

HISTORICAL AND REVISION NOTES—CONTINUED

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
	49 App.:1655(c)(1).	

In this section, the title “Secretary of Commerce” is substituted for “Chief of the Weather Bureau” in sections 6, 8, and 9 of the International Aviation Facilities Act (ch. 473, 62 Stat. 452) because of sections 1 and 2 of Reorganization Plan No. 2 of 1965 (eff. July 13, 1965, 79 Stat. 1318).

In subsection (a), the words “including consideration agreed on” are substituted for “including provision for receiving, on behalf of the United States, such payment or other consideration for the property so transferred as may be agreed upon” to eliminate unnecessary words.

In subsections (b) and (c), the words “Secretary of a military department” are substituted for “National Military Establishment” (subsequently changed to “department of the Department of Defense” because of section 12(a) of the National Security Act Amendments of 1949 (ch. 412, 63 Stat. 591)) because of 5:102 and 10:101.

In subsection (b), before clause (1), the words “if any, as may be . . . in specific cases”, “at its discretion”, and “therefor” are omitted as surplus. The word “except” is substituted for “exclusive of” for consistency in this chapter. The word “controls” is substituted for “in the possession of” for clarity. The word “considered” is omitted as surplus. In clause (2), the words “the purposes of” are omitted as surplus.

In subsection (c), reference to the Canal Zone is omitted because of the Panama Canal Treaty of 1977.

In subsection (c)(1), before clause (A), the words “and to do all things necessary in connection with the” are omitted as surplus. The word “airway” is added for consistency in this chapter. In clause (B), the words “treaty, convention, or” are omitted as surplus.

In subsection (c)(2), the words “in its discretion”, “therefor”, “airport property or airway property or 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

<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, 1963, Pub. L. 87–449, §7(b), 96 Stat. 2444.
47305(b)	49 App.:1159(c).	
47305(c)	49 App.:1655(c)(1). 49 App.:1160.	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(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.

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. Repealed. Pub. L. 118-63, title VII, § 727, May 16, 2024, 138 Stat. 1271]

Section, Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1283, related to criminal penalty for knowingly and willfully violating a regulation prescribed by the Secretary of Transportation to carry out this chapter.

CHAPTER 475—NOISE

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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.)