

other real or personal”, and “the purposes of” are omitted as surplus.

In subsection (d)(1), the words “as determined by the Secretary of the department which made the transfer” are omitted as surplus. The words “(with any improvements to it)” are substituted for “together with any improvements or additions made thereto” to eliminate unnecessary words. The words “or persons” are omitted because of 1:1.

In subsection (d)(2), the words “decide not to act” are substituted for “in any case . . . waive any right or privilege conferred or reserved” to eliminate unnecessary words.

#### § 47305. Administrative

(a) GENERAL AUTHORITY.—The Secretary of Transportation shall consolidate, operate, protect, maintain, and improve airport property and airway property (except meteorological facilities), and the Secretary of Commerce may consolidate, operate, protect, maintain, and improve meteorological facilities, that the appropriate Secretary has acquired and that are located in territory outside the continental United States. In carrying out this section, the appropriate Secretary may—

- (1) adapt the property or facility to the needs of civil aeronautics;
- (2) lease the property or facility for not more than 20 years;
- (3) make a contract, or provide directly, for facilities and services;
- (4) make reasonable charges for aeronautical services; and
- (5) acquire an interest in property.

(b) CREDITING APPROPRIATIONS.—Money received from the direct sale or charge that the Secretary of Transportation or Commerce, as appropriate, decides is equivalent to the cost of facilities and services sold or provided under subsection (a)(3) and (4) of this section is credited to the appropriation from which the cost was paid. The balance shall be deposited in the Treasury as miscellaneous receipts.

(c) USING OTHER GOVERNMENT FACILITIES AND SERVICES.—To carry out this chapter and to use personnel and facilities of the United States Government most advantageously and without unnecessary duplication, the Secretary of Transportation or Commerce, as appropriate, shall request, when practicable, to use a facility or service of an appropriate department, agency, or instrumentality of the Government on a reimbursable basis. A department, agency, or instrumentality receiving a request under this section may provide the facility or service.

(d) ADVERTISING NOT REQUIRED.—Section 6101(b) to (d) of title 41 does not apply to a lease or contract made by the Secretary of Transportation or Commerce under this chapter.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1282; Pub. L. 111-350, §5(o)(9), Jan. 4, 2011, 124 Stat. 3854.)

#### HISTORICAL AND REVISION NOTES—CONTINUED

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
47305(b) .....	49 App.:1159(c). 49 App.:1655(c)(1).	June 16, 1948, ch. 473, §12, 62 Stat. 454; Aug. 23, 1958, Pub. L. 85-726, §1403, 72 Stat. 808; Jan. 3, 1975, Pub. L. 93-623, §3, 88 Stat. 2103.
47305(c) .....	49 App.:1160.	
47305(d) .....	49 App.:1655(c)(1). 49 App.:1159(d). 49 App.:1655(c)(1).	

In this section, the title “Secretary of Commerce” is substituted for “Chief of the Weather Bureau” in section 10(b)–(d), and for “Chief of the Weather Bureau” and “Weather Bureau” in section 12, of the International Aviation Facilities Act (ch. 473, 62 Stat. 454) because of sections 1 and 2 of Reorganization Plan No. 2 of 1965 (eff. July 13, 1965, 79 Stat. 1318).

In subsection (a), before clause (1), the words “do and perform, by contract or otherwise, all acts and things necessary or incident to” and “pursuant to this chapter or any other provision of law” are omitted as surplus. In clause (1), the words “from time to time” and “by construction, installation, reengineering, relocation, or otherwise” are omitted as surplus. The text of 49 App.:1159(a)(2) is omitted as surplus because of 49:322(a). In clause (2), the words “under such conditions as he may deem proper” and “space or” are omitted as surplus. The words “for not more than 20 years” are substituted for “and for such periods as may be desirable (not to exceed twenty years)” to eliminate unnecessary words. The words “for purposes essential or appropriate to their consolidation, operation, protection, and administration under this chapter” are omitted as surplus. In clause (3), the words “the sale of fuel, oil, equipment, food and supplies, hotel accommodations, and other” and “necessary or desirable for the operation and administration of such properties” are omitted as surplus. In clause (4), the word “reasonable” is substituted for “just and reasonable” for consistency in the revised title and with other titles of the United States Code. The words “(including but not limited to landing fees and fees for the use of communication services)” are omitted as surplus. In clause (5), the words “by purchase or otherwise, real or personal” and “which he may consider necessary for the purposes of this section” are omitted as surplus.

In subsection (b), the words “including handling charges” are omitted as surplus. The words “facilities and services sold or provided” are substituted for “of the fuel, oil, equipment, food, supplies, services, shelter, or other assistance or services sold or furnished” for consistency and to eliminate unnecessary words. The words “under subsection (a)(3) and (4) of this section” are added for clarity. The words “if any” are omitted as surplus. The words “deposited in the Treasury as” are substituted for “credited to” for clarity and consistency in the revised title and with other titles of the Code.

In subsection (c), the words “use personnel and facilities of the United States Government most advantageously and without unnecessary duplication” are substituted for “to the end that personnel and facilities of existing United States Government agencies shall be utilized to the fullest possible advantage and not be unnecessarily duplicated” to eliminate unnecessary words. The word “request” is substituted for “arrange for” for clarity. The words “department, agency, or instrumentality of the Government” are substituted for “other United States Government agencies” for consistency in the revised title and with other titles of the Code. The words “on a reimbursable basis” are substituted for “and to reimburse any such agency for such service out of funds appropriated to the Department of Transportation or the Department of Commerce, as the case may be” to eliminate unnecessary words.

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
47305(a) .....	49 App.:1159(a) (1st sentence), (b). 49 App.:1655(c)(1).	June 16, 1948, ch. 473, §10(a) (1st sentence), (b)–(d), 62 Stat. 453, 454. Oct. 15, 1966, Pub. L. 89-670, §6(c)(1), 80 Stat. 938; Jan. 12, 1983, Pub. L. 97-449, §7(b), 96 Stat. 2444.

Editorial Notes

AMENDMENTS

2011—Subsec. (d). Pub. L. 111-350 substituted “Section 6101(b) to (d) of title 41” for “Section 3709 of the Revised Statutes (41 U.S.C. 5)”.

Statutory Notes and Related Subsidiaries

ANNETTE ISLAND AIRPORT, ALASKA; RENEWAL OF LEASE

Act May 9, 1956, ch. 241, 70 Stat. 146, provided: “That the Congress of the United States hereby approves the extension, from year to year, until June 30, 1999, of a lease of certain land comprising part of Annette Island, Alaska, for use by the Civil Aeronautics Administration [now the Federal Aviation Administration] as an airport, entered into by the United States of America and the Council of the Annette Island Reserve on December 13, 1948, section 5 of which lease provides that no renewal thereof shall extend beyond June 30, 1959, unless approved by Congress.”

§ 47306. Criminal penalty

A person that knowingly and willfully violates a regulation prescribed by the Secretary of Transportation to carry out this chapter shall be fined under title 18, imprisoned for not more than 6 months, or both.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1283.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 47306, 49 App.:1159(a) (last sentence), June 16, 1948, ch. 473, §10(a) (last sentence), 62 Stat. 454.

The word “prescribed” is substituted for “issued” for consistency in the revised title and with other titles of the United States Code. The words “if such violation is committed in any area under the civil jurisdiction of the United States” are omitted as surplus. The words “fined under title 18” are substituted for “a fine of not more than \$500”, and the words “be deemed guilty of a misdemeanor” are omitted, for consistency with title 18.

CHAPTER 475—NOISE

SUBCHAPTER I—NOISE ABATEMENT

Table with 2 columns: Sec., Description. Rows include 47501. Definitions, 47502. Noise measurement and exposure systems and identifying land use compatible with noise exposure, 47503. Noise exposure maps, 47504. Noise compatibility programs, 47505. Airport noise compatibility planning grants, 47506. Limitations on recovering damages for noise, 47507. Nonadmissibility of noise exposure map and related information as evidence, 47508. Noise standards for air carriers and foreign air carriers providing foreign air transportation, 47509. Research program on quiet aircraft technology for propeller and rotor driven aircraft, 47510. Tradeoff allowance, 47511. CLEAN engine and airframe technology partnership.

SUBCHAPTER II—NATIONAL AVIATION NOISE POLICY

47521. Findings.

Table with 2 columns: Sec., Description. Rows include 47522. Definitions, 47523. National aviation noise policy, 47524. Airport noise and access restriction review program, 47525. Decision about airport noise and access restrictions on certain stage 2 aircraft, 47526. Limitations for noncomplying airport noise and access restrictions, 47527. Liability of the United States Government for noise damages, 47528. Prohibition on operating certain aircraft not complying with stage 3 noise levels, 47529. Nonaddition rule, 47530. Nonapplication of sections 47528(a)-(d) and 47529 to aircraft outside the 48 contiguous States, 47531. Penalties, 47532. Judicial review, 47533. Relationship to other laws, 47534. Prohibition on operating certain aircraft weighing 75,000 pounds or less not complying with stage 3 noise levels.

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-254, div. B, title VII, §743(b), Oct. 5, 2018, 132 Stat. 3413, added item 47511.

2012—Pub. L. 112-95, title V, §506(b)(3), Feb. 14, 2012, 126 Stat. 106, which directed amendment of the analysis for subchapter II of this chapter by substituting “Penalties” for “Penalties for violating sections 47528-47530” in item 47531 and by adding item 47534, was executed to the analysis for this chapter to reflect the probable intent of Congress.

1994—Pub. L. 103-429, §6(72)(B), Oct. 31, 1994, 108 Stat. 4388, added item 47510.

Pub. L. 103-305, title III, §308(b), Aug. 23, 1994, 108 Stat. 1594, added item 47509.

SUBCHAPTER I—NOISE ABATEMENT

§ 47501. Definitions

In this subchapter—

(1) “airport” means a public-use airport as defined in section 47102 of this title.

(2) “airport operator” means—

(A) for an airport serving air carriers that have certificates from the Secretary of Transportation, any person holding an airport operating certificate issued under section 44706 of this title; and

(B) for any other airport, the person operating the airport.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1284.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 47501(1), 49 App.:2101(1), Feb. 18, 1980, Pub. L. 96-193, §101(1), 94 Stat. 50; re-stated Sept. 3, 1982, Pub. L. 97-248, §524(b)(1), 96 Stat. 696; Dec. 30, 1987, Pub. L. 100-223, §103(f), 101 Stat. 1489.

In this section, the words “the term” are omitted as surplus.