

§ 49101. Findings

Congress finds that—

(1) the 2 federally owned airports in the metropolitan area of the District of Columbia constitute an important and growing part of the commerce, transportation, and economic patterns of Virginia, the District of Columbia, and the surrounding region;

(2) Baltimore/Washington International Airport, owned and operated by Maryland, is an air transportation facility that provides service to the greater Metropolitan Washington region together with the 2 federally owned airports, and timely Federal-aid grants to Baltimore/Washington International Airport will provide additional capacity to meet the growing air traffic needs and to compete with other airports on a fair basis;

(3) the United States Government has a continuing but limited interest in the operation of the 2 federally owned airports, which serve the travel and cargo needs of the entire Metropolitan Washington region as well as the District of Columbia as the national seat of government;

(4) operation of the Metropolitan Washington Airports by an independent local authority will facilitate timely improvements at both airports to meet the growing demand of interstate air transportation occasioned by the Airline Deregulation Act of 1978 (Public Law 95-504; 92 Stat. 1705);

(5) all other major air carrier airports in the United States are operated by public entities at the State, regional, or local level;

(6) any change in status of the 2 airports must take into account the interest of nearby communities, the traveling public, air carriers, general aviation, airport employees, and other interested groups, as well as the interests of the United States Government and State governments involved;

(7) in recognition of a perceived limited need for a Federal role in the management of these airports and the growing local interest, the Secretary of Transportation has recommended a transfer of authority from the Federal to the local/State level that is consistent with the management of major airports elsewhere in the United States;

(8) an operating authority with representation from local jurisdictions, similar to authorities at all major airports in the United States, will improve communications with local officials and concerned residents regarding noise at the Metropolitan Washington Airports;

(9) a commission of congressional, State, and local officials and aviation representatives has recommended to the Secretary that transfer of the federally owned airports be as a unit to an independent authority to be created by Virginia and the District of Columbia; and

(10) the Federal interest in these airports can be provided through a lease mechanism which provides for local control and operation.

(Added Pub. L. 105-102, §2(26), Nov. 20, 1997, 111 Stat. 2206.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
49101	(unclassified).	Oct. 18, 1986, Pub. L. 99-500, title VI, §6002, 100 Stat. 1783-373. Oct. 30, 1986, Pub. L. 99-591, title VI, §6002, 100 Stat. 3341-376.

In clause (4), the word “authority” is substituted for “agency” for consistency in the revised title and with other titles of the United States Code.

Editorial Notes

REFERENCES IN TEXT

The Airline Deregulation Act of 1978, referred to in par. (4), is Pub. L. 95-504, Oct. 24, 1978, 92 Stat. 1705, which was classified principally to sections of former Title 49, Transportation. The Act was substantially repealed by Pub. L. 103-272, §7(b), July 5, 1994, 108 Stat. 1379, the first section of which enacted subtitles II, III, and V to X of Title 49, Transportation. For complete classification of this Act to the Code, see Tables. For disposition of sections of former Title 49, see Table at the beginning of Title 49.

PRIOR PROVISIONS

A prior section 49101 was renumbered section 50101 of this title.

§ 49102. Purpose

(a) GENERAL.—The purpose of this chapter is to authorize the transfer of operating responsibility under long-term lease of the 2 Metropolitan Washington Airport properties as a unit, including access highways and other related facilities, to a properly constituted independent airport authority created by Virginia and the District of Columbia, in order to achieve local control, management, operation, and development of these important transportation assets.

(b) INCLUSION OF BALTIMORE/WASHINGTON INTERNATIONAL AIRPORT NOT PRECLUDED.—This chapter does not prohibit the Airports Authority and Maryland from making an agreement to make Baltimore/Washington International Airport part of a regional airports authority, subject to terms agreed to by the Airports Authority, the Secretary of Transportation, Virginia, the District of Columbia, and Maryland.

(Added Pub. L. 105-102, §2(26), Nov. 20, 1997, 111 Stat. 2207.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
49102(a)	(unclassified).	Oct. 18, 1986, Pub. L. 99-500, title VI, §6003(a), 100 Stat. 1783-374. Oct. 30, 1986, Pub. L. 99-591, title VI, §6003(a), 100 Stat. 3341-377.
49102(b)	(unclassified).	Oct. 18, 1986, Pub. L. 99-500, title VI, §6003(b), 100 Stat. 1783-374. Oct. 30, 1986, Pub. L. 99-591, title VI, §6003(b), 100 Stat. 3341-377.

In subsection (b), the words “and conditions” are omitted as being included in “terms”.

Editorial Notes

PRIOR PROVISIONS

A prior section 49102 was renumbered section 50102 of this title.

§ 49103. Definitions

In this chapter—

(1) "Airports Authority" means the Metropolitan Washington Airports Authority, a public authority created by Virginia and the District of Columbia consistent with the requirements of section 49106 of this title.

(2) "employee" means any permanent Federal Aviation Administration personnel employed by the Metropolitan Washington Airports on June 7, 1987.

(3) "Metropolitan Washington Airports" means Ronald Reagan Washington National Airport and Washington Dulles International Airport.

(4) "Washington Dulles International Airport" means the airport constructed under the Act of September 7, 1950 (ch. 905, 64 Stat. 770), and includes the Dulles Airport Access Highway and Right-of-way, including the extension between Interstate Routes I-495 and I-66.

(5) "Ronald Reagan Washington National Airport" means the airport described in the Act of June 29, 1940 (ch. 444, 54 Stat. 686).

(Added Pub. L. 105-102, §2(26), Nov. 20, 1997, 111 Stat. 2207; 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)
49103	(unmodified).	Oct. 18, 1986, Pub. L. 99-500, title VI, §6004, 100 Stat. 1783-374. Oct. 30, 1986, Pub. L. 99-591, title VI, §6004, 100 Stat. 3341-377.

In this section, the text of section 6004(1) and (5) of the Metropolitan Washington Airports Act of 1986 (Public Law 99-500, 100 Stat. 1783-374, 1783-375, Public Law 99-591, 100 Stat. 3341-378) is omitted as surplus because the complete names of the Administrator of the Federal Aviation Administration and the Secretary of Transportation are used the first time those terms appear in a section.

In clause (1), the words "an organization within the Federal Aviation Administration" are omitted as surplus.

Editorial Notes

REFERENCES IN TEXT

Act of September 7, 1950, ch. 905, 64 Stat. 770, referred to in par. (4), 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.

Act of June 29, 1940, ch. 444, 54 Stat. 686, referred to in par. (5), 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.

PRIOR PROVISIONS

A prior section 49103 was renumbered section 50103 of this title.

AMENDMENTS

1998—Pars. (3), (5). Pub. L. 105-154 substituted "Ronald Reagan Washington National Airport" for "Washington National Airport".

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Pub. L. 105-154, §1, Feb. 6, 1998, 112 Stat. 3, provided that: "The airport described in the Act entitled 'An Act to provide for the administration of the Washington National Airport, and for other purposes', approved June 29, 1940 (54 Stat. 686) [section 2401 et seq. of former Title 49, Transportation, see References in Text note above], and known as the Washington National Airport, shall be known and designated as the 'Ronald Reagan Washington National Airport'."

Pub. L. 105-154, §2(b), Feb. 6, 1998, 112 Stat. 4, provided that: "Any reference in a law, map, regulation, document, paper, or other record of the United States to the Washington National Airport shall be deemed to be a reference to the 'Ronald Reagan Washington National Airport'."

§ 49104. Lease of Metropolitan Washington Airports

(a) GENERAL.—The lease between the Secretary of Transportation and the Metropolitan Washington Airports Authority under section 6005(a) of the Metropolitan Washington Airports Act of 1986 (Public Law 99-500; 100 Stat. 1783-375; Public Law 99-591; 100 Stat. 3341-378), for the Metropolitan Washington Airports must provide during its 50-year term at least the following:

(1) The Airports Authority shall operate, maintain, protect, promote, and develop the Metropolitan Washington Airports as a unit and as primary airports serving the Metropolitan Washington area.

(2)(A) In this paragraph, "airport purposes" means a use of property interests (except a sale) for—

- (i) aviation business or activities;
- (ii) activities necessary or appropriate to serve passengers or cargo in air commerce;
- (iii) nonprofit, public use facilities that are not inconsistent with the needs of aviation; or
- (iv) a business or activity not inconsistent with the needs of aviation that has been approved by the Secretary.

(B) During the period of the lease, the real property constituting the Metropolitan Washington Airports shall be used only for airport purposes.

(C) If the Secretary decides that any part of the real property leased to the Airports Authority under this chapter is used for other than airport purposes, the Secretary shall—

- (i) direct that the Airports Authority take appropriate measures to have that part of the property be used for airport purposes; and
- (ii) retake possession of the property if the Airports Authority fails to have that part of the property be used for airport purposes within a reasonable period of time, as the Secretary decides.

(3) The Airports Authority is subject to section 47107(a)–(c) and (e) of this title and to the assurances and conditions required of grant recipients under the Airport and Airway Improvement Act of 1982 (Public Law 97-248; 96 Stat. 671) as in effect on June 7, 1987. Notwithstanding section 47107(b) of this title, all revenues generated by the Metropolitan Washington Airports shall be expended for the cap-