

“(D) coordination with the Office of the Inspector General of the Department of Transportation, the Office of the Special Counsel, and the Attorney General, as appropriate; and

“(E) the completion of investigations in a timely manner.

“(4) DEFINITION.—For purposes of this subsection, the term ‘manager’ means an employee of the Agency who is a supervisor or management official, as defined in section 7103(a) of title 5, United States Code.” [For definitions of terms used in section 133(c), (d) of div. V of Pub. L. 116-260, set out above, see section 137 of div. V of Pub. L. 116-260, set out as a note under section 40101 of this title.]

APPLICATION OF 2016 AMENDMENT

Pub. L. 114-242, §2(c), Oct. 7, 2016, 130 Stat. 978, provided that: “The amendments made by this section [amending this section] shall apply with respect to any employee of the Federal Aviation Administration hired on or after the date that is one year after the date of the enactment of this Act [Oct. 7, 2016].”

POLICIES AND PROCEDURES

Pub. L. 114-242, §2(d), Oct. 7, 2016, 130 Stat. 978, provided that: “Not later than 270 days after the date of the enactment of this Act [Oct. 7, 2016], the Administrator of the Federal Aviation Administration shall prescribe policies and procedures to carry out the amendments made by this section [amending this section] that are comparable, to the maximum extent practicable, to the regulations prescribed by the Office of Personnel Management under section 6329 of title 5, United States Code.”

§ 40123. Protection of voluntarily submitted information

(a) IN GENERAL.—Notwithstanding any other provision of law, neither the Administrator of the Federal Aviation Administration, nor any agency receiving information from the Administrator, shall disclose voluntarily-provided safety or security related information if the Administrator finds that—

(1) the disclosure of the information would inhibit the voluntary provision of that type of information and that the receipt of that type of information aids in fulfilling the Administrator’s safety and security responsibilities; and

(2) withholding such information from disclosure would be consistent with the Administrator’s safety and security responsibilities.

(b) REGULATIONS.—The Administrator shall issue regulations to carry out this section.

(Added Pub. L. 104-264, title IV, §402(a), Oct. 9, 1996, 110 Stat. 3255.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Except as otherwise specifically provided, section applicable only to fiscal years beginning after Sept. 30, 1996, and not to be construed as affecting funds made available for a fiscal year ending before Oct. 1, 1996, see section 3 of Pub. L. 104-264, set out as an Effective Date of 1996 Amendment note under section 106 of this title.

IMPROVED VOLUNTARY DISCLOSURE REPORTING SYSTEM

Pub. L. 112-95, title III, §344, Feb. 14, 2012, 126 Stat. 81, provided that:

“(a) VOLUNTARY DISCLOSURE REPORTING PROGRAM DEFINED.—In this section, the term ‘Voluntary Disclosure Reporting Program’ means the program established by

the Federal Aviation Administration through Advisory Circular 00-58A, dated September 8, 2006, including any subsequent revisions thereto.

“(b) VERIFICATION.—The Administrator of the Federal Aviation Administration shall modify the Voluntary Disclosure Reporting Program to require inspectors to—

“(1) verify that air carriers are implementing comprehensive solutions to correct the underlying causes of the violations voluntarily disclosed by such air carriers; and

“(2) confirm, before approving a final report of a violation, that a violation with the same root causes, has not been previously discovered by an inspector or self-disclosed by the air carrier.

“(c) SUPERVISORY REVIEW OF VOLUNTARY SELF-DISCLOSURES.—The Administrator shall establish a process by which voluntary self-disclosures received from air carriers are reviewed and approved by a supervisor after the initial review by an inspector.

“(d) INSPECTOR GENERAL STUDY.—

“(1) IN GENERAL.—The Inspector General of the Department of Transportation shall conduct a study of the Voluntary Disclosure Reporting Program.

“(2) REVIEW.—In conducting the study, the Inspector General shall examine, at a minimum, if the Administration—

“(A) conducts comprehensive reviews of voluntary disclosure reports before closing a voluntary disclosure report under the provisions of the program;

“(B) evaluates the effectiveness of corrective actions taken by air carriers; and

“(C) effectively prevents abuse of the voluntary disclosure reporting program through its secondary review of self-disclosures before they are accepted and closed by the Administration.

“(3) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act [Feb. 14, 2012], the Inspector General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study conducted under this section.”

§ 40124. Interstate agreements for airport facilities

Congress consents to a State making an agreement, not in conflict with a law of the United States, with another State to develop or operate an airport facility.

(Added Pub. L. 104-287, §5(69)(A), Oct. 11, 1996, 110 Stat. 3395, §40121; renumbered §40124, Pub. L. 105-102, §3(d)(1)(B), Nov. 20, 1997, 111 Stat. 2215.)

HISTORICAL AND REVISION NOTES

This restates 49:44502(e) as 49:40121 [now 40124] to provide a more appropriate place in title 49.

Editorial Notes

AMENDMENTS

1997—Pub. L. 105-102 amended Pub. L. 104-287, renumbering section 40121 of this title as this section.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1997 AMENDMENT

Pub. L. 105-102, §3(d), Nov. 20, 1997, 111 Stat. 2215, provided that the amendment made by section 3(d)(1)(B) is effective Oct. 11, 1996.

Amendment by Pub. L. 105-102 effective as if included in the provisions of the Act to which the amendment relates, see section 3(f) of Pub. L. 105-102, set out as a note under section 106 of this title.