

(d) EXTENSION OF LEASE.—The Secretary and the Airports Authority may at any time negotiate an extension of the lease.

(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; Pub. L. 106–181, title II, §231(e)(2), Apr. 5, 2000, 114 Stat. 113; Pub. L. 112–95, title IV, §414(e), Feb. 14, 2012, 126 Stat. 92.)

## HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
49104(a) .....	(unclassified).	Oct. 18, 1986, Pub. L. 99–500, title VI, §§6005(a), (d), 6007(d) (last sentence), 100 Stat. 1783–375, 1783–376, 1783–380. Oct. 18, 1986, Pub. L. 99–500, title VI, §6005(c), 100 Stat. 1783–376; Oct. 9, 1996, Pub. L. 104–264, title IX, §902, 110 Stat. 3274. Oct. 30, 1986, Pub. L. 99–591, title VI, §§6005(a), (d), 6007(d) (last sentence), 100 Stat. 3341–378, 3341–379, 3341–383. Oct. 30, 1986, Pub. L. 99–591, title VI, §6005(c), 100 Stat. 3341–379; Oct. 9, 1996, Pub. L. 104–264, title IX, §902, 110 Stat. 3274.
49104(b) .....	(unclassified).	Oct. 18, 1986, Pub. L. 99–500, title VI, §6005(b), 100 Stat. 1783–375. Oct. 30, 1986, Pub. L. 99–591, title VI, §6005(b), 100 Stat. 3341–378.
49104(c) .....	(unclassified).	Oct. 18, 1986, Pub. L. 99–500, title VI, §6005(e), 100 Stat. 1783–378. Oct. 30, 1986, Pub. L. 99–591, title VI, §6005(e), 100 Stat. 3341–381.
49104(d) .....	(unclassified).	Oct. 18, 1986, Pub. L. 99–500, title VI, §6010, 100 Stat. 1783–385. Oct. 30, 1986, Pub. L. 99–591, title VI, §6010, 100 Stat. 3341–388.

In subsection (a), before clause (1), the text of section 6005(a) and (d) of the Metropolitan Washington Airports Act of 1986 (Public Law 99–500, 100 Stat. 1783–375, 1783–378, Public Law 99–591, 100 Stat. 3341–378, 3341–381) is omitted as executed. The words “conditions and requirements” are omitted as surplus. In clause (5)(B), the words “(relating to new-technology aircraft)” and “(relating to violations of Federal Aviation Administration regulations as Federal misdemeanors)” are omitted as surplus. In clause (5)(C), the words “after the date the lease takes effect” are omitted as obsolete. In clause (6)(A), the words “(tangible and incorporeal, present and executory)” are omitted as surplus. The words “The Airports Authority must” are substituted for “Before the date the lease takes effect, the Secretary shall also assure that the Airports Authority has agreed to” to eliminate obsolete words. The words “duties and powers” are substituted for “functions” for consistency in the revised title and with other titles of the United States Code. In clause (7), the words “or places” are omitted because of 1:1. The words “books, accounts . . . reports, files, papers” are omitted as being included in “reports”. In clause (8), the words “for purposes of section 49106(d) of this title” are added for clarity. In clause (9), before subclause (A), the words “Notwithstanding any other provision of law” are omitted as surplus. In clause (11), the words “and conditions” are omitted as being included in “terms”.

In subsection (b), the text of section 6005(b)(2) of the Metropolitan Washington Airports Act of 1986 (Public Law 99–500, 100 Stat. 1783–375, Public Law 99–591, 100 Stat. 3341–378) is omitted as executed.

## Editorial Notes

## REFERENCES IN TEXT

Section 6005(a) of the Metropolitan Washington Airports Act of 1986, referred to in subsec. (a), is section 6005(a) of Pub. L. 99–500, title VI, Oct. 18, 1986, 100 Stat. 1783–375, and Pub. L. 99–591, title VI, Oct. 30, 1986, 100 Stat. 3341–378, which was classified to section 2454(a) of former Title 49, Transportation, and was repealed and reenacted as subsec. (a) of this section by Pub. L. 105–102, §§2(26), 5(b), Nov. 20, 1997, 111 Stat. 2205, 2217.

The Airport and Airway Improvement Act of 1982, referred to in subsec. (a)(3), is title V of Pub. L. 97–248, Sept. 3, 1982, 96 Stat. 671, which was classified principally to chapter 31 (§2201 et seq.) of former Title 49, Transportation, and was substantially repealed by Pub. L. 103–272, §7(b), July 5, 1994, 108 Stat. 1379, and reenacted by the first section thereof as subchapter I of chapter 471 of Title 49, Transportation.

Part 159 of title 14 of the Code of Federal Regulations, including sections 159.59 and 159.191, referred to in subsec. (a)(5)(A), (B), was removed from the Code of Federal Regulations by the Federal Aviation Administration by final rule, effective May 2, 1996. See 61 F.R. 19784.

## PRIOR PROVISIONS

A prior section 49104 was renumbered section 50104 of this title.

## AMENDMENTS

2012—Subsec. (a)(2)(A)(iv). Pub. L. 112–95 added cl. (iv).

2000—Subsec. (a)(5)(D). Pub. L. 106–181 added subpar. (D).

1998—Subsec. (a)(5)(C), (9)(A), (B). Pub. L. 105–154 substituted “Ronald Reagan Washington National Airport” for “Washington National Airport” wherever appearing.

## 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.

## § 49105. Capital improvements, construction, and rehabilitation

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Metropolitan Washington Airports Authority—

(1) should pursue the improvement, construction, and rehabilitation of the facilities at Washington Dulles International Airport and Ronald Reagan Washington National Airport simultaneously; and

(2) to the extent practicable, should cause the improvement, construction, and rehabilitation proposed by the Secretary of Transportation to be completed at Washington Dulles International Airport and Ronald Reagan Washington National Airport within 5 years after March 30, 1988.

(b) SECRETARY’S ASSISTANCE.—The Secretary shall assist the 3 airports serving the District of Columbia metropolitan area in planning for operational and capital improvements at those airports and shall accelerate consideration of applications for United States Government financial assistance by whichever of the 3 airports is most in need of increasing airside capacity.

(Added Pub. L. 105–102, §2(26), Nov. 20, 1997, 111 Stat. 2210; 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)
49105(a) .....	(unmodified).	Oct. 18, 1986, Pub. L. 99-500, title VI, § 6006(a), 100 Stat. 1783-378. Oct. 30, 1986, Pub. L. 99-591, title VI, § 6006(a), 100 Stat. 3341-381.
49105(b) .....	(unmodified).	Oct. 18, 1986, Pub. L. 99-500, title VI, § 6006(b), 100 Stat. 1783-379. Oct. 30, 1986, Pub. L. 99-591, title VI, § 6006(b), 100 Stat. 3341-382.

**Editorial Notes**

PRIOR PROVISIONS

A prior section 49105 was renumbered section 50105 of this title.

AMENDMENTS

1998—Subsec. (a)(1), (2). Pub. L. 105-154 substituted “Ronald Reagan Washington National Airport” for “Washington National Airport”.

**§ 49106. Metropolitan Washington Airports Authority**

(a) STATUS.—The Metropolitan Washington Airports Authority shall be—

(1) a public body corporate and politic with the powers and jurisdiction—

(A) conferred upon it jointly by the legislative authority of Virginia and the District of Columbia or by either of them and concurred in by the legislative authority of the other jurisdiction; and

(B) that at least meet the specifications of this section;

(2) independent of Virginia and its local governments, the District of Columbia, and the United States Government; and

(3) a political subdivision constituted only to operate and improve the Metropolitan Washington Airports as primary airports serving the Metropolitan Washington area.

(b) GENERAL AUTHORITY.—(1) The Airports Authority shall be authorized—

(A) to acquire, maintain, improve, operate, protect, and promote the Metropolitan Washington Airports for public purposes;

(B) to issue bonds from time to time in its discretion for public purposes, including paying any part of the cost of airport improvements, construction, and rehabilitation and the acquisition of real and personal property, including operating equipment for the airports;

(C) to acquire real and personal property by purchase, lease, transfer, or exchange;

(D) to exercise the powers of eminent domain in Virginia that are conferred on it by Virginia;

(E) to levy fees or other charges; and

(F) to make and maintain agreements with employee organizations to the extent that the Federal Aviation Administration was authorized to do so on October 18, 1986.

(2) Bonds issued under paragraph (1)(B) of this subsection—

(A) are not a debt of Virginia, the District of Columbia, or a political subdivision of Virginia or the District of Columbia; and

(B) may be secured by the Airports Authority’s revenues generally, or exclusively from the income and revenues of certain designated projects whether or not any part of the projects are financed from the proceeds of the bonds.

(c) BOARD OF DIRECTORS.—(1) The Airports Authority shall be governed by a board of directors composed of the following 17 members:

(A) 7 members appointed by the Governor of Virginia;

(B) 4 members appointed by the Mayor of the District of Columbia;

(C) 3 members appointed by the Governor of Maryland; and

(D) 3 members appointed by the President with the advice and consent of the Senate.

(2) The chairman of the board shall be appointed from among the members by majority vote of the members and shall serve until replaced by majority vote of the members.

(3) Members of the board shall be appointed to the board for 6 years, except that of the members first appointed by the President after October 9, 1996, one shall be appointed for 4 years. 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).

(4) A member of the board—

(A) may not hold elective or appointive political office;

(B) serves without compensation except for reasonable expenses incident to board functions; and

(C) must reside within the Washington Standard Metropolitan Statistical Area, except that a member of the board appointed by the President must be a registered voter of a State other than Maryland, Virginia, or the District of Columbia.

(5) A vacancy in the board shall be filled in the manner in which the original appointment was made. A member appointed to fill a vacancy occurring before the expiration of the term for which the member’s predecessor was appointed shall be appointed only for the remainder of that term.

(6)(A) Not more than 2 of the members of the board appointed by the President may be of the same political party.

(B) In carrying out their duties on the board, members appointed by the President shall ensure that adequate consideration is given to the national interest.

(C) A member appointed by the President may be removed by the President for cause. 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 the jurisdiction from which the member is appointed.

(7) Ten votes are required to approve bond issues and the annual budget.

(d) CONFLICTS OF INTEREST.—Members of the board and their immediate families may not be employed by or otherwise hold a substantial financial interest in any enterprise that has or is seeking a contract or agreement with the Air-