



# Federal Aviation Administration

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## Memorandum

Date: April 23, 2025

To: Office of Airports Regional Directors, AXX-600s  
Regional Airport Planning and Programming, AXX-610s  
Airports District Office Managers, XXX-ADOs

From: **MICHAEL S HINES** Digitally signed by MICHAEL S HINES  
Date: 2025.04.24 12:14:07 -04'00' (Acting APP-1)  
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Subject: Reauthorization Program Guidance Letter (R-PGL) 25-03: Extended, Expanded,  
and Revised Programs

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This Reauthorization Program Guidance Letter (R-PGL) 25-03 explains and implements provisions in the FAA Reauthorization Act of 2024 (the 2024 Act) (P.L. 118-63) that direct the FAA to extend, expand, and revise existing Office of Airports programs. This R-PGL is directed to Office of Airports staff for the purpose of helping them implement statutory changes. This R-PGL is not legally binding and will not be relied upon by the FAA as a separate basis for affirmative enforcement action or other administrative penalty. The FAA will update FAA Order 5100.38D, Change 1, *Airport Improvement Program (AIP) Handbook*, to reflect these statutory changes.

Please be advised that unless expressly noted below, Infrastructure Investment and Jobs Act (IIJA) eligibility is generally broader than and more inclusive than AIP eligibility. All other applicable Federal statutes, regulations, Executive Orders, policy, and guidance apply unless expressly provided for otherwise in this R-PGL. For all planning and programming purposes, including System of Airports Reporting (SOAR) actions, refer to the latest Regional Implementation Guidance.

This R-PGL addresses the following specific provisions:

Bill Section	Topic	49 USC Section(s) Impacted
104(b)	Marshall Islands, Micronesia, and Palau	§ 47115(i)
104(d)	Midway Island Airport	Amends Vision 100 – Century of Aviation Reauthorization Act (P.L. 108-176) § 186(d)

Bill Section	Topic	49 USC Section(s) Impacted
720(b)	State Block Grant Program, Roles and Responsibilities	§ 47128(f)
721	Innovative Financing Techniques	§ 47135
724	Non-movement Area Surveillance Surface Display Systems Pilot Program	§ 47143(c)
731	Airport Access Roads in Remote Locations	§ 47102 note

### **Section 104(b), Marshall Islands, Micronesia, and Palau**

Section 104(b) amends 49 U.S.C. § 47115(i), *Discretionary Fund*, by extending eligibility for the Republic of the Marshall Islands, the Federated State of Micronesia, and the Republic of Palau to receive grants under this section and under § 47116, *Small Airport Fund*, through Fiscal Year (FY) 2028. These airport sponsors remain ineligible to receive apportioned (primary, nonprimary, cargo, or state) funds under § 47114. Additionally, they are not able to receive set-aside funds to include:

- Noise and Environmental Set-Aside funds under § 47117(e)(1)(A); or
- Military Airport Program funds under § 47117(e)(1)(B).

#### **Implementation for Field Offices:**

This provision does not change how grants are administered in these locations through FY 2028. The same eligibility rules apply.

### **Section 104(d), Midway Island Airport**

Section 104(d) amends Section 186(d) of the Vision 100—Century of Aviation Reauthorization Act (P.L. 108-176), which permits the FAA to enter into reimbursable agreements with the Secretary of the Interior to fund AIP-eligible projects at Midway Island Airport, by extending this authority through FY 2028. There are no changes to eligibility or program rules. This provision simply continues the legislative authority, previously updated in R-PGL 19-01, *Extended and Expanded Programs*. Funding remains capped at \$2.5 million of discretionary funds per fiscal year, awarded under § 47115, *Discretionary Fund*, exclusive of set asides. This provision has been extended in prior reauthorizations and appropriations acts.

#### **Implementation for Field Offices**

This provision does not change how grants are administered for Midway Island Airport through FY 2028. The same eligibility rules apply.

## **Section 720(b), State Block Grant Program Roles and Responsibilities**

Section 720(b) amends 49 U.S.C. § 47128 by adding a new subsection (f) defining roles and responsibilities of states participating in the State Block Grant Program (SBGP). This new subsection states:

1. Unless a state expressly agrees in a Memorandum of Agreement (MOA), it shall not be required to manage functions and responsibilities for airport actions or projects that do not relate to the SBGP;
2. Any grant agreement providing funds to be administered under the SBGP shall be consistent with the most recently executed MOA between the state and the FAA; and
3. The FAA shall provide parity to participating states and shall only require the same type of information and level of detail for any program agreements and documents that FAA would perform with respect to such action if the state were not in the SBGP.

This new subsection also includes a list of several responsibilities that the FAA shall retain unless the state expressly agrees to take responsibility, including the following responsibilities that are discussed in further detail in the MOA:

- a. Grant compliance investigations, determinations, and enforcement;
- b. Obstruction evaluation and airport airspace analysis, determinations, and enforcement off airport property;
- c. Non-rulemaking analysis, determinations, and enforcement for proposed improvements on airport properties not associated with the AIP or IIJA grants, or off airport property;
- d. Land use determinations, compatibility planning, and airport layout plan review and approval (consistent with 49 U.S.C. § 47107(x)) for projects not funded by AIP or IIJA;
- e. Nonaeronautical and special event recommendations and approvals;
- f. Instrument approach procedure evaluations and determinations;
- g. Environmental review for projects not funded by AIP or IIJA; and
- h. Review and approval of land leases, land releases, changes in on-airport land use designation, and through-the-fence agreements.

## **Implementation for Field Offices**

In FY 2024, SBGP States agreed to, and executed, an updated MOA that outlines the SBGP implementation responsibilities of the FAA and the States. This MOA covers the responsibilities listed in 49 U.S.C. § 47128(f). It contains only information requests that FAA would require from airport sponsors. If there are any questions regarding 49 U.S.C. § 47128(f)(2)(B), which is

the parity provision summarized in item 3, above, Airports District Offices (ADOs) or Regional Offices (ROs) should contact APP-540. The FAA has also modified its grant agreements to reflect the MOA language.

During FY 2025, APP-540 will work with the SBGP States to prepare an updated MOA. This 2025 MOA will confirm that the FAA's and the States' roles and responsibilities for the tasks listed in 49 U.S.C. § 47128(f) are clearly agreed upon and comply with the intent of this section's requirements. The FAA will use these same parameters in any future MOA updates.

### **Section 721, Innovative Financing Techniques**

Section 721 amends 49 U.S.C. § 47135, *Innovative financing techniques*. The AIP Handbook, Chapter 6, Section 4, *Innovative Finance Demonstration Program*, contains prior program guidance. Section 721 expands eligible costs and increases the number of allowable projects.

The process for carrying out the Innovative Finance Demonstration Program, prescribed in the AIP Handbook, Chapter 6, Section 4, will be updated to reflect the amended statute. Section 721 changes the parameters of the program in four ways, by:

1. Increasing the number of airports that may participate from 20 total airports to 30 per fiscal year;
2. Expanding the categories of airports that may participate to include medium hubs; only large hubs remain excluded;
3. Expanding the list of eligible innovative financing techniques to include any other techniques the FAA determines are consistent with the purposes of this section; and
4. Expanding eligible grant purposes to include 1) lowering the total cost of an airport development project, whether by grant or loan, and 2) expediting airport development project delivery without reducing safety or causing environmental harm.

### **Implementation for Field Offices**

For any financing techniques to be considered eligible under § 47135, ADOs or ROs must provide APP-510 with a detailed request for consideration and receive written approval by APP-1.

### **Section 724, Non-Movement Area Surveillance Surface Display Systems Pilot Program**

Section 140 of the FAA Reauthorization Act of 2018 (the 2018 Act) (P.L. 115-254) created a non-movement area surveillance surface systems pilot program under 49 U.S.C. § 47143, which was originally authorized through October 1, 2023. Section 724 amends 49 U.S.C. § 47143(c) by extending the program sunset date to October 1, 2028.

The FAA established initial pilot program guidance in R-PGL 19-04, *Pilot Program Eligibility*. Guidance in this R-PGL continues to apply.

### **Implementation for Field Offices**

Due to the specialized nature of this program, APP-400 may coordinate as needed with ADOs and ROs to discuss airports that may be potential candidates for inclusion in this extended pilot program in alignment with FAA Terminal Flight Data Manager Program deployments.

### **Section 731, Airport Access Roads in Remote Locations**

Section 162 of the 2018 Act established temporary eligibility for the construction of storage facilities for snow removal equipment, aircraft rescue and firefighting equipment, and airport access roads beyond what is currently permitted under § 47102, provided certain conditions are met. The FAA published implementing guidance for this temporary eligibility in R-PGL 19-03, *Airport Types and Eligibility*. Section 731 of the 2024 Act amends the 2018 Act (49 U.S.C. § 47102 note), to extend the expiration of this eligibility until the end of FY 2028. All other relevant guidance in R-PGL 19-03 continue to apply.

### **Implementation for Field Offices**

Continue to follow the guidance in R-PGL 19-03, *Airport Types and Eligibility*.