

SUBCHAPTER I—AIRPORTS

§ 101501. Airports in or near System units

(a) DEFINITIONS.—In this section, the terms “airport”, “project”, “project costs”, “public agency”, and “sponsor” have the meanings given the terms in section 47102 of title 49.

(b) ACQUISITION, OPERATION, AND MAINTENANCE OF AIRPORTS.—

(1) AUTHORIZATION.—The Secretary may plan, acquire, establish, construct, enlarge, improve, maintain, equip, operate, regulate, and protect airports in the continental United States in, or in close proximity to, System units, when the Secretary determines that the airports are necessary to the proper performance of the functions of the Department of the Interior.

(2) INCLUSION IN NATIONAL PLAN.—The Secretary shall not acquire, establish, or construct an airport under this section unless the airport is included in the national plan of integrated airport systems formulated by the Secretary of Transportation pursuant to section 47103 of title 49.

(3) OPERATION AND MAINTENANCE MUST ACCORD WITH STANDARDS AND REGULATIONS OF SECRETARY OF TRANSPORTATION.—The operation and maintenance of airports under this section shall be in accordance with the standards and regulations prescribed by the Secretary of Transportation.

(c) AUTHORITY OF SECRETARY.—

(1) IN GENERAL.—To carry out this section, the Secretary may—

(A) acquire necessary land and interests in or over land;

(B) contract for the construction, improvement, operation, and maintenance of airports and incidental facilities;

(C) enter into agreements with other public agencies providing for the construction, operation, or maintenance of airports by those agencies or jointly by the Secretary and those agencies on mutually satisfactory terms; and

(D) enter into other agreements and take other action with respect to the airports as may be necessary to carry out this section.

(2) CONSENT REQUIRED.—This section does not authorize the Secretary to acquire any land, or interest in or over land, by purchase, condemnation, grant, or lease, without first obtaining the consent of the Governor of the State, and the consent of the chief executive official of the State political subdivision, in which the land is located.

(d) AUTHORIZATION TO SPONSOR AIRPORT PROJECTS.—To carry out this section, the Secretary may—

(1) sponsor projects under subchapter I of chapter 471 of title 49 independently or jointly with other public agencies; and

(2) use, for payment of the sponsor’s share of the project costs of those projects, any funds that may be—

(A) contributed or otherwise made available to the Secretary for those purposes; or

(B) appropriated or otherwise specifically authorized for that purpose.

(e) JURISDICTION OVER AIRPORTS.—All airports under the jurisdiction of the Secretary, unless otherwise specifically provided by law, shall be operated as public airports, available for public use on fair and reasonable terms and without unjust discrimination.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3129.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
101501(a)	16 U.S.C. 7e.	Mar. 18, 1950, ch. 72, §§1 through 5, 64 Stat. 27; Pub. L. 85–726, title XIV, §1402(e), Aug. 23, 1958, 72 Stat. 807; Pub. L. 89–763, Nov. 5, 1966, 80 Stat. 1313; Pub. L. 91–258, title I, §52(b)(1), May 21, 1970, 84 Stat. 235.
101501(b)	16 U.S.C. 7a.	
101501(c)	16 U.S.C. 7b.	
101501(d)	16 U.S.C. 7c.	
101501(e)	16 U.S.C. 7d.	

In subsections (a) and (d)(1), the words “subchapter I of chapter 471 of title 49” are substituted for “the Federal Airport Act”. The Federal Airport Act was repealed by section 52(a) of the Airport and Airway Development Act of 1970 (Public Law 91–258, 84 Stat. 235), and the Airport and Airway Development Act of 1970 replaced the Federal Airport Act. The Airport and Airway Development Act of 1970 was repealed by section 523(a) of the Airport and Airway Improvement Act of 1982 (Public Law 97–248, 96 Stat. 695). The Airport and Airway Improvement Act of 1982, which replaced the Airport and Airway Development Act of 1970, was enacted as subchapter I of chapter 471 of title 49 by section 1(e) of the Act of July 5, 1994 (Public Law 103–272, 108 Stat. 1245).

In subsection (b)(2), the words “section 47103 of title 49” are substituted for “the Federal Airport Act”. The Federal Airport Act was repealed by section 52(a) of the Airport and Airway Development Act of 1970 (Public Law 91–258, 84 Stat. 235). Section 12 of the Airport and Airway Development Act of 1970, which provided for a national airport system plan, was replaced by section 504 of the Airport and Airway Improvement Act of 1982 (Public Law 97–248, 96 Stat. 675). Section 504 was enacted as section 47103 of title 49 by section 1(e) of the Act of July 5, 1994 (Public Law 103–272, 108 Stat. 1251).

In subsection (c), the text of 16 U.S.C. 7b (last proviso) is omitted as obsolete.

In subsection (c)(2), the words “chief executive official of the” are added for clarity and for consistency in the new title.

In subsection (d)(2)(A), the words “(receipt of which funds and their use for such purposes is authorized)” are omitted as unnecessary.

SUBCHAPTER II—ROADS AND TRAILS

§ 101511. Authority of Secretary

(a) ROADS AND TRAILS IN SYSTEM UNITS.—The Secretary may construct, reconstruct, and improve roads and trails, including bridges, in System units.

(b) APPROACH ROADS.—

(1) IN GENERAL.—

(A) DESIGNATION.—When the Secretary determines it to be in the public interest, the Secretary may designate, as System unit approach roads, roads whose primary value is to carry System unit travel and that lead across land at least 90 percent owned by the Federal Government and that will connect the highways within a System unit with a convenient point on or leading to the National Highway System.

(B) LIMIT ON LENGTH OF APPROACH ROADS.—

(i) IN GENERAL.—A designated approach road shall not exceed—

(I) 60 miles in length between a System unit gateway and a point on or leading to the nearest convenient National Highway System road; or

(II) 30 miles in length if the approach road is on the National Highway System.

(ii) COUNTY LIMIT.—Not to exceed 40 miles of any one approach road shall be designated in any one county.

(C) SUPPLEMENTARY PART OF SYSTEM UNIT HIGHWAY SYSTEM.—An approach road designated for a System unit shall be treated as a supplementary part of the highway system of the System unit.

(2) CONSTRUCTION, RECONSTRUCTION, AND IMPROVEMENT.—

(A) IN GENERAL.—The Secretary may construct, reconstruct, and improve approach roads designated under paragraph (1) (including bridges) and enter into agreements for the maintenance of the approach roads by State or county authorities or to maintain the approach roads when otherwise necessary.

(B) ANNUAL ALLOCATION.—Not more than \$1,500,000 shall be allocated annually for the construction, reconstruction, and improvement of System unit approach roads.

(3) APPROVAL OF SECRETARY OF AGRICULTURE REQUIRED.—When an approach road is proposed under this section across or within any national forest, the Secretary shall secure the approval of the Secretary of Agriculture before construction begins.

(c) AGREEMENT WITH SECRETARY OF TRANSPORTATION.—Under agreement with the Secretary, the Secretary of Transportation may carry out any provision of this section.

(Pub. L. 113-287, § 3, Dec. 19, 2014, 128 Stat. 3130.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
101511(a)	16 U.S.C. 8. 16 U.S.C. 8b (words after 6th comma and before semicolon, last proviso).	Apr. 9, 1924, ch. 86, § 1, 43 Stat. 90. Apr. 9, 1924, ch. 86, § 5, as added Jan. 31, 1931, ch. 79, 46 Stat. 1053.
101511(b)(1)	16 U.S.C. 8a.	Apr. 9, 1924, ch. 86, §§ 4, 6, as added Jan. 31, 1931, ch. 79, 46 Stat. 1053, 1054.
101511(b)(2)(A).	16 U.S.C. 8b (words before 6th comma, words after semicolon and before 1st proviso).	
101511(b)(2)(B).	16 U.S.C. 8b (2d proviso).	
101511(b)(3)	16 U.S.C. 8c.	
101511(c)	16 U.S.C. 8b (1st proviso).	

In subsection (a), the text of 16 U.S.C. 8b (last proviso) and the words “in the administration of the National Park Service” in 16 U.S.C. 8 are omitted as unnecessary.

In subsection (b)(1)(A), the words “at least 90 per cent” are substituted for “wholly or to the extent of 90 per centum” to eliminate unnecessary words. The words “National Highway System” are substituted for “Federal 7 per centum highway system” to reflect the current name of the system. See 23:101(a)(16).

In subsection (b)(2)(A), the words “during the fiscal years 1950 and 1951” and the text of 16 U.S.C. 8b (words after semicolon and before 1st proviso) are omitted as obsolete.

In subsection (c), the words “Secretary of Transportation” are substituted for “Secretary of Commerce” because the functions of the Secretary of Agriculture relating to Public Roads Administration were transferred to the Federal Works Administrator by Reorganization Plan No. 1 of 1939 (5 App. U.S.C.) and subsequently to the Administrator of General Services by section 103 of the Federal Property and Administrative Services Act of 1949 (ch. 288, 63 Stat. 380) and the Secretary of Commerce and Secretary of Transportation by Reorganization Plan No. 7 of 1949 (5 App. U.S.C.), as amended by section 2(b) of Public Law 97-449 (96 Stat. 2439).

§ 101512. Conveyance to States of roads leading to certain historical areas

(a) DEFINITION.—In this section, the term “State” means a State, Puerto Rico, Guam, and the Virgin Islands.

(b) AUTHORITY OF SECRETARY.—The Secretary may, subject to conditions as seem proper to the Secretary, convey by proper quitclaim deed to any State, county, municipality, or agency of a State, county, or municipality in which the road is located, all right, title, and interest of the United States in and to any Federal Government owned or controlled road leading to any national cemetery, national military park, national historical park, national battlefield park, or national historic site administered by the Service.

(c) NOTIFICATION BY STATE, AGENCY, OR MUNICIPALITY.—Prior to the delivery of any conveyance of a road under this section, the State, county, or municipality to which the conveyance is to be made shall notify the Secretary in writing of its willingness to accept and maintain the road.

(d) TRANSFER OF JURISDICTION.—On the execution and delivery of the conveyance of a road under this section, any jurisdiction previously ceded to the United States by a State over the road is retroceded and shall vest in the State in which the road is located.

(Pub. L. 113-287, § 3, Dec. 19, 2014, 128 Stat. 3131.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
101512(a)	16 U.S.C. 8f.	June 3, 1948, ch. 401, § 2, 62 Stat. 334; Aug. 1, 1956, ch. 852, § 5, 70 Stat. 908.
101512(b) through (d).	16 U.S.C. 8e.	June 3, 1948, ch. 401, § 1, 62 Stat. 334.

In subsection (a), the words “Hawaii, Alaska” are omitted as obsolete.

In subsection (d), the words “is retroceded” are substituted for “shall thereby cease and determine” for clarity. The word “thereafter” is omitted as unnecessary.

SUBCHAPTER III—PUBLIC TRANSPORTATION PROGRAMS FOR SYSTEM UNITS

§ 101521. Transportation service and facility programs

(a) FORMULATION OF PLANS AND IMPLEMENTATION OF PROJECTS.—The Secretary may formu-