to the Airports Authority.

(2) The Airports Authority shall consult with—

(A) the Commission and the Advisory Council on Historic Preservation before undertaking any major alterations to the exterior of the main terminal at Washington Dulles International Airport; and

(B) the Commission before undertaking development that would alter the skyline of Ronald Reagan Washington National Airport when viewed from the opposing shoreline of the Potomac River or from the George Washington Parkway.

(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; Pub. L. 105-225, §7(c)(1)(D), Aug. 12, 1998, 112 Stat. 1511; Pub. L. 106-181, title II, §231(j)(1), Apr. 5, 2000, 114 Stat. 115; Pub. L. 107-217, §3(n)(9), Aug. 21, 2002, 116 Stat. 1303.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|--|
| 49111(a) | (unclassified). | Oct. 18, 1986, Pub. L. 99-500, title VI, §6009(a), 100 Stat. 1783-384. Oct. 30, 1986, Pub. L. 99-591, title VI, §6009(a), 100 Stat. 3341-387. |
| 49111(b) | (unclassified). | Oct. 18, 1986, Pub. L. 99-500, title VI, §6009(b), 100 Stat. 1783-384; Oct. 9, 1996, Pub. L. 104-264, title IX, §904(c)(1), 110 Stat. 3276. Oct. 30, 1986, Pub. L. 99-591, title VI, §6009(b), 100 Stat. 3341-387; Oct. 9, 1996, Pub. L. 104-264, title IX, §904(c)(1), 110 Stat. 3276. |
| 49111(c) | (unclassified). | Oct. 18, 1986, Pub. L. 99-500, title VI, §6009(c), 100 Stat. 1783-384. Oct. 30, 1986, Pub. L. 99-591, title VI, §6009(c), 100 Stat. 3341-387. |
| 49111(d) | (unclassified). | Oct. 18, 1986, Pub. L. 99-500, title VI, §6009(d), 100 Stat. 1783-384. |

HISTORICAL AND REVISION NOTES—CONTINUED

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|--|
| 49111(e) | (unclassified). | Oct. 30, 1986, Pub. L. 99-591, title VI, §6009(d), 100 Stat. 3341-387. Oct. 18, 1986, Pub. L. 99-500, title VI, §6009(e), 100 Stat. 1783-384. Oct. 30, 1986, Pub. L. 99-591, title VI, §6009(e), 100 Stat. 3341-388. |

In subsection (a)(1), the word “deemed” is substituted for “considered” for consistency in the revised title and with other titles of the United States Code.

In subsection (e), the text of section 6009(e)(2) of the Metropolitan Washington Airports Act of 1986 (Public Law 99-500, 100 Stat. 1783-385, Public Law 99-591, 100 Stat. 3341-388) is omitted as executed.

REFERENCES IN TEXT

Section 6005 of the Metropolitan Washington Airports Act of 1986, referred to in subsec. (a), is section 6005 of Pub. L. 99-500, title VI, Oct. 18, 1986, 100 Stat. 1783-375, and Pub. L. 99-591, title VI, Oct. 30, 1986, 100 Stat. 3341-378, which was classified to section 2454 of former Title 49, Transportation, and was repealed and reenacted as this section by Pub. L. 105-102, §2(26), 5(b), Nov. 20, 1997, 111 Stat. 2205, 2217.

Act of June 29, 1940, ch. 444, 54 Stat. 686, referred to in subsec. (a)(2), was classified to subchapter I (§2401 et seq.) of chapter 33 of former Title 49, Transportation, and was omitted from the Code when subtitles II, III, and V to X of Title 49, Transportation, were enacted by Pub. L. 103-272, July 5, 1994, 108 Stat. 745.

The First Supplemental Civil Functions Appropriations Act, 1941, referred to in subsec. (a)(2), is act Oct. 9, 1940, ch. 780, 54 Stat. 1030. For complete classification of this Act to the Code, see Tables.

Act of September 7, 1950, ch. 905, 64 Stat. 770, referred to in subsec. (a)(2), was classified to subchapter II (§2421 et seq.) of chapter 33 of former Title 49, Transportation, and was omitted from the Code when subtitles II, III, and V to X of Title 49, Transportation, were enacted by Pub. L. 103-272, July 5, 1994, 108 Stat. 745.

AMENDMENTS

2002—Subsec. (d)(1). Pub. L. 107-217 substituted “section 8722 of title 40” for “section 5 of the Act of June 6, 1924 (40 U.S.C. 71d).”

2000—Subsec. (e). Pub. L. 106-181 struck out heading and text of subsec. (e). Text read as follows: “The Administrator of the Federal Aviation Administration may not increase the number of instrument flight rule takeoffs and landings authorized for air carriers by the High Density Rule (14 CFR 93.121 et seq.) at Ronald Reagan Washington National Airport on October 18, 1986, and may not decrease the number of those takeoffs and landings except for reasons of safety.”

1998—Subsec. (b). Pub. L. 105-225 substituted “retention by” for “retention of”.

Subsecs. (c), (d)(2)(B), (e). Pub. L. 105-154 substituted “Ronald Reagan Washington National Airport” for “Washington National Airport”.

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 1998 AMENDMENT

Amendment by Pub. L. 105-225 effective Nov. 20, 1997, see section 7(c)(3) of Pub. L. 105-225, set out as a note under section 49106 of this title.

§ 49112. Separability and effect of judicial order

(a) SEPARABILITY.—If any provision of this chapter, or the application of a provision of this