Federal Aviation Administration

Memorandum

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

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Subject: Reauthorization Program Guidance Letter (R-PGL) 25-06: Planning and Project Eligibility

This Reauthorization Program Guidance Letter (R-PGL) 25-06 explains and implements provisions in the FAA Reauthorization Act of 2024 (the 2024 Act) (P.L. 118-63), which amend and expand Airport Improvement Program (AIP) funding eligibility for various project costs. 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 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 (RIG).

This R-PGL addresses the following specific provisions:

Bill Section	Topic	49 USC Section(s) Impacted
702(2)(B)(iv)	Medium Intensity Approach Lighting System with Runway Alignment Indicator Lights	§ 47102(3)(B)
702(2)(G)	Advanced Digital Construction Management Systems	§ 47102(3)
702(2)(G)	Cybersecurity Projects	§ 47102(3)

Bill Section	Topic	49 USC Section(s) Impacted
702(2)(G)	Safety Improvement Activities	§ 47102(3)
702(2)(G)	Eligibility of Taxiways and Taxilanes to Ineligible Facilities	§ 47102(3)
702(2)(G)	Proactive Improvements to Sustain Operations and Permit Resumption of Operations Following Natural Disasters	§ 47102(3)
709	Project Formulation Costs, Relocation of Airport-Owned Facilities, and Nonprimary Airport Funding	§ 47110
728	Transfers of Air Traffic Systems Acquired with AIP Funding	§ 44502(e)
733(c)	LEDs To Replace Halogen Systems	Does not amend 49 U.S.C.
742	Meeting Current and Future Energy Power Demand	§ 47140
745	Electric Aircraft Infrastructure Pilot Program	Does not amend 49 U.S.C.

Section 702(2)(B)(iv), Medium Intensity Approach Lighting System with Runway Alignment Indicator Lights

Section 702(2)(B)(iv) amends 49 U.S.C. § 47102(3)(B) by adding a new subsection (xi) that establishes eligibility for a medium intensity approach lighting system with runway alignment indicator lights (MALSR). However, MALSRs were already eligible, as indicated in the AIP Handbook, section *f* of Table K-2, *NAVAID and Weather Reporting Equipment Project Requirements*. Therefore, no further action is needed to establish eligibility.

Section 702(2)(G), Advanced Digital Construction Management Systems

Section 702(2)(G) amends 49 U.S.C. § 47102(3) by adding a new subsection (S) that establishes eligibility to acquire advanced digital construction management systems (ADCMS) and related technology used in the planning, design and engineering, construction, and maintenance of airport facilities when such systems or technologies are acquired to carry out a project approved by the FAA based on AIP eligibility criteria.

Implementation for Field Offices

The FAA may prorate eligible costs of an ADCMS that includes additional functionality if the system provides a net benefit to the airport. Because ADCMS eligible under 49 U.S.C. § 47102(3)(S) must be acquired to support an AIP eligible and approved project, purchase of these systems for the purpose of operations or maintenance of a facility alone is not eligible. However, because maintenance is explicitly included in this provision, a sponsor may acquire an ADCMS

that includes maintenance functionality but may not acquire an ADCMS for the sole purpose of supporting maintenance operations of a facility.

AIP funds are typically not allowed for software subscription costs. Because vendors may offer ADCMS as a periodic software license (e.g., an annual subscription), such costs are only allowable when associated with AIP eligible project activities and no longer allowable once the project is complete.

All other software and subscription cost guidance in the AIP Handbook, Section 3-66, *Computer Software and Data Subscription Costs,* will apply to any ADCMS acquisition.

Section 702(2)(G), Cybersecurity Projects

Section 702(2)(G) amends 49 U.S.C. § 47102(3) by adding a new subsection (U) that establishes eligibility for projects based on recommendations and rulemakings on airport cybersecurity standards from the Civil Aviation Cybersecurity Rulemaking Committee established by Section 395.

Any resulting eligibility may address cybersecurity controls for airports, relative to the size and nature of airside operations of such airports, to ensure aviation safety in accordance with the recommendations of the Civil Aviation Cybersecurity Rulemaking Committee. Any future project eligibility will depend upon Committee recommendations and final rulemaking.

Implementation for Field Offices

ARP may provide additional guidance in the future.

Section 702(2)(G), Safety Improvement Activities

Section 702(2)(G) amends 49 U.S.C. § 47102(3) by adding a new subsection (Y) that establishes eligibility for airport development activities, excluding terminal development, that the FAA concludes will reasonably improve the safety of the airport.

While an activity may not otherwise be AIP eligible, to be considered for funding approval under this authority, a project seeking funding must demonstrate a reasonable improvement to airport safety and comply with existing project justification requirements pursuant to Chapter 3 of the AIP Handbook.

49 U.S.C. § 47102(3)(B)(ii) previously established eligibility for safety equipment that the Secretary approves as contributing significantly to the safety of individuals and property at the airport. Pursuant to this language, Section 3-5 of the AIP Handbook provides guidance that safety equipment not otherwise specified as eligible in 49 U.S.C §47102(3) is not eligible unless AAS-1 has made a written determination that the equipment will contribute significantly to airport safety. Section 702(2)(G) enables broader eligibility for safety-related costs beyond what is already provided in Section 3-5 of the AIP Handbook.

Implementation for Field Offices

The Regional Airports Division Director must submit a signed recommendation to APP-1 and AAS-1 that demonstrates how the proposed activity would reasonably improve the safety of the airport, including assessments of all the following:

- Aeronautical activity and site-specific risks that would warrant such activity;
- Alternative mitigating approaches, including any existing eligible costs; and
- Relative benefits of the proposed activity compared to existing eligible activities.

Such activities may only be considered eligible and justified if APP-1 and AAS-1 make a written determination concurring with the recommendation.

Nothing in the Act modifies existing AIP policy provided in Section L-2 of the AIP Handbook that safety projects are not automatically justified. Neither airport sponsors nor FAA personnel can use this R-PGL to justify modifications to standards or specifications that could limit competition or otherwise affect the procurement requirements established by statute and regulation.

Section 702(2)(G), Eligibility of Taxiways and Taxilanes to Ineligible Facilities

Section 702(2)(G) amends 49 U.S.C. § 47102(3) by adding a new subsection (X) that establishes eligibility to construct, reconstruct, or rehabilitate taxiways or taxilanes that lead to non-exclusive use aeronautical facilities, including aircraft storage facilities, and affirms that the 50 feet of taxiway or taxilane pavement immediately in front of an ineligible building.

Section 36(a) of Table C-2 of the AIP Handbook, *Examples of Prohibited Projects/Cost for Construction*, states that the following is ineligible: "A taxiway or taxilane that exclusively serves an ineligible building is ineligible". Section 36(a) is modified to read: "A taxiway or taxilane that exclusively serves an ineligible building is ineligible, except for constructing, reconstructing, or rehabilitating a taxiway or taxilane that serves non-exclusive use aeronautical facilities, including aircraft storage facilities."

This section provides additional eligibility to fund a taxilane or taxiway serving non-exclusive use aeronautical facilities. Such facilities must be publicly accessible and provide commercial aeronautical services. For additional information on what constitutes non-exclusive aeronautical service facilities, please see FAA Order 5190.6, *FAA Airport Compliance Manual*.

Section 702(2)(G), Proactive Improvements to Sustain Operations and Permit Resumption of Operations Following Natural Disasters

Section 702(2)(G) amends 49 U.S.C. § 47102(3) by adding a new subsection (T) that establishes AIP eligibility for airport development projects at primary airports and certain nonprimary airports that increase the resiliency of airport operations to natural disaster events. This includes planning and improvements needed to sustain commercial operations, or to permit the resumption of operations, following a natural disaster.

Applicable natural disasters vary given the risks inherent at an airport's location. The natural disasters cited in Section 702(2)(G) include earthquakes, flooding, high water, wildfires, hurricanes, storm surges, tidal waves, tornadoes, tsunamis, wind driven water, sea level rise, tropical storms, cyclones, land instability, and winter storms; however, other credible, locally specific natural disaster types may be relevant with concurrence by APP-400.

There are meaningful differences between the actions to "sustain" commercial service flight operations versus "permit the resumption" (recovery) of flight operations following a natural disaster:

1. Resuming services means recovery from a specific event, once weather has improved or immediate peril of the natural disaster has passed. For example, at an airport with high risk of severe riverine flooding, electrical vaults for airside lighting could be relocated or improved to reduce the risk of water damage and to allow faster recovery of operations.

2. Sustaining operations means that aircraft operations continue as much as possible without interruption during weather events. For example, a reconstructed runway is built with improved drainage so that aircraft operations are not impeded by flooding due to significant rainfall.

Implementation for Field Offices

Eligible airports include primary airports and non-primary airports designated as Federal Staging Areas (FSA) or as Federal Incident Support Bases (ISB) by the Federal Emergency Management Agency (FEMA).

FSAs are facilities where deployed equipment and commodities are positioned, generally in anticipation of, or in response to, an incident. FSAs support a single incident, region, or geographical area. An ISB is a temporary location staffed by FEMA personnel that is used for positioning commodities and equipment for transfer to an FSA or a local point of distribution.

Sponsors applying for funding under this provision must provide the FAA with their Memorandum of Understanding (MOU) between the airport and FEMA. MOUs are handled at the FEMA Regional level. Additionally, to qualify as an FSA or ISB, the airport must be listed in FEMA's *DOD and Federal Inter-agency Facilities Usage Reference for Defense Support of Civil Authorities, 2024*. Within this document, anything labeled as an ISB or an FSA can be used by FEMA with the proper MOU in place. FEMA updates this document annually and shares it with FAA.

Resilience projects may be standalone or integrated with a larger development project. Examples include:

1. Seawalls or similar structures built to guard against erosion at a riverine or coastal airport.

2. Increasing drainage capacity to enhance resilience against flood risk.

3. Improving or relocating lighting and navigational aids to enhance infrastructure durability.

4. Improving or relocating airside electrical equipment to include substation and vault upgrades.

5. For an FSA or ISB, water inundation mitigation or drainage enhancements adjacent to a covered runway including seawalls, berms, or other related features that are necessary to support aeronautical functions.

6. Monitoring equipment or services could be eligible and justified as part of the planning scope, with concurrence from APP-400 and APP-500.

7. Projects to mitigate erosion.

8. Other project types could be eligible and justified, with concurrence from APP-400 and APP-500.

FAA staff working with an airport seeking funding under this eligibility must obtain written concurrence from APP-400 and APP-500 on project eligibility and justification.

Section 709, Project Formulation Costs, Relocation of Airport-Owned Facilities, and Nonprimary Airport Funding

Section 709 amends 49 U.S.C § 47110 in three substantive ways:

First, it expands on existing project formulation cost eligibility by making utility relocation and work site preparation eligible as airport development project costs.

Second, it expands allowable funding for the relocation of airport-owned facilities. Previously, only primary entitlements, nonprimary entitlements, or state apportionment funds could be used for airport-owned facility relocations. Now, in addition to those categories of funding, nonprimary commercial service entitlements, cargo apportionment, and small airport funds described in 49 U.S.C. §§ 47114 and 47116 may also be used.

Lastly, this section simply maintains the existing ability for all nonprimary airports to use their entitlement funds on revenue-producing aeronautical support facilities by clarifying that

nonprimary commercial service airports may use funds from the newly established nonprimary commercial service formula.

Revisions to Guidance Documents

Because the newly eligible utility relocation work and site preparation costs meet the definition of project formulation, these costs will be added to the list of examples in Table 3-52 of the AIP Handbook, *Examples of Project Formulation Costs*.

For additional funding sources that may be used for relocation of airport-owned facilities, Table 3-45 of the AIP Handbook, *Allowability of Costs to Rebuild or Relocate Facility Impeding an AIP Development Project*, row e(6), will be updated to read, "Primary entitlements, nonprimary commercial service entitlements, general aviation entitlements, state apportionment, or small airport funds may be used."

Lastly, to indicate expanded funding sources for revenue-producing aeronautical support facilities at nonprimary airports, Table 4-5 of the AIP Handbook, *Project Restrictions by Fund Type*, will be updated to indicate that the new nonprimary commercial service airport entitlement funding category may be used for revenue-producing projects, and continuing eligibility of formula funding for both general aviation and reliever airports.

Section 728, Transfers of Air Traffic Systems Acquired with AIP Funding

49 U.S.C. § 44502(e) allows certain airports to transfer eligible air traffic systems or equipment to the FAA if it was purchased using a government airport aid program, airport development aid program, or AIP grant. Section 728 amends 49 U.S.C. § 44502(e) by:

- Adding Medium Intensity Approach Lighting System with Runway Alignment Indicator Lights (MALSRs) as an additional eligible system;

- Limiting transfer of covered systems to non-contiguous states, which limits allowable transfers only to airports in Alaska and Hawaii; and

- Allowing general aviation airports in Alaska and Hawaii classified as basic and local under the most recent National Plan of Integrated Airport Systems to transfer a covered system or equipment to ATO irrespective of how the sponsor funded its acquisition (e.g., the sponsor may transfer the covered system to ATO even if they did not use any AIP or IIJA funds in acquiring the system).

Prior to the FAA Reauthorization Act of 2024, such transfers were not geographically constrained and transferable systems were limited to:

1) Instrument landing systems (ILS) consisting of a glide slope and localizer (if the Administrator has determined that a satellite navigation system cannot provide a suitable approach to an airport);

2) Automated Weather Observing Systems (AWOS); and

3) Remote Communication Air/Ground (RCAG) and Remote Communication Outlet communications (RCO) facilities.

Although RCAGs and RCOs are currently listed as eligible for transfer under § 44502(e), the AIP statute does not permit RCAGs and RCOs to be purchased with AIP or IIJA funds. Historic eligibility for the transfer of air traffic systems or equipment acquired with AIP funding is documented both in the AIP Handbook and in R-PGL 19-02: *Planning and Project Eligibility.*

Implementation for Field Offices

The ATO, pursuant to 49 U.S.C. § 44502(e), will only accept the transfer of ownership of eligible systems and equipment acquired by an airport sponsor in Alaska or Hawaii that meet FAA requirements and for which the ATO has agreed to take over the system under a transfer plan. Please see Advisory Circular 170-9A, *Criteria for Assumption of Ownership of Non-Federal Systems*, or any successor document, for ATO guidance on acceptance of eligible systems. APP will develop a special condition to include in future grant agreements and may provide further guidance.

Section 733(c), LEDs to Replace Halogen Systems

Section 733(c) directs the FAA to clarify, as part of the AIP Handbook update, whether light emitting diode (LED) lighting systems are appropriate replacements for any existing halogen lighting system.

The FAA initially prohibited the use of LED lighting systems due to industry concerns regarding the brightness of LEDs, particularly in comparison to incandescent sources at the same measured intensity. After extensive testing, the FAA resolved the issues raised by revising the dimming and intensity curves for LED runway lighting (based on lamp current and intensity) for white and color LEDs.

PGL 19-02, *Light Emitting Diode (LED) High Intensity Runway Lights (HIRL)*, lifted the prohibition on the use of LED high intensity runway edge lights, obstruction lights, and approach lights, provided they meet performance and procurement standards originally established in PGL 12-02. These performance standards are outlined in FAA Engineering Brief 67D, *Light Sources Other than Incandescent and Xenon for Airport and Obstruction Lighting Fixtures*, revised Version (July 2017).

Implementation for Field Offices

LED high intensity runway lights, obstruction lights, and approach lights may be procured with AIP grant funds for eligible airport development projects provided the existing airfield lighting systems have reached the end of their useful lives for reconstruction or replacement purposes.

Section 742, Meeting Current and Future Energy Power Demand

Section 742 amends 49 U.S.C. § 47140, renaming it from "Increasing the energy efficiency of airport power sources" to "Meeting current and future power demand." Section 742 establishes eligibility for assessments of "current and future energy" power requirements and related development costs. The following assessment areas are eligible:

- Heating and cooling;
- On-road airport vehicles and ground support equipment;
- Gate electrification;
- Electric aircraft charging;
- Vehicles and equipment to transport passengers and employees between the airport and (1) nearby facilities owned or controlled by the airport or (2) intermodal facilities adjacent to the airport; and
- Various existing energy infrastructure to meet current and future electrical power demand.

Assessments of existing energy infrastructure conditions, location, and capacity, including base load and backup power to meet the current and future electrical power demand, are now eligible project costs. Conducting airport development to improve energy efficiency, increase peak load savings at the airport, and meet future electrical power demands, as identified in the assessments, are also now eligible project costs. Additional types of assessments may be eligible upon concurrence by APP-400.

Implementation for Field Offices

The programs under § 47102(3)(P) (the Energy Supply, Redundancy, and Microgrids Program) and § 47140 are both designed to help increase energy efficiency at airports. § 47102(3)(P) focuses on improving energy supply and reliability of the supply, while preventing disruptions, and § 47140 focuses on the related issue of energy capacity to meet future demand. Additionally, before a sponsor can apply for project funding to address "future" electrical demand (e.g., more than five years from FAA award) using the Energy Supply, Redundancy, and Microgrids Program, they must complete an energy assessment based on the requirements of § 47140, outlined above.

Revisions to Guidance Documents

The FAA will update Section 7 of the AIP Handbook, *Program to Increase Energy Efficiency of Airport Power Sources*, to reflect these provisions.

Section 745, Electric Aircraft Infrastructure Pilot Program

Section 745 allows the FAA to establish a pilot program through Fiscal Year 2028 at up to 10 airports to support activities related to:

1. the acquisition, by purchase or lease, operation, and installation of equipment to support the operations of electric aircraft, including interoperable electric vehicle charging equipment; or

2. the construction or modification of infrastructure to facilitate the delivery of power or services necessary for the use of electric aircraft, including on-airport utility upgrades and associated design costs.

A public-use airport is eligible for pilot program funding if the proposed project would support:

i. Electric aircraft operators at such airport, or using such airport; or

ii. Electric aircraft operators planning to operate at such airport with an associated agreement in place.

Implementation for Field Offices

Ahead of any project solicitations, an interested airport should include potentially eligible and anticipated projects in the airport's Airports Capital Improvement Plan (ACIP). Applications may include planning, design, and construction costs as well as costs to acquire, install, and operate charging equipment for electric aircraft and to construct or modify related infrastructure to support such equipment. Any new infrastructure or fixed equipment must be depicted on the airport layout plan and submitted for FAA review along with an approved airspace case.

Proposed projects should align with any applicable energy plans or assessments for the airport, meet security and safety standards, and may be subject to requirements placed on revenue-generating projects. Additional information on this pilot program is forthcoming.