

HISTORICAL AND REVISION NOTES—CONTINUED

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
49106(g)	(unmodified).	Oct. 18, 1986, Pub. L. 99-500, title VI, § 6007(g), as added Dec. 18, 1991, Pub. L. 102-240, title VII, § 7002(h), 105 Stat. 2202; Oct. 9, 1996, Pub. L. 104-264, title IX, § 904(a), 110 Stat. 3276. Oct. 30, 1986, Pub. L. 99-591, title VI, § 6007(g), as added Dec. 18, 1991, Pub. L. 102-240, title VII, § 7002(h), 105 Stat. 2202; Oct. 9, 1996, Pub. L. 104-264, title IX, § 904(a), 110 Stat. 3276.

In subsection (b)(2)(A), the words “Virginia, the District of Columbia” are substituted for “either jurisdiction” for clarity.

In subsection (c)(6)(C), the words “the limitations described in” are omitted as unnecessary. The word “until” is substituted for “for the period beginning on October 1, 1997, and ending on the first day on which” to eliminate unnecessary words.

In subsection (d), the words “The Airports Authority shall be subject to a conflict-of-interest provision providing that” are omitted as surplus.

In subsection (g), the words “Committee on Transportation and Infrastructure” are substituted for “Committee on Public Works and Transportation” because of the amendment of clause 1(q) of Rule X of the Rules of the House of Representatives by section 202(a) of H. Res. 6, approved January 4, 1995.

Editorial Notes

REFERENCES IN TEXT

Section 49108 of this title, referred to in subsec. (a)(1)(B), was repealed by Pub. L. 112-95, title I, § 150, Feb. 14, 2012, 126 Stat. 32.

AMENDMENTS

2011—Subsec. (c)(1). Pub. L. 112-55, § 191(a)(1), substituted “17 members” for “13 members” in introductory provisions.

Subsec. (c)(1)(A). Pub. L. 112-55, § 191(a)(2), substituted “7 members” for “5 members”.

Subsec. (c)(1)(B). Pub. L. 112-55, § 191(a)(3), substituted “4 members” for “3 members”.

Subsec. (c)(1)(C). Pub. L. 112-55, § 191(a)(4), substituted “3 members” for “2 members”.

Subsec. (c)(3). Pub. L. 112-55, § 191(b), substituted “Any member of the board shall be eligible for reappointment for 1 additional term. A member shall not serve after the expiration of the member’s term(s).” for “A member may serve after the expiration of that member’s term until a successor has taken office.”

Subsec. (c)(6)(C). Pub. L. 112-55, § 191(c), inserted at end “A member appointed by the Mayor of the District of Columbia, the Governor of Maryland or the Governor of Virginia may be removed or suspended from office only for cause and in accordance with the laws of jurisdiction from which the member is appointed.”

Subsec. (c)(7). Pub. L. 112-55, § 191(d), substituted “Ten votes” for “Eight votes”.

2000—Subsec. (c)(6)(C), (D). Pub. L. 106-181 redesignated subpar. (D) as (C) and struck out former subpar. (C) which read as follows: “The members to be appointed under paragraph (1)(D) of this subsection must be appointed before October 1, 1997. If the deadline is not met, the Secretary of Transportation and the Airports Authority are subject to the limitations of section 49108 of this title until all members referred to in paragraph (1)(D) are appointed.”

1998—Subsec. (b)(1)(F). Pub. L. 105-225, § 7(c)(1)(A), substituted “1986” for “1996”.

Subsec. (c)(3). Pub. L. 105-225, § 7(c)(1)(B), substituted “to the board” for “by the board”.

Statutory Notes and Related Subsidiaries

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

Pub. L. 105-225, § 7(c)(3), Aug. 12, 1998, 112 Stat. 1512, provided that: “The amendments made by this subsection [amending this section and sections 49107 and 49111 of this title and provisions set out as a note preceding section 101 of this title] are effective as of November 20, 1997.”

§ 49107. Federal employees at Metropolitan Washington Airports

(a) LABOR AGREEMENTS.—(1) The Metropolitan Washington Airports Authority shall adopt all labor agreements that were in effect on June 7, 1987. Unless the parties otherwise agree, the agreements must be renegotiated before June 7, 1992.

(2) Employee protection arrangements made under this section shall ensure, during the 50-year lease term, the continuation of all collective bargaining rights enjoyed by transferred employees retained by the Airports Authority.

(b) CIVIL SERVICE RETIREMENT.—Any Federal employee who transferred to the Airports Authority and who on June 6, 1987, was subject to subchapter III of chapter 83 or chapter 84 of title 5, is subject to subchapter III of chapter 83 or chapter 84 for so long as continually employed by the Airports Authority without a break in service. For purposes of subchapter III of chapter 83 and chapter 84, employment by the Airports Authority without a break in continuity of service is deemed to be employment by the United States Government. The Airports Authority is the employing agency for purposes of subchapter III of chapter 83 and chapter 84 and shall contribute to the Civil Service Retirement and Disability Fund amounts required by subchapter III of chapter 83 and chapter 84.

(c) ACCESS TO RECORDS.—The Airports Authority shall allow representatives of the Secretary of Transportation adequate access to employees and employee records of the Airports Authority when needed to carry out a duty or power related to the period before June 7, 1987. The Secretary shall provide the Airports Authority access to employee records of transferring employees for appropriate purposes.

(Added Pub. L. 105-102, § 2(26), Nov. 20, 1997, 111 Stat. 2212; amended Pub. L. 105-225, § 7(c)(1)(C), Aug. 12, 1998, 112 Stat. 1511.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
49107(a)	(unmodified).	Oct. 18, 1986, Pub. L. 99-500, title VI, § 6008(a)-(d), (f), 100 Stat. 1783-382, 1783-383. Oct. 30, 1986, Pub. L. 99-591, title VI, § 6008(a)-(d), (f), 100 Stat. 3341-385, 3341-387.
49107(b)	(unmodified).	Oct. 18, 1986, Pub. L. 99-500, title VI, § 6008(e), 100 Stat. 1783-383. Oct. 30, 1986, Pub. L. 99-591, title VI, § 6008(e), 100 Stat. 3341-386.
49107(c)	(unmodified).	Oct. 18, 1986, Pub. L. 99-500, title VI, § 6008(g), 100 Stat. 1783-384.

HISTORICAL AND REVISION NOTES—CONTINUED

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
		Oct. 30, 1986, Pub. L. 99-591, title VI, §6008(g), 100 Stat. 3341-387.

In subsection (a)(1), the text of section 6008(a), (b)(2d) and last sentences), (c), (d), and (f) of the Metropolitan Washington Airports Act of 1986 (Public Law 99-500, 100 Stat. 1783-382, 1783-383, Public Law 99-591, 100 Stat. 3341-385, 3341-386, 3341-387) is omitted as obsolete.

In subsection (c), the words “duty or power” are substituted for “functions” for consistency in the revised title and with other titles of the United States Code.

Editorial Notes

AMENDMENTS

1998—Subsec. (b). Pub. L. 105-225 substituted “is subject to subchapter III” for “is subject to subchapter II”.

Statutory Notes and Related Subsidiaries

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.

RETIREMENT PROVISIONS RELATING TO CERTAIN MEMBERS OF POLICE FORCE OF METROPOLITAN WASHINGTON AIRPORTS AUTHORITY

Pub. L. 106-554, §1(a)(3) [title VI, §636], Dec. 21, 2000, 114 Stat. 2763, 2763A-164, provided that:

“(a) QUALIFIED MWAA POLICE OFFICER DEFINED.—For purposes of this section, the term ‘qualified MWAA police officer’ means any individual who, as of the date of the enactment of this Act [Dec. 21, 2000]—

“(1) is employed as a member of the police force of the Metropolitan Washington Airports Authority (hereafter in this section referred to as an ‘MWAA police officer’); and

“(2) is subject to the Civil Service Retirement System or the Federal Employees’ Retirement System by virtue of section 49107(b) of title 49, United States Code.

“(b) ELIGIBILITY TO BE TREATED AS A LAW ENFORCEMENT OFFICER FOR RETIREMENT PURPOSES.—

“(1) IN GENERAL.—Any qualified MWAA police officer may, by written election submitted in accordance with applicable requirements under subsection (c), elect to be treated as a law enforcement officer (within the meaning of section 8331 or 8401 of title 5, United States Code, as applicable), and to have all prior service described in paragraph (2) similarly treated.

“(2) PRIOR SERVICE DESCRIBED.—The service described in this paragraph is all service which an individual performed, prior to the effective date of such individual’s election under this section, as—

“(A) an MWAA police officer; or

“(B) a member of the police force of the Federal Aviation Administration (hereafter in this section referred to as an ‘FAA police officer’).

“(c) REGULATIONS.—The Office of Personnel Management shall prescribe any regulations necessary to carry out this section, including provisions relating to the time, form, and manner in which any election under this section shall be made. Such an election shall not be effective unless—

“(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.