



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

# Memorandum

Subject: **ACTION:** Program Guidance Letter 95-1

Date: MAY 17 1995

From: Acting Manager, Financial Assistance  
Division, APP-500

Reply to  
Attny of:

To: PGL Distribution List

95-1.1 Cancellation of Program Guidance Letters and New Index - Leslie Haener (202) 267-5879.

The following Program Guidance Letters are canceled:

89-6.2	FY-90 Grant Assurances
90-1.4	Interim Guidance on Lobbying and Influencing Federal Employees
90-3.5	Rule on Lobbying and Influencing Federal Employees
90-5.1	Implementation of Public Law 101-236
93-1.1	Amended Assurances for Airport Sponsors
93-8.1	Current FAA Advisory Circulars for AIP and PFC Projects
94-2.1	Cancellation of Program Guidance Letters and New PGL Index

These Program Guidance Letters were informational in nature or are outdated. Regions may wish to retain copies for future informational purposes.

A new PGL index, Attachment 1, reflects the above changes.

95-1.2 Updated Grant Assurances - Leslie Haener (202) 267-5879.

A new set of assurances (Attachments 2A, 2B, and 2C) was effective January 4, 1995, and is required for all AIP grants issued after that date. A limited number of copies will be printed in Headquarters and distributed for your use. The updated assurances have also been transmitted via cc:Mail (January 6 and 17, 1995) to provide you the option of printing high quality copies on your own.

The proposed modifications to the assurances were originally published in the Federal Register on June 10, 1994. Since that time, however, additional changes to the assurances have been necessitated by enactment of the Federal Aviation Administration Authorization Act of 1994 (FAAA Act). Also, much of Federal transportation law was repealed and reenacted without substantive change by enactment of the Codification of Certain U.S. Transportation Laws as Title 49, United

States Code, Public Law No. 103-272, 108 Stat. 745 (July 5, 1994). Aviation programs, including the AIP, are now found in Subtitle VII of Title 49, rather than the statutes under which those programs were originally established. Consequently, statutory citations in the existing grant assurances are now obsolete and the modifications published here cite current law.

As a result, we have incorporated changes in a second revision to the assurances. Copies of the June 10, 1994, and January 4, 1995, notices are Attachment 3A and 3B. An explanation of all the modifications follows:

Section A, "General," subsection 2, of the Airport Sponsor Assurances, Nonairport Sponsor Assurances, and Planning Assurances is modified to delete references to the Airport and Airway Improvement Act of 1982, as amended; the Aviation Safety and Noise Abatement Act of 1979; and Aviation Safety and Capacity Expansion Act of 1987. In their place is inserted the reference to the codification of transportation related laws, Pub. L. 103-272, 108 Stat 745 (July 5, 1994), which repealed and recodified these acts without substantive change to their content.

Assurance 1, "General Federal Requirements, Federal Legislation," in each set of assurances is modified to delete the references to the Federal Aviation Act of 1958, 49 U.S.C. 1301, *et seq.*; Airport and Airway Improvement Act of 1982, as amended, 49 U.S.C. 2201, *et seq.*; and the Aviation Safety and Noise Abatement Act of 1979, 49 U.S.C. 2101, *et seq.* These acts were repealed by Pub.L. No. 103-272, which codified the above at 49 U.S.C. 40101, *et seq.* without substantive change to their content.

Assurance 1 in the Airport Sponsor Assurances and Nonairport Sponsor Assurances is modified to add Executive Order 12699 - Seismic Safety of Federal and Federally Assisted New Building Construction, to the Executive Orders section of both sets of assurances. Further, Assurance 1 is modified to add 49 CFR Part 41, Seismic safety of Federal and federally assisted or regulated new building construction, to the Federal Regulations section of both sets of assurances. PGL 94-2.3 Implementation of Executive Order 12699, "Seismic Safety of Federal and Federally-Assisted or Regulated New Building Construction" under AIP, set forth the requirements for compliance with this Executive Order and Federal Regulation.

Assurance 1 is modified to add 49 CFR Part 20, New restrictions on lobbying, to the Federal Regulations section of all three sets of assurances. The addition of this regulation eliminates the need for project sponsors to file with the FAA a separate certification stating that they have not made, and will not make, any payment prohibited by paragraph (a), Section 20.100 of 49 CFR Part 20. A disclosure of lobbying activities form, however, must still be filed with the FAA if required by paragraph (c), Section 20.100 of 49 CFR Part 20. Further discussion of the change in certification procedures is included in PGL 95-1.4, Lobbying Certifications.

Assurance 1 of all three sets of assurances is modified to correct the titles of certain Federal Regulations.

Airport Sponsor Assurance number 9, "Public Hearings," has been rewritten to incorporate the provision of Public Law 102-581, which requires the sponsor to certify that the airport management board either has voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.

Former Airport Sponsor Assurance number 11, "Local Approval," was deleted in its entirety due to the FAAA Act's repeal of Section 30 of the Airport and Airway Development Act of 1970, as amended.

New Airport Sponsor Assurance number 11, " Pavement Preventive Maintenance," was added due to the requirement in section 107(a) of the FAAA Act. This provision affects all projects approved after January 1, 1995, for the replacement or reconstruction of pavement at an airport. This new assurance is discussed in a future PGL.

Airport Sponsor Assurance number 22, "Economic Nondiscrimination," is amended by deleting the word "equal" in subsection (b) (1), since the FAA can find no statutory basis for the inclusion of that word. The word "reasonable" is now being used instead.

Airport Sponsor Assurance number 23, "Exclusive Rights," has been rewritten to bring it into conformance with section 47107(a) (4) of Title 49 U.S.C. This modification removes the phrase, "or at any other airport now owned or controlled by it," from the first sentence of the second paragraph of the previous version of the assurances.

Airport Sponsor Assurance number 26, "Reports and Inspections," has been deleted in its entirety and replaced by a new assurance of the same name. The new language was taken from the existing assurance which was recast without substantive change using subparagraphs to improve readability. It also includes language necessary to implement section 111 of the FAAA Act, "Airport Financial Reports," which imposes on each airport sponsor a new reporting requirement to submit certain reports regarding revenue use at the airport. Further guidance on the requirements set forth in this assurance will be forthcoming.

Airport Sponsor Assurance number 31, and Nonairport Sponsor Assurance number 20, "Disposal of Land," have been rewritten to incorporate the provisions of Public Law 101-236, which relaxed the requirement that an airport sponsor must dispose of land which was originally acquired with Federal grant funds for airport development purposes but is no longer needed for such purposes.

Airport Sponsor Assurance number 36, Planning Agency Sponsor Assurance number 13, and Nonairport Sponsor Assurance number 22, which were entitled "Drug-Free Workplace," have been deleted. The grant applicant's requirements for compliance are set forth in the Drug-Free Workplace Act of 1988 - 41 U.S.C. 702 through 706 and 49 CFR Part 29 -

Governmentwide debarment and suspension (non-procurement) and governmentwide requirements for drug-free workplace (grants), which are included in Assurance 1. A separate assurance detailing these requirements is no longer necessary. However, airport sponsors are still required to submit certification ensuring their compliance with the requirements in 49 CFR Part 29. This certification is provided as Attachment 4.

95-1.3 Current FAA Advisory Circulars for AIP and PFC Projects -  
Leslie Haener (202) 267-5879.

Updated lists of FAA advisory circulars applicable to AIP and PFC projects are attached (Attachments 5A and 5B). These lists should be provided to airport sponsors (or public agencies in the case of PFC's) and States participating in the State block grant pilot program. The date on the list should also be written into Standard Assurance 34, "Policies, Standards, and Specifications."

In the future, updated lists will be provided on a semi-annual basis to coincide with the beginning and middle of each fiscal year (October 1 and April 1). This semi-annually updated list will be distributed by means of a Program Guidance Letter. The lists may be updated more frequently if warranted by emergencies or other pressing circumstances.

95-1.4 Further Guidance on Lobbying and Influencing Federal Employees  
- Mark Beisse (202) 267-8826.

Certain prohibitions on lobbying and influencing Federal employees have been in place since February 1990. These rules are now incorporated into the grant assurances by inclusion of 49 CFR Part 20 in the Federal Regulation section of Grant Assurance Number 1. The requirements, which do not apply to technical negotiations for a project, are in an interim final regulation, Title 49 CFR Part 20, "New Restrictions on Lobbying." No final rule is contemplated by the Department of Transportation at this time since legislation to clarify the procedures has been pending in Congress for several years. Clarifying information is also contained in PGL 91-2.3. PGLs 90-1.4 and 90-3.5 are canceled.

Attachment 6 contains contract clauses which regions should ensure will be in all contracts exceeding \$100,000. The form in Attachment 3 of PGL 90-1.4 that sponsors have been submitting with preapplications (Certification for Contracts, Grants, Loans, and Cooperative Agreements) is no longer required.

Please send a single copy of any disclosure forms, on which sponsors and contractors report activities when lobbying occurs, to APP-510 whenever the form is received. The disclosure form has not been

incorporated into the standard assurances and continues to be in an appendix to the interim final regulation. These procedures have been in effect long enough for us to know that the department-wide number of lobbying disclosures has been small.

  
Ellis A. Ohnstad

Attachments

Canceled

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**ASSURANCES**  
**Airport Sponsors**

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**A. General.**

1. These assurances shall be complied with in the performance of grant agreements for airport development, airport planning, and noise compatibility program grants for airport sponsors.
2. These assurances are required to be submitted as part of the project application by sponsors requesting funds under the provisions of Title 49, U.S.C., subtitle VII, as amended. As used herein, the term "public agency sponsor" means a public agency with control of a public-use airport; the term "private sponsor" means a private owner of a public-use airport; and the term "sponsor" includes both public agency sponsors and private sponsors.
3. Upon acceptance of the grant offer by the sponsor, these assurances are incorporated in and become part of the grant agreement.

**B. Duration and Applicability.**

1. **Airport development or Noise Compatibility Program Projects Undertaken by a Public Agency Sponsor.** The terms, conditions and assurances of the grant agreement shall remain in full force and effect throughout the useful life of the facilities developed or equipment acquired for an airport development or noise compatibility program project, or throughout the useful life of the project items installed within a facility under a noise compatibility program project, but in any event not to exceed twenty (20) years from the date of acceptance of a grant offer of Federal funds for the project. However, there shall be no limit on the duration of the assurance against exclusive rights or the terms, conditions and assurances with respect to real property acquired with Federal funds. Furthermore, the duration of the Civil Rights assurance shall be specified in the assurances.
2. **Airport Development or Noise Compatibility Projects Undertaken by a Private Sponsor.** The preceding paragraph 1 also applies to a private sponsor except that the useful life of project items installed within a facility or the useful life of the facilities developed or equipment acquired under an airport development or noise compatibility program project shall be no less than ten (10) years from the date of acceptance of Federal aid for the project.
3. **Airport Planning Undertaken by a Sponsor.** Unless otherwise specified in the grant agreement, only Assurances 1, 2, 3, 5, 6, 13, 18, 30, 32, 33, and 34 in section C apply to planning projects. The terms, conditions, and assurances of the grant agreement shall remain in full force and effect during the life of the project.

**C. Sponsor Certification.** The sponsor hereby assures and certifies, with respect to this grant that:

1. **General Federal Requirements.** It will comply with all applicable Federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the application, acceptance and use of Federal funds for this project including but not limited to the following:

**Federal Legislation**

- a. Title 49, U.S.C., subtitle VII, as amended.
- b. Davis-Bacon Act - 40 U.S.C. 276(a), et seq.<sup>1</sup>
- c. Federal Fair Labor Standards Act - 29 U.S.C. 201, et seq.
- d. Hatch Act - 5 U.S.C. 1501, et seq.<sup>2</sup>
- e. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 - 42 U.S.C. 4601, et seq.<sup>1 2</sup>
- f. National Historic Preservation Act of 1966 - Section 106 - 16 U.S.C. 470(f).<sup>1</sup>
- g. Archeological and Historic Preservation Act of 1974 - 16 U.S.C. 469 through 469c.<sup>1</sup>
- h. Flood Disaster Protection Act of 1973 - Section 102(a) - 42 U.S.C. 4012a.<sup>1</sup>
- i. Rehabilitation Act of 1973 - 29 U.S.C. 794.
- j. Civil Rights Act of 1964 - Title VI - 42 U.S.C. 2000d through d-4.
- k. Age Discrimination Act of 1975 - 42 U.S.C. 6101, et seq.
- l. Architectural Barriers Act of 1968 - 42 U.S.C. 4151, et seq.<sup>1</sup>
- m. Powerplant and Industrial Fuel Use Act of 1978 - Section 403- 2 U.S.C. 8373.<sup>1</sup>
- n. Contract Work Hours and Safety Standards Act - 40 U.S.C. 327, et seq.<sup>1</sup>
- o. Copeland Antikickback Act - 18 U.S.C. 874.<sup>1</sup>
- p. National Environmental Policy Act of 1969 - 42 U.S.C. 4321, et seq.<sup>1</sup>
- q. Endangered Species Act - 16 U.S.C. 668(a), et seq.<sup>1</sup>
- r. Single Audit Act of 1984 - 31 U.S.C. 7501, et seq.<sup>2</sup>
- s. Drug-Free Workplace Act of 1988 - 41 U.S.C. 702 through 706.

**Executive Orders**

Executive Order 12372 - Intergovernmental Review of Federal Programs.

Executive Order 11246 - Equal Employment Opportunity<sup>1</sup>

Executive Order 12699 - Seismic Safety of Federal and Federally Assisted New Building Construction<sup>1</sup>

**Federal Regulations**

- a. 49 CFR Part 18 - Uniform administrative requirements for grants and cooperative agreements to state and local governments.<sup>3</sup>
- b. 49 CFR Part 21 - Nondiscrimination in federally-assisted programs of the Department of Transportation - effectuation of Title VI of the Civil Rights Act of 1964.

- c. 49 CFR Part 23 - Participation by minority business enterprise in Department of Transportation programs.
- d. 49 CFR Part 24 - Uniform relocation assistance and real property acquisition for Federal and federally assisted programs.<sup>1 2</sup>
- e. 49 CFR Part 27 - Nondiscrimination on the basis of handicap in programs and activities receiving or benefitting from Federal financial assistance.<sup>1</sup>
- f. 49 CFR Part 29 - Governmentwide debarment and suspension (non-procurement) and governmentwide requirements for drug-free workplace (grants).
- g. 49 CFR Part 30 - Denial of public works contracts to suppliers of goods and services of countries that deny procurement market access to U.S. contractors.
- h. 29 CFR Part 1 - Procedures for predetermination of wage rates.<sup>1</sup>
- i. 29 CFR Part 3 - Contractors and subcontractors on public building or public work financed in whole or part by loans or grants from the United States.<sup>1</sup>
- j. 29 CFR Part 5 - Labor standards provisions applicable to contracts covering federally financed and assisted construction (also labor standards provisions applicable to nonconstruction contracts subject to the Contract Work Hours and Safety Standards Act).<sup>1</sup>
- k. 41 CFR Part 60 - Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor (Federal and federally assisted contracting requirements).<sup>1</sup>
- l. 14 CFR Part 150 - Airport noise compatibility planning.
- m. 49 CFR Part 41 - Seismic safety of Federal and federally assisted or regulated new building construction.<sup>1</sup>
- n. 49 CFR Part 20 - New restrictions on lobbying.

#### **Office of Management and Budget Circulars**

- a. A-87 - Cost Principles Applicable to Grants and Contracts with State and Local Governments.
- b. A-128 - Audits of State and Local Governments.

<sup>1</sup> These laws do not apply to airport planning sponsors.

<sup>2</sup> These laws do not apply to private sponsors.

<sup>3</sup> 49 CFR Part 18 and OMB Circular A-87 contain requirements for State and Local Governments receiving Federal assistance. Any requirement levied upon State and Local Governments by this regulation and circular shall also be applicable to private sponsors receiving Federal assistance under the Airport and Airway Improvement Act of 1982, as amended.

Specific assurances required to be included in grant agreements by any of the above laws, regulations or circulars are incorporated by reference in the grant agreement.

## **2. Responsibility and Authority of the Sponsor.**

- a. **Public Agency Sponsor:** It has legal authority to apply for the grant, and to finance and carry out the proposed project; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
  - b. **Private Sponsor:** It has legal authority to apply for the grant and to finance and carry out the proposed project and comply with all terms, conditions, and assurances of this grant agreement. It shall designate an official representative and shall in writing direct and authorize that person to file this application, including all understandings and assurances contained therein; to act in connection with this application; and to provide such additional information as may be required.
3. **Sponsor Fund Availability.** It has sufficient funds available for that portion of the project costs which are not to be paid by the United States. It has sufficient funds available to assure operation and maintenance of items funded under the grant agreement which it will own or control.
4. **Good Title.**
  - a. It holds good title, satisfactory to the Secretary, to the landing area of the airport or site thereof, or will give assurance satisfactory to the Secretary that good title will be acquired.
  - b. For noise compatibility program projects to be carried out on the property of the sponsor, it holds good title satisfactory to the Secretary to that portion of the property upon which Federal funds will be expended or will give assurance to the Secretary that good title will be obtained.
5. **Preserving Rights and Powers.**
  - a. It will not take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions, and assurances in the grant agreement without the written approval of the Secretary, and will act promptly to acquire, extinguish or modify any outstanding rights or claims of right of others which would interfere with such performance by the sponsor. This shall be done in a manner acceptable to the Secretary.

- b. It will not sell, lease, encumber, or otherwise transfer or dispose of any part of its title or other interests in the property shown on Exhibit A to this application or, for a noise compatibility program project, that portion of the property upon which Federal funds have been expended, for the duration of the terms, conditions, and assurances in the grant agreement without approval by the Secretary. If the transferee is found by the Secretary to be eligible under the Airport and Airway Improvement Act of 1982 to assume the obligations of the grant agreement and to have the power, authority, and financial resources to carry out all such obligations, the sponsor shall insert in the contract or document transferring or disposing of the sponsor's interest, and make binding upon the transferee all of the terms, conditions, and assurances contained in this grant agreement.
- c. For all noise compatibility program projects which are to be carried out by another unit of local government or are on property owned by a unit of local government other than the sponsor, it will enter into an agreement with that government. Except as otherwise specified by the Secretary, that agreement shall obligate that government to the same terms, conditions, and assurances that would be applicable to it if it applied directly to the FAA for a grant to undertake the noise compatibility program project. That agreement and changes thereto must be satisfactory to the Secretary. It will take steps to enforce this agreement against the local government if there is substantial non-compliance with the terms of the agreement.
- d. For noise compatibility program projects to be carried out on privately owned property, it will enter into an agreement with the owner of that property which includes provisions specified by the Secretary. It will take steps to enforce this agreement against the property owner whenever there is substantial non-compliance with the terms of the agreement.
- e. If the sponsor is a private sponsor, it will take steps satisfactory to the Secretary to ensure that the airport will continue to function as a public-use airport in accordance with these assurances for the duration of these assurances.
- f. If an arrangement is made for management and operation of the airport by any agency or person other than the sponsor or an employee of the sponsor, the sponsor will reserve sufficient rights and authority to insure that the airport will be operated and maintained in accordance with the Airport and Airway Improvement Act of 1982, the regulations and the terms, conditions and assurances in the grant agreement and shall insure that such arrangement also requires compliance therewith.

6. **Consistency with Local Plans.** The project is reasonably consistent with plans (existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport. For noise compatibility program projects, other than land acquisition, to be carried out on property not owned by the airport and over which property another agency has land use control or authority, the sponsor shall obtain from each such agency a written declaration that such agency supports that project and the project is reasonably consistent with the agency's plans regarding the property.
7. **Consideration of Local Interest.** It has given fair consideration to the interest of communities in or near where the project may be located.
8. **Consultation with Users.** In making a decision to undertake any airport development project under the Airport and Airway Improvement Act of 1982, it has undertaken reasonable consultations with affected parties using the airport at which project is proposed.
9. **Public Hearings.** In projects involving the location of an airport, an airport runway, or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.
10. **Air and Water Quality Standards.** In projects involving airport location, a major runway extension, or runway location it will provide for the Governor of the state in which the project is located to certify in writing to the Secretary that the project will be located, designed, constructed, and operated so as to comply with applicable air and water quality standards. In any case where such standards have not been approved and where applicable air and water quality standards have been promulgated by the Administrator of the Environmental Protection Agency, certification shall be obtained from such Administrator. Notice of certification or refusal to certify shall be provided within sixty days after the project application has been received by the Secretary.
11. **Pavement Preventive Maintenance.** With respect to a project approved after January 1, 1995, for the replacement or reconstruction of pavement at the airport, it assures or certifies that it has implemented an effective airport pavement maintenance-management program and it assures that it will use such program for the useful life of any pavement constructed, reconstructed or repaired with Federal financial assistance at the airport. It will provide such reports on pavement condition and pavement management programs as the Secretary determines may be useful.



12. **Terminal Development Prerequisites.** For projects which include terminal development at a public airport, it has, on the date of submittal of the project grant application, all the safety equipment required for certification of such airport under section 612 of the Federal Aviation Act of 1958 and all the security equipment required by rule or regulation, and has provided for access to the passenger enplaning and deplaning area of such airport to passengers enplaning and deplaning from aircraft other than air carrier aircraft.
13. **Accounting System, Audit, and Recordkeeping Requirements.**
- a. It shall keep all project accounts and records which fully disclose the amount and disposition by the recipient of the proceeds of the grant, the total cost of the project in connection with which the grant is given or used, and the amount or nature of that portion of the cost of the project supplied by other sources, and such other financial records pertinent to the project. The accounts and records shall be kept in accordance with an accounting system that will facilitate an effective audit in accordance with the Single Audit Act of 1984.
  - b. It shall make available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for the purpose of audit and examination, any books, documents, papers, and records of the recipient that are pertinent to the grant. The Secretary may require that an appropriate audit be conducted by a recipient. In any case in which an independent audit is made of the accounts of a sponsor relating to the disposition of the proceeds of a grant or relating to the project in connection with which the grant was given or used, it shall file a certified copy of such audit with the Comptroller General of the United States not later than six (6) months following the close of the fiscal year for which the audit was made.
14. **Minimum Wage Rates.** It shall include, in all contracts in excess of \$2,000 for work on any projects funded under the grant agreement which involve labor, provisions establishing minimum rates of wages, to be predetermined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5), which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work.
15. **Veteran's Preference.** It shall include in all contracts for work on any project funded under the grant agreement which involve labor, such provisions as are necessary to insure that, in the employment of labor (except in executive, administrative, and supervisory positions), preference shall be given to Veterans of the Vietnam era and disabled veterans as defined in Section 515(c)(1) and (2) of the Airport and Airway Improvement Act of 1982. However, this preference shall apply only where the individuals are available and qualified to perform the work to which the employment relates.

16. **Conformity to Plans and Specifications.** It will execute the project subject to plans, specifications, and schedules approved by the Secretary. Such plans, specifications, and schedules shall be submitted to the Secretary prior to commencement of site preparation, construction, or other performance under this grant agreement, and, upon approval of the Secretary, shall be incorporated into this grant agreement. Any modification to the approved plans, specifications, and schedules shall also be subject to approval of the Secretary, and incorporated into the grant agreement.
17. **Construction Inspection and Approval.** It will provide and maintain competent technical supervision at the construction site throughout the project to assure that the work conforms to the plans, specifications, and schedules approved by the Secretary for the project. It shall subject the construction work on any project contained in an approved project application to inspection and approval by the Secretary and such work shall be in accordance with regulations and procedures prescribed by the Secretary. Such regulations and procedures shall require such cost and progress reporting by the sponsor or sponsors of such project as the Secretary shall deem necessary.
18. **Planning Projects.** In carrying out planning projects:
- a. It will execute the project in accordance with the approved program narrative contained in the project application or with the modifications similarly approved.
  - b. It will furnish the Secretary with such periodic reports as required pertaining to the planning project and planning work activities.
  - c. It will include in all published material prepared in connection with the planning project a notice that the material was prepared under a grant provided by the United States.
  - d. It will make such material available for examination by the public, and agrees that no material prepared with funds under this project shall be subject to copyright in the United States or any other country.
  - e. It will give the Secretary unrestricted authority to publish, disclose, distribute, and otherwise use any of the material prepared in connection with this grant.
  - f. It will grant the Secretary the right to disapprove the sponsor's employment of specific consultants and their subcontractors to do all or any part of this project as well as the right to disapprove the proposed scope and cost of professional services.
  - g. It will grant the Secretary the right to disapprove the use of the sponsor's employees to do all or any part of the project.

- h. It understands and agrees that the Secretary's approval of this project grant or the Secretary's approval of any planning material developed as part of this grant does not constitute or imply any assurance or commitment on the part of the Secretary to approve any pending or future application for a Federal airport grant.

**19. Operation and Maintenance.**

- a. It will suitably operate and maintain the airport and all facilities thereon or connected therewith, with due regard to climatic and flood conditions. Any proposal to temporarily close the airport for nonaeronautical purposes must first be approved by the Secretary. The airport and all facilities which are necessary to serve the aeronautical users of the airport, other than facilities owned or controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be required or prescribed by applicable Federal, state and local agencies for maintenance and operation. It will not cause or permit any activity or action thereon which would interfere with its use for airport purposes.

In furtherance of this assurance, the sponsor will have in effect at all times arrangements for-

- (1) Operating the airport's aeronautical facilities whenever required;
- (2) Promptly marking and lighting hazards resulting from airport conditions, including temporary conditions; and
- (3) Promptly notifying airmen of any condition affecting aeronautical use of the airport.

Nothing contained herein shall be construed to require that the airport be operated for aeronautical use during temporary periods when snow, flood or other climatic conditions interfere with such operation and maintenance. Further, nothing herein shall be construed as requiring the maintenance, repair, restoration, or replacement of any structure or facility which is substantially damaged or destroyed due to an act of God or other condition or circumstance beyond the control of the sponsor.

- b. It will suitably operate and maintain noise compatibility program items that it owns or controls upon which Federal funds have been expended.

**20. Hazard Removal and Mitigation.** It will take appropriate action to assure that such terminal airspace as is required to protect instrument and visual operations to the airport (including established minimum flight altitudes) will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.

21. **Compatible Land Use.** It will take appropriate action, including the adoption of zoning laws, to the extent reasonable, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. In addition, if the project is for noise compatibility program implementation, it will not cause or permit any change in land use, within its jurisdiction, that will reduce its compatibility, with respect to the airport, of the noise compatibility program measures upon which Federal funds have been expended.
22. **Economic Nondiscrimination.**
- a. It will make its airport available as an airport for public use on fair and reasonable terms and without unjust discrimination, to all types, kinds and classes of aeronautical use.
  - b. In any agreement, contract, lease, or other arrangement under which a right or privilege at the airport is granted to any person, firm, or corporation to conduct or engage in any aeronautical activity for furnishing services to the public at the airport, the sponsor will insert and enforce provisions requiring the contractor to-
    - (1) furnish said services on a fair, reasonable, and not unjustly discriminatory basis to all users thereof, and
    - (2) charge fair, reasonable, and not unjustly discriminatory prices for each unit or service, provided that the contractor may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.
  - c. Each fixed-based operator at any airport owned by the sponsor shall be subject to the same rates, fees, rentals, and other charges as are uniformly applicable to all other fixed-based operators making the same or similar uses of such airport and utilizing the same or similar facilities.
  - d. Each air carrier using such airport shall have the right to service itself or to use any fixed-based operator that is authorized or permitted by the airport to serve any air carrier at such airport.
  - e. Each air carrier using such airport (whether as a tenant, nontenant, or subtenant of another air carrier tenant) shall be subject to such nondiscriminatory and substantially comparable rules, regulations, conditions, rates, fees, rentals, and other charges with respect to facilities directly and substantially related to providing air transportation as are applicable to all such air carriers which make similar use of such airport and utilize similar facilities, subject to reasonable classifications such as tenants or nontenants and signatory carriers and

nonsignatory carriers. Classification or status as tenant or signatory shall not be unreasonably withheld by any airport provided an air carrier assumes obligations substantially similar to those already imposed on air carriers in such classification or status.

- f. It will not exercise or grant any right or privilege which operates to prevent any person, firm, or corporation operating aircraft on the airport; from performing any services on its own aircraft with its own employees (including, but not limited to maintenance, repair, and fueling) that it may choose to perform.
- g. In the event the sponsor itself exercises any of the rights and privileges referred to in this assurance, the services involved will be provided on the same conditions as would apply to the furnishing of such services by contractors or concessionaires of the sponsor under these provisions.
- h. The sponsor may establish such fair, equal, and not unjustly discriminatory conditions to be met by all users of the airport as may be necessary for the safe and efficient operation of the airport.
- i. The sponsor may prohibit or limit any given type, kind or class of aeronautical use of the airport if such action is necessary for the safe operation of the airport or necessary to serve the civil aviation needs of the public.

**23. Exclusive Rights.** It will permit no exclusive right for the use of the airport by any person providing, or intending to provide, aeronautical services to the public. For purposes of this paragraph, the providing of the services at an airport by a single fixed-based operator shall not be construed as an exclusive right if both of the following apply:

- a. It would be unreasonably costly, burdensome, or impractical for more than one fixed-based operator to provide such services, and
- b. If allowing more than one fixed-based operator to provide such services would require the reduction of space leased pursuant to an existing agreement between such single fixed-based operator and such airport.

It further agrees that it will not, either directly or indirectly, grant or permit any person, firm, or corporation, the exclusive right at the airport to conduct any aeronautical activities, including, but not limited to charter flights, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products whether or not conducted in conjunction with other aeronautical activity, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity, and that it will terminate any exclusive right to conduct an aeronautical activity now existing at such an airport before the grant of any assistance under the Airport and

Airway Improvement Act of 1982.

24. **Fee and Rental Structure.** It will maintain a fee and rental structure consistent with Assurance 22 and 23 for the facilities and services being provided the airport users which will make the airport as self-sustaining as possible under the circumstances existing at the particular airport, taking into account such factors as the volume of traffic and economy of collection. No part of the Federal share of an airport development, airport planning or noise compatibility project for which a grant is made under the Airport and Airway Improvement Act of 1982, the Federal Airport Act or the Airport and Airway Development Act of 1970 shall be included in the rate basis in establishing fees, rates, and charges for users of that airport.
25. **Airport Revenues.** If the airport is under the control of a public agency, all revenues generated by the airport and any local taxes on aviation fuel established after December 30, 1987, will be expended by it for the capital or operating costs of the airport; the local airport system; or other local facilities which are owned or operated by the owner or operator of the airport and directly and substantially related to the actual air transportation of passengers or property; or for noise mitigation purposes on or off the airport. Provided, however, that if covenants or assurances in debt obligations issued before September 3, 1982, by the owner or operator of the airport, or provisions enacted before September 3, 1982, in governing statutes controlling the owner or operator's financing, provide for the use of the revenues from any of the airport owner or operator's facilities, including the airport, to support not only the airport but also the airport owner or operator's general debt obligations or other facilities, then this limitation on the use of all revenues generated by the airport (and, in the case of a public airport, local taxes on aviation fuel) shall not apply.
26. **Reports and Inspections.** It will:
- (a) submit to the Secretary such annual or special financial and operations reports as the Secretary may reasonably request and make such reports available to the public;
  - (b) make available to the public at reasonable times and places a report of the airport budget in a format prescribed by the Secretary;
  - (c) for airport development projects, make the airport and all airport records and documents affecting the airport, including deeds, leases, operation and use agreements, regulations and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request;
  - (d) for noise compatibility program projects, make records and documents relating to the project and continued compliance with the terms, conditions, and assurances of the grant agreement including deeds, leases, agreements, regulations, and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request; and

(e) in a format prescribed by the Secretary, provide to the Secretary and make available to the public, not later than 60 days following each of its fiscal years, ending after March 1, 1995, an annual report listing in detail :

(i) all amounts paid by the airport to any other unit of government and the purposes for which each such payment was made; and

(ii) all services and property provided by the airport to other units of government and the amount of compensation received for provision of each such service and property.

27. **Use by Government Aircraft.** It will make available all of the facilities of the airport developed with Federal financial assistance and all those usable for landing and takeoff of aircraft to the United States for use by Government aircraft in common with other aircraft at all times without charge, except, if the use by Government aircraft is substantial, charge may be made for a reasonable share, proportional to such use, for the cost of operating and maintaining the facilities used. Unless otherwise determined by the Secretary, or otherwise agreed to by the sponsor and the using agency, substantial use of an airport by Government aircraft will be considered to exist when operations of such aircraft are in excess of those which, in the opinion of the Secretary, would unduly interfere with use of the landing areas by other authorized aircraft, or during any calendar month that-
- a. Five (5) or more Government aircraft are regularly based at the airport or on land adjacent thereto; or
  - b. The total number of movements (counting each landing as a movement) of Government aircraft is 300 or more, or the gross accumulative weight of Government aircraft using the airport (the total movement of Government aircraft multiplied by gross weights of such aircraft) is in excess of five million pounds.
28. **Land for Federal Facilities.** It will furnish without cost to the Federal Government for use in connection with any air traffic control or air navigation activities, or weather-reporting and communication activities related to air traffic control, any areas of land or water, or estate therein, or rights in buildings of the sponsor as the Secretary considers necessary or desirable for construction, operation, and maintenance at Federal expense of space or facilities for such purposes. Such areas or any portion thereof will be made available as provided herein within four months after receipt of a written request from the Secretary.

**29. Airport Layout Plan.**

- a. It will keep up to date at all times an airport layout plan of the airport showing (1) boundaries of the airport and all proposed additions thereto, together with the boundaries of all offsite areas owned or controlled by the sponsor for airport purposes and proposed additions thereto; (2) the location and nature of all existing and proposed airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars and roads), including all proposed extensions and reductions of existing airport facilities; and (3) the location of all existing and proposed nonaviation areas and of all existing improvements thereon. Such airport layout plans and each amendment, revision, or modification thereof, shall be subject to the approval of the Secretary which approval shall be evidenced by the signature of a duly authorized representative of the Secretary on the face of the airport layout plan. The sponsor will not make or permit any changes or alterations in the airport or any of its facilities which are not in conformity with the airport layout plan as approved by the Secretary and which might, in the opinion of the Secretary, adversely affect the safety, utility or efficiency of the airport.
- b. If a change or alteration in the airport or the facilities is made which the Secretary determines adversely affects the safety, utility, or efficiency of any federally owned, leased, or funded property on or off the airport and which is not in conformity with the airport layout plan as approved by the Secretary, the owner or operator will, if requested, by the Secretary (1) eliminate such adverse effect in a manner approved by the Secretary; or (2) bear all costs of relocating such property (or replacement thereof) to a site acceptable to the Secretary and all costs of restoring such property (or replacement thereof) to the level of safety, utility, efficiency, and cost of operation existing before the unapproved change in the airport or its facilities.

- 30. Civil Rights.** It will comply with such rules as are promulgated to assure that no person shall, on the grounds of race, creed, color, national origin, sex, age, or handicap be excluded from participating in any activity conducted with or benefitting from funds received from this grant. This assurance obligates the sponsor for the period during which Federal financial assistance is extended to the program, except where Federal financial assistance is to provide, or is in the form of personal property or real property or interest therein or structures or improvements thereon in

which case the assurance obligates the sponsor or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits, or (b) the period during which the sponsor retains ownership or possession of the property.



**31. Disposal of Land.**

- a. For land purchased under a grant for airport noise compatibility purposes, it will dispose of the land, when the land is no longer needed for such purposes, at fair market value, at the earliest practicable time. That portion of the proceeds of such disposition which is proportionate to the United States' share of acquisition of such land will, at the discretion of the Secretary, 1) be paid to the Secretary for deposit in the Trust Fund, or 2) be reinvested in an approved noise compatibility project as prescribed by the Secretary.
- b. (1) For land purchased under a grant for airport development purposes (other than noise compatibility), it will, when the land is no longer needed for airport purposes, dispose of such land at fair market value or make available to the Secretary an amount equal to the United States' proportionate share of the fair market value of the land. That portion of the proceeds of such disposition which is proportionate to the United States' share of the cost of acquisition of such land will, (a) upon application to the Secretary, be reinvested in another eligible airport improvement project or projects approved by the Secretary at that airport or within the national airport system, or (b) be paid to the Secretary for deposit in the Trust Fund if no eligible project exists.  
  
(2) Land shall be considered to be needed for airport purposes under this assurance if (a) it may be needed for aeronautical purposes (including runway protection zones) or serve as noise buffer land, and (b) the revenue from interim uses of such land contributes to the financial self-sufficiency of the airport. Further, land purchased with a grant received by an airport operator or owner before December 31, 1987, will be considered to be needed for airport purposes if the Secretary or Federal agency making such grant before December 31, 1987, was notified by the operator or owner of the uses of such land, did not object to such use, and the land continues to be used for that purpose, such use having commenced no later than December 15, 1989.
- c. Disposition of such land under (a) or (b) will be subject to the retention or reservation of any interest or right therein necessary to ensure that such land will only be used for purposes which are compatible with noise levels associated with operation of the airport.

**32. Engineering and Design Services.** It will award each contract, or sub-contract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping or related services with respect to the project in the same manner as a contract for architectural and engineering services is negotiated under Title IX of the Federal Property and Administrative Services Act of 1949 or an equivalent qualifications-based requirement prescribed for or by the sponsor of the airport.

33. **Foreign Market Restrictions.** It will not allow funds provided under this grant to be used to fund any project which uses any product or service of a foreign country during the period in which such foreign country is listed by the United States Trade Representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.
34. **Policies, Standards, and Specifications.** It will carry out the project in accordance with policies, standards, and specifications approved by the Secretary including but not limited to the advisory circulars listed in the Current FAA Advisory Circulars for AIP projects, dated \_\_\_\_\_ and included in this grant, and in accordance with applicable state policies, standards, and specifications approved by the Secretary.
35. **Relocation and Real Property Acquisition.** (1) It will be guided in acquiring real property, to the greatest extent practicable under State law, by the land acquisition policies in Subpart B of 49 CFR Part 24 and will pay or reimburse property owners for necessary expenses as specified in Subpart B. (2) It will provide a relocation assistance program offering the services described in Subpart C and fair and reasonable relocation payments and assistance to displaced persons as required in Subpart D and E of 49 CFR Part 24. (3) It will make available within a reasonable period of time prior to displacement, comparable replacement dwellings to displaced persons in accordance with Subpart E of 49 CFR Part 24.

**ASSURANCES**  
**Planning Agency Sponsors**

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**A. General**

1. These assurances shall be complied with in the performance of grant agreements for integrated airport system planning grants to planning agencies.
2. These assurances are required to be submitted as part of the project application by sponsors requesting funds under the provisions of Title 49, U.S.C., subtitle VII, as amended. A sponsor is a planning agency designated by the Secretary of Transportation which is authorized by the State or States or political subdivisions concerned to engage in areawide planning.
3. Upon acceptance of the grant offer by the sponsor, these assurances are incorporated in and become part of the grant agreement.

**B. Duration.** The terms, conditions and assurances of the grant agreement shall remain in full force and effect during the life of the project.

**C. Sponsor Certification.** The sponsor assures and certifies, in respect to this grant, that:

1. **General Federal Requirements.** It will comply with all applicable Federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the application, acceptance and use of Federal funds for this project including but not limited to the following:

**Federal Legislation.**

- a. Title 49 U.S.C., subtitle VII, as amended.
- b. Federal Fair Labor Standards Act - 29 U.S.C. 201, et seq.
- c. Hatch Act - 5 U.S.C. 1501, et seq.
- d. Rehabilitation Act of 1973 - 29 U.S.C. 794.
- e. Civil Rights Act of 1964 - Title VI - 42 U.S.C. 2000d through d-4.
- f. Age Discrimination Act of 1975 - 42 U.S.C. 6101, et seq.
- g. Single Audit Act of 1984 - 31 U.S.C. 7501, et seq.
- h. Drug-Free Workplace Act of 1988 - 41 U.S.C. 702 through 706.

## **Executive Orders**

Executive Order 12372- Intergovernmental Review of Federal Programs

## **Federal Regulations**

- a. 49 CFR Part 18 - Uniform administrative requirements for grants and cooperative agreements to state and local governments.
- b. 49 CFR Part 21 - Nondiscrimination in federally assisted programs of the Department of Transportation - effectuation of Title VI of the Civil Rights Act of 1964.
- c. 49 CFR Part 23 - Participation by minority business enterprise in Department of Transportation programs.
- d. 49 CFR Part 29 - Governmentwide debarment and suspension (non-procurement) and governmentwide requirements for drug-free workplace (grants).
- e. 49 CFR Part 30 - Denial of public works contracts to suppliers of goods and services of countries that deny procurement market access to U.S.
- f. 49 CFR Part 20 - New restrictions on lobbying.

## **Office of Management and Budget Circulars.**

- a. A-87 - Cost Principles Applicable to Grants and Contracts with State and Local Governments.
- b. A-128 - Audits of State and Local Governments.

Specific assurances required to be included in grant agreements by any of the above laws, regulations or circulars are incorporated in reference in the grant agreement.

- 2. **Responsibility and Authority of the Sponsor.** It has legal authority to apply for the grant, and to finance and carry out the proposed project; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
- 3. **Sponsor Fund Availability.** It has sufficient funds available for that portion of the project costs which are not to be paid by the United States. →

4. **Preserving Rights and Powers.** It will not take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions, and assurances in the grant agreement without the written approval of the Secretary.
5. **Consistency with Local Plans.** The project is reasonably consistent with plans (existing at the time of submission of this application) of public agencies in the planning area.
6. **Accounting System, Audit, and Recordkeeping Requirement.**
  - a. It shall keep all project accounts and records which fully disclose the amount and disposition by the recipient of the proceeds of the grant, the total cost of the project in connection with which the grant is given or used, and the amount and nature of that portion of the cost of the project supplied by other sources, and such other financial records pertinent to the project. The accounts and records shall be kept in accordance with an accounting system that will facilitate an effective audit in accordance with The Single Audit Act of 1984.
  - b. It shall make available to the Secretary and Comptroller General of the United States, or any of their duly authorized representatives, for the purpose of audit and examination, any books, documents, papers, and records of the recipient that are pertinent to the grant. The Secretary may require that an appropriate audit be conducted by the recipient. In any case in which an independent audit is made of the accounts of a sponsor relating to the disposition of the proceeds of a grant or relating to the project in connection with which the grant was given or used, it shall file a certified copy of such audit with the Comptroller General of the United States not later than six (6) months following the close of the fiscal year for which the audit was made.
7. **Planning Projects.** In carrying out planning projects:
  - a. It will execute the project in accordance with the approved program narrative contained in the project application or with modifications similarly approved.

- b. It will furnish the Secretary with such periodic reports as required pertaining to the planning project and planning work activities.
- c. It will include in all published material prepared in connection with the planning project a notice that the material was prepared under a grant provided by the United States.
- d. It will make such material available for examination by the public, and agrees that no material prepared with funds under this project shall be subject to copyright in the United States or any other country.
- e. It will give the Secretary unrestricted authority to publish, disclose, distribute, and otherwise use any of the material prepared in connection with this grant.
- f. It will grant the Secretary the right to disapprove the Sponsor's employment of specific consultants and their subcontractors to do all or any part of this project as well as the right to disapprove the proposed scope and cost of professional services.
- g. It will grant the Secretary the right to disapprove the use of the sponsor's employees to do all or any part of the project.
- h. It understands and agrees that the Secretary's approval of this project grant or the Secretary's approval of any planning material developed as part of this grant does not mean constitute or imply any assurance or commitment on the part of the Secretary to approve any pending or future application for a Federal airport grant.

8. **Reports and Inspections.** It will submit to the Secretary such annual or special financial and operations reports as the Secretary may reasonably request.

9. **Civil Rights.** It will comply with such rules as are promulgated to assure that no person shall, on the grounds of race, creed, color, national origin, sex, age, or handicap be excluded from participating in any activity conducted with or benefiting from funds received from this grant. This assurance obligates the sponsor for the period during which Federal financial assistance is extended to the program.
10. **Engineering and Design Services.** It will award each contract, or sub-contract for planning studies, feasibility studies, or related services with respect to the project in the same manner as a contract for architectural and engineering services is negotiated under Title IX of the Federal Property and Administrative Services Act of 1949 or an equivalent qualifications-based requirement prescribed for or by the sponsor.
11. **Foreign Market Restrictions.** It will not allow funds to be provided under this grant to be used to fund any project which uses any product or service of a foreign country during the period in which such foreign country is listed by the United States Trade Representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.
12. **Policies, Standards, and Specifications.** It will carry out the project in accordance with policies, standards, and specifications approved by the Secretary.

**ASSURANCES****Nonairport Sponsors Undertaking Noise Compatibility Program Projects**

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**A. General.**

1. These assurances shall be complied with in the performance of grant agreements for noise compatibility projects undertaken by sponsors who are not proprietors of the airport which is the subject of the noise compatibility program.
2. These assurances are required to be submitted as part of the project application by sponsors requesting funds under the provisions of Title 49, U.S.C., subtitle VII, as amended. Sponsors are units of local government in the areas around the airport which is the subject of the noise compatibility program.
3. Upon acceptance of the grant offer by the sponsor, these assurances are incorporated in and become part of the grant agreement.

**B. Duration.** The terms, conditions, and assurances, of the grant agreement shall remain in full force and effect throughout the useful life of the facilities developed or equipment acquired or throughout the useful life of the items installed under the project, but in any event not to exceed twenty (20) years from the date of the acceptance of a grant offer of Federal funds for the project. However, there shall be no time limit on the duration of the terms, conditions, and assurances with respect to real property acquired with Federal funds. Furthermore, the duration of the Civil Rights assurance shall be as specified in the assurance.

**C. Sponsor Certification.** The sponsor hereby assures and certifies, with respect to this grant that:

1. **General Federal Requirements.** It will comply with all applicable Federal laws, regulations, executive orders, policies, guidelines and requirements as they relate to the application, acceptance, and use of Federal funds for this project including but not limited to the following:  
**Federal Legislation.**
  - a. Title 49, U.S.C., subtitle VII, as amended.
  - b. Davis-Bacon Act - 40 U.S.C. 276(a). et seq.
  - c. Federal Fair Labor Standards Act - 29 U.S.C. 201 et seq.
  - d. Hatch Act - 5 U.S.C. 1501, et seq.



- e. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 - 42 U.S.C. 4601, et seq.
- f. National Historic Preservation Act of 1966 - Section 106 - 16 U.S.C. 470(f).
- g. Archeological and Historic Preservation Act of 1974 - 469 through 469c.
- h. Flood Disaster Protection Act of 1973 - Section 102(a) - 42 U.S.C. 4012a.
- i. Rehabilitation Act of 1973 - 29 U.S.C. 794.
- j. Civil Rights Act of 1964 - Title VI - 42 U.S.C. 2000d through d-4.
- k. Age Discrimination Act of 1975 - 42 U.S.C. 6101, et seq.
- l. Architectural Barriers Act of 1968 - U.S.C. 4151, et seq.
- m. Powerplant and Industrial Fuel Use Act of 1978 - Section 403 - 42 U.S.C. 8373.
- n. Contract Work Hours and Safety Standards Act - 40 U.S.C. 327, et seq.
- o. Copeland Antikickback Act - 18 U.S.C. 874.
- p. National Environmental Policy Act of 1969 - 42 U.S.C. 4321, et seq.
- q. Endangered Species Act of 1973 - 16 U.S.C. 668(a), et seq.
- r. Single Audit Act of 1984 - 31 U.S.C. 7501, et seq.
- s. Drug-Free Workplace Act of 1988 - 41 U.S.C. 702 through 706.

### **Executive Orders**

Executive Order 12372 - Intergovernmental Review of Federal Programs.  
 Executive Order 11246 - Equal Employment Opportunity  
 Executive Order 12699 - Seismic Safety of Federal and Federally Assisted  
 New Building Construction

### **Federal Regulations**

- a. 49 CFR Part 18 - Uniform administrative requirements for grants and cooperative agreements to state and local governments.
- b. 49 CFR Part 21 - Nondiscrimination in federally-assisted programs of the Department of Transportation - effectuation of Title VI to the Civil Rights Act of 1964.
- c. 49 CFR Part 23 - Participation of minority business enterprise in Department of Transportation programs.
- d. 49 CFR Part 24 - Uniform relocation assistance and real property acquisition regulation for Federal and federally assisted programs.

- e. 49 CFR Part 27 - Non-Discrimination on the basis of handicap in programs and activities receiving or benefiting from Federal financial assistance.
- f. 49 CFR Part 29 - Governmentwide debarment and suspension (non-procurement) and governmentwide requirements for drug-free workplace (grants).
- g. 49 CFR Part 30 - Denial of public work contracts to suppliers of goods and services of countries that deny procurement market access to U.S. contractors.
- h. 29 CFR Part 1 - Procedures for predetermination of wage rates.
- i. 29 CFR Part 3 - Contractors and subcontractors on public building or public work financed in whole or part by loans or grants from the United States.
- j. 29 CFR Part 5 - Labor standards provisions applicable to contracts covering federally financed and assisted construction.
- k. 41 CFR Part 60 - Office of Federal contract compliance programs, equal employment opportunity, Department of Labor (Federal and federally-assisted contracting requirements).
- l. 14 CFR Part 150 - Airport noise compatibility planning.
- m. 49 CFR Part 41 - Seismic safety of Federal and federally assisted or regulated new building construction.
- n. 49 CFR Part 20 - New restrictions on lobbying.

#### **Office of Management and Budget Circulars**

- a. A-87 - Cost Principles Applicable to Grants and Contracts with State and Local Governments.
- b. A-128 - Audits of State and Local Governments.

Specific assurances required to be included in grant agreements by any of the above laws, regulations or circulars are incorporated by reference in the grant agreement.

2. **Responsibility and Authority of the Sponsor.** It has legal authority to apply for the grant, and to finance and carry out the proposed project; that a resolution, motion, or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

**3. Sponsor Fund Availability.**

- a. It has sufficient funds available for that portion of the project costs which are not to be paid by the United States.
- b. It has sufficient funds available to ensure operation and maintenance of items funded under the grant agreement which it will own or control.

**4. Good Title.** For projects to be carried out on the property of the sponsor, it holds good title satisfactory to the Secretary to that portion of the property upon which Federal funds will be expended or will give assurance to the Secretary that good title will be obtained.

**5. Preserving Rights and Powers.**

- a. It will not enter into any transaction, or take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions, and assurances in the grant agreement without the written approval of the Secretary, and will act to acquire, extinguish, or modify any outstanding rights or claims of right of others which would interfere with such performance by the sponsor. This shall be done in a manner acceptable to the Secretary.
- b. It will not sell, lease, encumber, or otherwise transfer or dispose of any part of its title or other interests in the property, for which it holds good title and upon which Federal funds have been expended, for the duration of the terms, conditions, and assurances in the grant agreement, without approval by the Secretary. If the transferee is found by the Secretary to be eligible under the Airport and Airway Improvement Act of 1982 to assume the obligations of the grant agreement and to have the power, authority, and financial resources to carry out all such obligations, the sponsor shall insert in the contract or document transferring or disposing of the sponsor's interest, and making binding upon the transferee, all of the terms, conditions and assurances contained in this grant agreement.

- c. For all noise compatibility projects which are to be carried out by another unit of local government or are on property owned by a unit of local government other than the sponsor, it will enter into an agreement with that governmental unit. Except as otherwise specified by the Secretary, that agreement shall obligate that governmental unit to the same terms, conditions, and assurances that would be applicable to it if it applied directly to the FAA for a grant to undertake the noise compatibility project. That agreement and changes thereto must be approved in advance by the Secretary.
  - d. For noise compatibility projects to be carried out on privately owned property, it will enter into an agreement with the owner of that property which includes provisions specified by the Secretary.
- 6. **Consistency with Local Plans.** The project is reasonably consistent with plans (existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport. For noise compatibility projects to be carried out on property which is not owned by the sponsor and which is under the land use control or authority of a public agency other than the sponsor, the sponsor shall obtain from each agency a written declaration that such an agency supports the project and the project is reasonably consistent with the agency's plans regarding the property.
- 7. **Consideration of Local Interest.** It has given fair consideration to the interest of communities in or near which the project may be located.
- 8. **Accounting System, Audit, and Recordkeeping Requirements.**
  - a. It shall keep all project accounts and records which fully disclose the amount and disposition by the recipient of the proceeds of the grant, the total cost of the project in connection with which the grant is given or used, and the amount or nature of that portion of the cost of the project supplied by other sources, and such other financial records pertinent to the project. The accounts and records should be kept in accordance with an accounting system that will facilitate an effective audit in accordance with the Single Audit Act of 1984.

- b. It shall make available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for the purpose of audit and examination, any books, documents, papers, and records of the recipient that are pertinent to the grant. The Secretary may require that an appropriate audit be conducted by a recipient. In any case in which an independent audit is made of the accounts of a sponsor relating to the disposition of the proceeds of a grant or relating to the project in connection with which the grant was given or used, it shall file a certified copy of such audit with the Comptroller General no later than six (6) months following the close of the fiscal year for which the audit was conducted.
- 9. **Minimum Wage Rates.** It shall include, in all contracts in excess of \$2,000 for work on any projects funded under the grant agreement which involve labor, provisions establishing minimum rates of wages, to be predetermined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5), which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work.
- 10. **Veteran's Preference.** It shall include, in all contracts for work on any project funded under the grant agreement which involve labor, such provisions as are necessary to insure that, in the employment of labor (except in administrative, executive, and supervisory positions), preference shall be given to veterans of the Vietnam era and disabled veterans as defined in Section 515(c)(1) and (2) of the Airport and Airway Improvement Act of 1982. However, this preference shall apply only where the individuals are available and qualified to perform the work to which the employment relates.
- 11. **Conformity to Plans and Specifications.** It will execute the project subject to plans, specifications, and schedules approved by the Secretary. Such plans, specifications, and schedules shall be submitted to the Secretary prior to commencement of site preparation, construction, or other performance under this grant agreement, and, upon approval by the Secretary, shall be incorporated into this grant agreement. Any modifications to the approved plans, specifications, and schedules shall also be subject to approval by the Secretary and incorporation into the grant agreement.

12. **Construction Inspection and Approval.** It will provide and maintain competent technical supervision at the construction site throughout the project to assure that the work conforms with the plans, specifications, and schedules approved by the Secretary for the project. It shall subject the construction work on any project contained in an approved project application to inspection and approval by the Secretary and such work shall be in accordance with regulations and procedures prescribed by the Secretary. Such regulations and procedures shall require such cost and progress reporting by the sponsor or sponsors of such project as the Secretary shall deem necessary.
13. **Operation and Maintenance.** It will suitably operate and maintain noise program implementation items that it owns or controls upon which Federal funds have been expended.
14. **Hazard Prevention.** It will protect such terminal airspace as is required to protect instrument and visual operations to the airport (including established minimum flight altitudes) by preventing the establishment or creation of future airport hazards on property owned or controlled by it or over which it has land use jurisdiction.
15. **Compatible Land Use.** It will take appropriate action, including the adoption of zoning laws, to the extent reasonable, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. In addition, it will not cause or permit any change in land use, within its jurisdiction that will reduce the compatibility, with respect to the airport, of the noise compatibility measures upon which Federal funds have been expended.
16. **Reports and Inspections.** It will submit to the Secretary such annual or special financial and operations reports as the Secretary may reasonably request. It will also make records and documents relating to the project, and continued compliance with the terms, conditions, and assurances of the grant agreement including deeds, leases, agreements, regulations, and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request.

17. **Civil Rights.** It will comply with such rules as are promulgated, to ensure that no person shall, on the grounds of race, creed, color, national origin, sex, age, or handicap, be excluded from participating in any activity conducted with or benefitting from funds received from this grant. This assurance obligates the sponsor for the period during which Federal financial assistance is extended to the program, except where Federal financial assistance is to provide, or is in the form of personal property or real property interest therein, or structures or improvements thereon, in which case the assurance obligates the sponsor or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits or (b) the period during which the sponsor retains ownership or possession of the property.
18. **Engineering and Design Services.** It will award each contract or subcontract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, surveying, mapping, or related services with respect to the project in the same manner as a contract for architectural and engineering services as negotiated under Title IX of the Federal Property and Administrative Services Act of 1949 or an equivalent qualifications-based requirement prescribed for or by the sponsor.
19. **Foreign Market Restrictions.** It will not allow funds provided under this grant to be used to fund any project which uses any product or service of a foreign country during the period in which such foreign country is listed by the United States Trade Representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.
20. **Disposal of Land.**
- a. For land purchased under a grant for airport noise compatibility purposes, it will dispose of the land, when the land is no longer needed for such purposes, at fair market value, at the earliest practicable time. That portion of the proceeds of such disposition which is proportionate to the United States' share of acquisition of such land will, at the discretion of the Secretary, 1) be paid to the Secretary for deposit in the Trust Fund, or 2) be reinvested in an approved noise compatibility project as prescribed by the Secretary.

- b. Disposition of such land under (a) will be subject to the retention or reservation of any interest or right therein necessary to ensure that such land will only be used for purposes which are compatible with noise levels associated with operation of the airport.

- 21. **Relocation and Real Property Acquisition.** (1) It will be guided in acquiring real property, to the greatest extent practicable under State law, by the land acquisition policies in Subpart B of 49 CFR Part 24 and will pay or reimburse property owners for necessary expenses as specified in Subpart B. (2) It will provide a relocation assistance program offering the services described in Subpart C and fair and reasonable relocation payments and assistance to displaced persons as required in Subparts D and E of 49 CFR Part 24. (3) It will make available within a reasonable period of time prior to displacement comparable replacement dwellings to displaced persons in accordance with Subpart E of 49 CFR Part 24.



The IMO LSR Sub-Committee works to develop international agreements, guidelines, and standards for Search and Rescue and for lifesaving equipment installed on commercial ships. Because of the potential impact of the Sub-Committee's work on U.S. regulations and standards, the U.S. SOLAS Working Group serves an excellent forum for the U.S. maritime industry to express their ideas in the areas under the Sub-Committee's purview. Members of the public may attend this meeting up to the seating capacity of the room. Due to unforeseen administrative delays, the notice of this meeting is being published late. The Committee apologizes for any inconvenience.

For further information contact Mr. Kurt J. Heinz at (202) 267-1444, U.S. Coast Guard Headquarters (G-MVI-3/1404), 2100 Second Street, SW., Washington, DC 20593-0001.

Dated: June 6, 1994.

Geoffrey Odgen,

Chairman, Shipping Coordinating Committee.

[FR Doc. 94-14229 Filed 6-7-94; 4:49 am]

BILLING CODE 4710-07-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Proposed Modification of Airport Improvement Program Grant Assurances

AGENCY: Federal Aviation Administration (FAA), (DOT).

**SUMMARY:** The FAA proposes to modify the standard grant assurances required of a sponsor receiving a grant under the Airport Improvement Program (AIP). This modification is due to changes in existing legislation. The Secretary of Transportation is required to provide notice in the Federal Register and an opportunity for the public to comment upon proposals to modify assurances or to require any additional assurances under AIP pursuant to subsection 511(f) of the Airport and Airway Improvement Act of 1982, as amended.

**DATES:** These proposed modifications to the Grant Assurances will be effective July 11, 1994. Comments must be submitted on or before June 27, 1994.

**ADDRESSES:** Comments may be delivered or mailed to the FAA, Airports Financial Assistance Division, APP-500, room 615, 800 Independence Ave, SW., Washington, DC 20591.

**FOR FURTHER INFORMATION CONTACT:** Ms. Leslie S. Haener (Management and Program Analyst) Telephone (202) 267-5879.

**SUPPLEMENTARY INFORMATION:** The Secretary must receive certain assurances from a sponsor (applicant) under the Airport and Airway Improvement Act of 1982, as amended. These assurances are submitted as part of a sponsor's application for Federal Assistance and are incorporated in all grant agreements. The current assurances were published on February 3, 1988, at 53 ER 3104 and amended on September 6, 1988, at 53 FR 34361, and on August 29, 1989, at 54 FR 35748. As need dictates, these assurances are modified from time to time to reflect new Federal requirements. Notice of such proposed modifications are published in the Federal Register and an opportunity provided for comment by the public. FAA is planning to modify the assurances currently in use to reflect some changes in the general requirements.

FAA uses three separate sets of standard assurances: Airport Sponsors (owners/operators); Planning Agency Sponsors; and Nonairport Sponsors Undertaking Noise Compatibility Program Projects (herein after referred to as Nonairport Sponsor Assurances).

Assurance 1, General Federal Requirements, of the Airport Sponsor Assurances and Nonairport Sponsor Assurances is modified to add Executive Order 12699—Seismic Safety of Federal and Federally Assisted New Building Construction, to the Executive Orders section of both sets of assurances. Further, Assurance 1 is modified to add 49 CFR part 41, Seismic safety of Federal and federally assisted or regulated new building construction, to the Federal Regulations section of both sets of assurances.

Assurance 1 is also modified to add 49 CFR Part 20, New restrictions on lobbying, to the Federal Regulations section of all three sets of assurances. The addition of this regulation will alleviate the need for project sponsors to file with the FAA, a separate certification stating that they have not made, and will not make, any payment prohibited by paragraph (a), § 20.100 of 49 CFR part 20. A disclosure of lobbying activities form, however, must still be filed with the FAA if required by paragraph (c), § 20.100 of 49 CFR part 20.

Assurance 1 of all three sets of assurances is also modified to correct the titles of certain Federal Regulations.

Assurance 9 of the Airport Sponsor Assurances has been rewritten to incorporate the provision of Public Law 102-581, which requires the sponsor to certify that the airport management board either has voting representation from the communities where the project

is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.

Assurance 23 of the Airport Sponsor Assurances has been rewritten to bring this assurance into conformance with section 511(a)(2) of the Airport and Airway Improvement Act of 1982, as amended.

Assurance 26 of the Airport Sponsor Assurances has been rewritten to incorporate the provision of Public Law 102-581, which requires that the airport sponsor assure that a report of the airport budget is available to the public at reasonable times and places.

Assurance 31 of the Airport Sponsor Assurances, and Assurance 20 of the Nonairport Sponsor Assurances, titled Disposal of Land, have been rewritten to incorporate the provisions of Public Law 101-236, which relaxed the requirement that an airport sponsor must dispose of land which was originally acquired with Federal grant funds for airport development purposes but is no longer needed for such purposes.

Assurance 36 of the Airport Sponsor Assurances, Assurance 13 of the Planning Agency Sponsor Assurances, and Assurance 22 of the Nonairport Sponsor Assurances have been deleted. The grant applicant's requirements for compliance are set forth in the Drug-Free Workplace Act of 1988—41 U.S.C. 702 through 706 and 49 CFR Part 29—Governmentwide debarment and suspension (non-procurement) and governmentwide requirements for drug-free workplace (grants), which are included in Assurance 1. Therefore a separate assurance detailing these requirements is unnecessary.

Issued in Washington, DC on May 13, 1994.

Paul L. Galis,

Director, Office of Airport Planning and Programming.

#### Airport Improvement Program Grant Assurances

1. The Airport Sponsor Assurances are amended as follows:

a. Assurance C.1. is revised as follows:

C.1. General Federal Requirements

#### Executive Orders

Executive Order 12699—Seismic Safety of Federal and Federally Assisted New Building Construction

#### Federal Regulations

f. 49 CFR Part 29—Governmentwide debarment and suspension (non-

procurement) and governmentwide requirements for drug-free workplace (grants).

i. 29 CFR Part 3—Contractors and subcontractors on public building or public work financed in whole or part by loans or grants from the United States.

m. 49 CFR Part 41—Seismic safety of Federal and federally assisted or regulated new building construction.

n. 49 CFR Part 20—New restrictions on lobbying.

b. Assurance 9 is revised to read:

9. Public Hearings. In projects involving the location of an airport, an airport runway, or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.

c. Assurance 23 is revised to read:

23. Exclusive Rights. It will permit no exclusive right for the use of the airport by any person providing, or intending to provide, aeronautical services to the public.

For purposes of this paragraph, the providing of the services at an airport by a single fixed-based operator shall not be construed as an exclusive right if both of the following apply:

a. It would be unreasonably costly, burdensome, or impractical for more than one fixed-based operator to provide such services, and

b. If allowing more than one fixed-based operator to provide such services would require the reduction of space leased pursuant to an existing agreement between such single fixed-based operator and such airport.

It further agrees that it will not, either directly or indirectly, grant or permit any person, firm, or corporation, the exclusive right at the airport to conduct any aeronautical activities, including, but not limited to charter flights, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products whether or not conducted in conjunction with other aeronautical

activity, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity, and that it will terminate any exclusive right to conduct an aeronautical activity now existing at such an airport before the grant of any assistance under the Airport and Airway Improvement Act of 1982.

d. Assurance 26 is revised to read:

26. Reports and Inspections. It will submit to the Secretary such annual or special financial and operations reports as the Secretary may reasonably request. A report of the airport budget will be available to the public at reasonable times and places. For airport development projects, it will also make the airport and all airport records and documents affecting the airport, including deeds, leases, operation and use agreements, regulations and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request. For noise compatibility program projects, it will also make records and documents relating to the project and continued compliance with the terms, conditions, and assurances of the grant agreement including deeds, leases, agreements, regulations, and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request.

e. Assurance 31 is revised to read:

31. Disposal of Land.

a. For land purchased under a grant for airport noise compatibility purposes, it will dispose of the land, when the land is no longer needed for such purposes, at fair market value, at the earliest practicable time. That portion of the proceeds of such disposition which is proportionate to the United States' share of acquisition of such land will, at the discretion of the Secretary, (1) be paid to the Secretary for deposit in the Trust Fund, or (2) be reinvested in an approved noise compatibility project as prescribed by the Secretary.

b. (1) For land purchased under a grant for airport development purposes (other than noise compatibility), it will, when the land is no longer needed for airport purposes, dispose of such land at fair market value or make available to the Secretary an amount equal to the United States' proportionate share of the fair market value of the land. That portion of the proceeds of such disposition which is proportionate to the United States' share of the cost of acquisition of such land will, (a) upon application to the Secretary, be reinvested in another eligible airport improvement project or projects

approved by the Secretary at that airport or within the national airport system, or (b) be paid to the Secretary for deposit in the Trust Fund if no eligible project exists.

(2) Land shall be considered to be needed for airport purposes under this assurance if (a) it may be needed for aeronautical purposes (including runway protection zones) or serve as noise buffer land, and (b) the revenue from interim uses of such land contributes to the financial self-sufficiency of the airport. Further, land purchased with a grant received by an airport operator or owner before December 31, 1987, will be considered to be needed for airport purposes if the Secretary or Federal agency making such grant before December 31, 1987, was notified by the operator or owner of the uses of such land, did not object to such use, and the land continues to be used for that purpose, such use having commenced no later than December 15, 1989.

c. Disposition of such land under (a) or (b) will be subject to the retention or reservation of any interest or right therein necessary to ensure that such land will only be used for purposes which are compatible with noise levels associated with operation of the airport.

f. Assurance 36 is deleted:

36. Drug-Free Workplace. It will provide a drug-free workplace at the site of work specified in the grant application in accordance with 49 CFR part 29 by (1) publishing a statement notifying its employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the sponsor's workplace and specifying the action that will be taken against its employees for violation of such prohibition; (2) establishing a drug-free awareness program to inform its employees about the dangers of drug abuse in the workplace and any available drug counseling, rehabilitation, and employees' assistance programs; (3) notifying the FAA within 10 days after receiving notice of an employee criminal drug statute conviction for a violation occurring in the workplace; and (4) making a good faith effort to maintain a drug-free workplace.

2. The Planning Agency Sponsor Assurances are amended as follows:

a. Assurance C.1. is revised as follows:

C. 1. General Federal Requirements

## Federal Regulations

d. 49 CFR Part 29—Governmentwide debarment and suspension (non-procurement) and governmentwide requirements for drug-free workplace (grants).

n. 49 CFR Part 20—New restrictions on lobbying.

b. Assurance 13 is deleted:

13. Drug-Free Workplace. It will provide a drug-free workplace at the site of work specified in the grant application in accordance with 49 CFR part 29 by (1) publishing a statement notifying its employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the sponsor's workplace and specifying the actions that will be taken against its employees for violation of such prohibition; (2) establishing a drug-free awareness program to inform its employees about the dangers of drug abuse in the workplace and any available drug counseling, rehabilitation, and employees' assistance programs; (3) notifying the FAA within 10 days after receiving notice of an employee criminal drug statute conviction for a violation occurring in the workplace; and (4) making a good faith effort to maintain a drug-free workplace.

3. The Nonairport Sponsor Assurances are amended as follows:

a. Assurance C.1. is revised as follows:

C.1. General Federal Requirements

\* \* \*

## Executive Orders

Executive Order 12699—Seismic Safety of Federal and Federally Assisted New Building Construction

## Federal Regulations

f. 49 CFR Part 29—Governmentwide debarment and suspension (non-procurement) and governmentwide requirements for drug-free workplace (grants).

i. 29 CFR Part 3—Contractors and subcontractors on public building or public work financed in whole or part by loans or grants from the United States.

m. 49 CFR Part 41—Seismic safety of Federal and federally assisted or regulated new building construction.

n. 49 CFR Part 20—New restrictions on lobbying.

b. Assurance 20 is revised to read:

20. Disposal of Land.

a. For land purchased under a grant for airport noise compatibility purposes, it will dispose of the land, when the land is no longer needed for such

purposes, at fair market value, at the earliest practicable time. That portion of the proceeds of such disposition which is proportionate to the United States' share of acquisition of such land will, at the discretion of the Secretary, 1) be paid to the Secretary for deposit in the Trust Fund, or 2) be reinvested in an approved noise compatibility project as prescribed by the Secretary.

b. Disposition of such land under (a) will be subject to the retention or reservation of any interest or right therein necessary to ensure that such land will only be used for purposes which are compatible with noise levels associated with operation of the airport.

c. Assurance 22 is deleted.

22. Drug-Free Workplace. It will provide a drug-free workplace at the site of work specified in the grant application in accordance with 49 CFR part 29 by (1) publishing a statement notifying its employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the sponsor's workplace and specifying the actions that will be taken against its employees for violation of such prohibition; (2) establishing a drug-free awareness program to inform its employees about the dangers of drug abuse in the workplace and any available drug counseling, rehabilitation, and employees' assistance programs; (3) notifying the FAA within 10 days after receiving notice of an employee criminal drug statute conviction for a violation occurring in the workplace; and (4) making a good faith effort to maintain a drug-free workplace.

[FR Doc. 94-14149 Filed 6-9-94; 8:45 am]

BILLING CODE 4910-13-M

## Federal Aviation Administration

Receipt of Revision No. 2 to Approved Noise Compatibility Program and Request for Review, Phoenix Sky Harbor International Airport, Phoenix, AZ

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces that it is reviewing a proposed second revision to the approved noise compatibility program that was submitted for Phoenix Sky Harbor International Airport under the provisions of Title I of the Aviation Safety and Noise Abatement Act of 1979 (Pub. L. 96-193) (hereinafter referred to as "the Act") and 14 CFR part 150 by the City

of Phoenix, Arizona. The Noise Compatibility program was submitted subsequent to a determination by FAA that associated noise exposure maps submitted under 14 CFR part 150 for Phoenix Sky Harbor Airport were in compliance with applicable requirements effective November 17, 1988. The Noise Compatibility Program for Phoenix Sky Harbor International Airport was approved by the FAA on April 2, 1990. Revision No. 1 to the approved Noise Compatibility Program was approved by the FAA on August 14, 1992. The proposed second revision to the approved noise compatibility program will be approved or disapproved on or before November 23, 1994.

EFFECTIVE DATE: The effective date of the start of FAA's review of the revision to the approved noise compatibility program is May 27, 1994. The public comment period ends July 26, 1994.

FOR FURTHER INFORMATION CONTACT: David B. Kessler, Airport Planner, Airports Division, AWP-611.2, Western-Pacific Region, Federal Aviation Administration, P.O. Box 92007, Worldway Postal Center, Los Angeles, California 90009-2007, Telephone: 310/297-1534. Comments on the proposed second revision to the approved noise compatibility program should also be submitted to the above office.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA is reviewing a proposed second revision to the approved noise compatibility program for Phoenix Sky Harbor International Airport which will be approved or disapproved on or before November 23, 1994. This notice also announces the availability of this revision for public review and comment.

An airport operator who has submitted noise exposure maps that are found by FAA to be in compliance with the requirements of Federal Aviation Regulations (FAR) part 150, promulgated pursuant to Title I of the Act, may submit a noise compatibility program for FAA approval which sets forth the measures the operator has taken or proposes for the reduction of existing noncompatible uses and for the prevention of the introduction of additional noncompatible uses.

The FAA has formally received the second revision to the approved noise compatibility program for Phoenix Sky Harbor International Airport, effective on May 27, 1994. It was requested that the FAA review this material and that the noise mitigation measures, to be implemented jointly by the airport and surrounding communities, be approved

under the Small Business Investment Act of 1958, as amended (the Act). GC&H Partners was licensed by the Small Business Administration on April 30, 1984.

Under the authority vested by the Act and pursuant to the Regulations promulgated thereunder, the surrender was accepted on this date, and accordingly, all rights, privileges, and franchises derived therefrom have been terminated.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: December 15, 1994.

Robert D. Stillman,

Associate Administrator for Investment.

[FR Doc. 95-136 Filed 1-3-95; 8:45 am]

BILLING CODE 8025-01-M

[License No. 02/02-0292]

#### Winfield Capital Corporation; Notice of Filing of an Application for Transfer of Ownership and Control

Notice is hereby given of the filing of an application with the Small Business Administration (SBA) pursuant to § 107.102 of the Regulations governing small business investment companies (13 CFR 107.102 (1994)) by Winfield Capital Corporation, 237 Mamaroneck Avenue, White Plains, New York 10605, for transfer of ownership and control of its license, under the Small Business Investment Act of 1958, as amended, (the Act) (15 U.S.C. *et seq.*). Winfield Capital Corporation was licensed on April 19, 1972.

The Applicant currently operates with private capital totaling \$1,250,000. as part of this application for change of control and ownership, new investors (Messrs. Paul A. Perlin and Mr. David Greenberg, listed below) have negotiated with existing shareholders of the Applicant to purchase through an executed stock purchase agreement, all of the outstanding common stock of the Applicant. Simultaneously, and with the assistance of one of the new investors, the Applicant intends to raise new equity capital in an amount up to \$3.0 million through a private placement of the company's securities. The proposed majority Shareholders of Winfield Capital Corporation subsequent to the sale of the company's securities are as follows:

Name	Percentage of ownership
Mr. Paul A. Perlin, 137 East 36th Street, New York, New York 10016	14.80

Name	Percentage of ownership
Mr. David Greenberg, 7 Stream Court, Owings Mills, Maryland 21117	8.60
Mr. Stanley M. Pechman, President, Winfield Capital Corporation, 237 Mamaroneck Avenue, White Plains, New York 10605	1.90
All Directors and Officers as a Group (5 persons)	25.3

\* These ownership percentages reflect the purchase of all current outstanding shares of Winfield Capital Corporation's common stock and does not assume any investment in the simultaneous private placement of additional securities being offered. It is anticipated however, that Perlin and Greenberg will be investing in the aggregate approximately \$400,000 in the offering, thereby increasing both individuals proposed holding to in excess of 10 percent of the Applicant.

It is estimated that there will be less than 50 beneficial owners of the Applicant's common stock subsequent to the transactions contemplated by this application. It is not anticipated that any corporation, partnership or other entity except for Mr. Paul A. Perlin and Mr. David Greenberg will own 10 percent or more of the outstanding shares of the Applicant subsequent to this transaction.

As part of the change of control there will be change in the management and composition of the Board of Directors of the Applicant. The new proposed Officers and Directors of Winfield Capital Corporation are as follows:

Name	Title
Mr. Paul A. Perlin, 137 East 36th Street, New York, New York 10016.	Chairman, Chief Executive Officer, Director.
Mr. Stanley M. Pechman, President, Winfield Capital Corporation, 237 Mamaroneck Avenue, White Plains, New York 10605.	President and Director.
Mr. Bruce A. Kaufman, 5-15 117th Street, 2F, College Point, New York 10017.	Secretary and Treasurer.
Mr. David Greenberg, 7 Stream Court, Owings Mills, Maryland 21117.	Director.
Mr. R. Scott Perlin, 40 East 94th Street, New York, New York 10128.	Director.

The Applicant will continue operations subsequent to the planned private placement with private capital net of expenses of approximately \$4,100,000.

Matters involved in SBA's consideration of the application include the general business reputation and

character of the proposed owners and management, and the probability of successful operations of the new company under their management, including profitability and financial soundness in accordance with the Act and Regulations.

Notice is hereby given that any person may, not later than 30 days from the date of publication of this Notice, submit written comments on the proposed SBIC to the Associate Administrator for Investment, Small Business Administration, 409 3rd Street, SW, Washington, DC 20416.

A copy of this Notice will be published in a newspaper of general circulation in Greater New York Metropolitan Area.

(Catalog of Federal Domestic Assistance Programs No. 59.011, Small Business Investment Companies).

Dated: December 27, 1994.

Darryl K. Hairston,

Deputy Associate Administrator for Investment.

[FR Doc. 95-137 Filed 1-3-95; 8:45 am]

BILLING CODE 8025-01-M

#### DEPARTMENT OF TRANSPORTATION

##### Federal Aviation Administration

#### Airport Improvement Program Grant Assurances; Proposed Modification and Opportunity to Comment

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed modification of airport improvement program grant assurances and of opportunity to comment.

SUMMARY: The FAA proposes to modify the standard grant assurances required of a sponsor before receiving a grant under the Airport Improvement Program (AIP). Pursuant to applicable law, the Secretary of Transportation is required to provide notice in the Federal Register and an opportunity for the public to comment upon proposals to modify the assurances or to require any additional AIP assurances. These modifications are necessary for two reasons.

First, much of Federal transportation law was repealed and reenacted without substantive change by enactment of the Codification of Certain U.S. Transportation Laws as Title 49, United States Code, Pub. L. No. 103-272, 108 Stat. 745 (July 5, 1994). Aviation programs, including the AIP, are now found in Subtitle VII of Title 49, rather than the original statutes under which those programs were originally established. Consequently, statutory



citations in the existing grant assurances are now obsolete and the modifications published here cite current law.

Second, Pub. L. 103-272 was amended by enactment of the Federal Aviation Administration Authorization Act of 1994, Pub. L. No. 103-305 (August 23, 1994) (the 1994 Act), which made substantive changes to the statutory grant assurances. The modifications to the grant assurances also incorporate those changes.

For ease of reading, Title 49, Subtitle VII, as amended by the 1994 Act will be cited throughout the remainder of this notice as Title 49, U.S.C., as amended. In the actual assurance, however, the reference further specifies Subtitle VII.

**DATES:** These proposed modifications to the Grant Assurances will be effective on an interim basis on January 4, 1995. Comments must be submitted on or before February 3, 1995. Any revision to the interim Assurances which are necessary or appropriate in response to comments received will be adopted on or before May 4, 1995.

**ADDRESSES:** Comments may be delivered or mailed to the FAA, Airports Financial Assistance Division, APP-500, Room 615, 800 Independence Ave., SW., Washington, DC 20591.

**FOR FURTHER INFORMATION CONTACT:** Mr. James Borsari (Management and Program Analyst) Telephone (202) 267-8822.

**SUPPLEMENTARY INFORMATION:** The Secretary must receive certain assurances from a sponsor (applicant) seeking financial assistance for airport planning, airport development, noise compatibility planning or noise mitigation under Title 49, U.S.C., as amended. These assurances are submitted as part of a sponsor's application for Federal assistance and are incorporated into all grant agreements. As need dictates, these assurances are modified from time to time to reflect new Federal requirements. Notice of such proposed modifications is published in the Federal Register and an opportunity provided for comment by the public. The current assurances were published on February 3, 1988, at 53 Fed. Reg. 3104 and amended on September 6, 1988, at 53 Fed. Reg. 34361, on August 29, 1989, at 54 Fed. Reg. 35748 and on June 10, 1994 at 59 Fed. Reg. 30076.

FAA uses three separate sets of standard assurances: Airport Sponsors (owners/operators); Planning Agency Sponsors; and Nonairport Sponsors. Undertaking Noise Compatibility Program Projects (hereinafter referred to as Nonairport Sponsor Assurances). FAA is planning to modify the

assurances currently in use to reflect some changes in the general requirements as discussed below. The changes contained herein affect all three sets of assurances.

Section A, "General," subsection 2, of the Airport Sponsor Assurances, Nonairport Sponsor Assurances, and Planning Agency Sponsor Assurances is modified to delete references to the Airport and Airway Improvement Act of 1982, as amended; the Aviation Safety and Noise Abatement Act of 1979; and the Airport and Airway Safety and Capacity Expansion Act of 1987. In their place is inserted the reference to the codification of transportation related laws, Pub. L. No. 103-272, 108 Stat. 745 (July 5, 1994), which repealed and recodified these acts without substantive change to their content.

Section C, subsection 1, "General Federal Requirements, Federal Legislation," in each set of assurances is modified to delete the references to the Federal Aviation Act of 1958, 49 U.S.C. 1301, *et seq.*; Airport and Airway Improvement Act of 1982, as amended, 49 U.S.C. 2201, *et seq.*; and the Aviation Safety and Noise Abatement Act of 1979, 49 U.S.C. 2101, *et seq.* These acts were repealed by Pub. L. No. 103-272, which codified the above at 49 U.S.C. 40101 *et seq.* without substantive change to their content.

Section C, subsection 11, of the Airport Sponsors Assurances, "Local Approval," is deleted in its entirety due to the 1994 Act's repeal of Section 30 of the Airport and Airway Development Act of 1970, as amended.

A new section C, subsection 11, "Preventive Maintenance," is added to the Airport Sponsor Assurances due to a new requirement in section 107(a) of the 1994 Act which is effective for all projects approved after January 1, 1995, for the replacement or reconstruction of pavement at an airport.

Section C, subsection 22, of the Airport Sponsor Assurances, "Economic Nondiscrimination," is amended by deleting the word "equal" in subsection (b)(1), since the FAA can find no statutory basis for the inclusion of that word.

Section C, subsection 26, of the Airport Sponsor Assurances, "Reports and Inspections," is deleted in its entirety and is substituted by a new subsection 28, "Reports and Inspections." The new subsection consists of language taken from the existing assurance which was recast without substantive change using subparagraphs to improve readability. It also includes language necessary to implement section 111 of the 1994 Act, "Airport Financial Reports," which

imposes on each airport sponsor a new reporting requirement to submit certain reports regarding revenue use at the airport.

Issued in Washington, D.C. on December 20, 1994.

Paul L. Galis,  
Director, Office of Airport Planning and Programming.

#### Airport Improvement Program Grant Assurances

##### 1. The Airport Sponsor Assurances are amended as follows:

a. Section A.2 is revised to read as follows:

###### A. General

2. These assurances are required to be submitted as part of the project application by sponsors requesting funds under the provisions of Title 49, U.S.C., subtitle VII, as amended. As used herein, the term "public agency sponsor" means a public agency which controls a public-use airport; the term "private sponsor" means a private owner of a public-use airport; and the term "sponsor" includes both public agency sponsors and private sponsors.

b. Section C.1 is revised as follows:

C. Sponsor Certification. The Sponsor hereby assures and certifies, with respect to this grant, that:

###### 1. General Federal Requirements.

###### Federal Legislation

- a. Title 49, U.S.C., subtitle VII, as amended.
- b. Davis-Bacon Act—40 U.S.C. 276(a), *et seq.*
- c. Federal Fair Labor Standards Act—29 U.S.C. 201, *et seq.*
- d. Hatch Act—5 U.S.C. 1501, *et seq.*
- e. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970—42 U.S.C. 4601, *et seq.*
- f. National Historic Preservation Act of 1966—Section 106—16 U.S.C. 470(f).
- g. Archeological and Historic Preservation Act of 1974—16 U.S.C. 469 through 469c.
- h. Flood Disaster Protection Act of 1973—Section 102(a)—42 U.S.C. 4012a.
- i. Rehabilitation Act of 1973—29 U.S.C. 794.
- j. Civil Rights Act of 1964—Title VI—42 U.S.C. 2000d through d-4.
- k. Age Discrimination Act of 1975—42 U.S.C. 6101, *et seq.*
- l. Architectural Barriers Act of 1968—42 U.S.C. 4151, *et seq.*
- m. Powerplant and Industrial Fuel Use Act of 1978—Section 403—2 U.S.C. 8373.
- n. Contract Work Hours and Safety Standards Act—40 U.S.C. 327, *et seq.*
- o. Copeland Antikickback Act—18 U.S.C. 874.
- p. National Environmental Policy Act of 1969—42 U.S.C. 4321, *et seq.*
- q. Endangered Species Act—16 U.S.C. 668(a), *et seq.*

CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS  
Alternate I. (Grantees Other Than Individuals)

A. The grantee certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition:

(b) Establishing an ongoing drug-free awareness program to inform employees about-

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will-

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency in writing, within ten calendar days after receiving notice under paragraph (d) (2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notices shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d) (2), with respect to any employee who is so convicted-

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f),

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

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Check ☐ if there are workplaces on file that are not identified here.

CURRENT FAA ADVISORY CIRCULARS FOR AIP PROJECTS

Updated on: 5/1/95

NUMBER  
SUBJECT

70/7460-1H  
CHG 1 & 2  
Obstruction Marking and Lighting

150/5000-13  
Announcement of Availability--RTCA Inc., Document RTCA-221,  
Guidance and Recommended Requirements for Airport Surface  
Movement Sensors

150/5100-14C  
Architectural, Engineering, and Planning Consultant Services  
for Airport Grant Projects

150/5210-5B  
Painting, Marking and Lighting of Vehicles Used on an  
Airport

150/5210-7B  
Aircraft Fire and Rescue Communications

150/5210-14  
Airport Fire and Rescue Personnel Protective Clothing

150/5210-15  
Airport Rescue & Firefighting Station Building Design

150/5210-18  
Systems for Interactive Training of Airport Personnel

150/5220-4B  
Water Supply Systems for Aircraft Fire and Rescue Protection



150/5220-10A  
Guide Specification for Water/Foam Type Aircraft Rescue and  
Firefighting Vehicles

150/5220-13B  
Runway Surface Condition Sensor Specification Guide

150/5220-14A  
Airport Fire and Rescue Vehicle Specification Guide

150/5220-16A  
Automated Weather Observing Systems for NonFederal  
Applications

150/5220-17A  
Design Standards for Aircraft Rescue Firefighting Training  
Facilities

150/5220-18  
Buildings for Storage and Maintenance of Airport Snow and  
Ice Control Equipment and Materials

150/5220-19  
Guide Specification for Small, Dual-Agent Aircraft Rescue  
and Firefighting Vehicles

150/5220-20  
CHG 1  
Airport Snow and Ice Control Equipment

150/5220-21  
CHG 1  
Guide Specification for Lifts Used to Board Airline  
Passengers With Mobility Impairments

150/5300-13  
CHG 1, 2, 3, 4  
Airport Design

150/5300-14  
Design of Aircraft Deicing Facilities

150/5300-15

Use of Value Engineering for Engineering Design of Airport  
Grant Projects

150/5320-5B

Airport Drainage

150/5320-6C

CHG 1 & 2

Airport Pavement Design and Evaluation

150/5320-12B

Measurement, Construction, and Maintenance of Skid Resistant  
Airport Pavement Surfaces

150/5320-14

Airport Landscaping for Noise Control Purposes

150/5325-4A

CHG 1

Runway Length Requirements for Airport Design

150/5340-1G

Standards for Airport Markings

150/5340-4C

CHG 1 & 2

Installation Details for Runway Centerline Touchdown Zone  
Lighting Systems

150/5340-5B

CHG 1

Segmented Circle Airport Marker System

150/5340-14B

CHG 1 & 2

Economy Approach Lighting Aids

150/5340-17B

Standby Power for NonFAA Airport Lighting Systems

150/5340-18C

CHG 1

Standards for Airport Sign Systems

150/5340-19  
Taxiway Centerline Lighting System

150/5340-21  
Airport Miscellaneous Lighting Visual Aids

150/5340-23B  
Supplemental Wind Cones

150/5340-24  
CHG 1  
Runway and Taxiway Edge Lighting System

150/5340-27A  
Air-to-Ground Radio Control of Airport Lighting Systems

150/5345-3D  
Specification for L821 Panels for Remote Control of Airport Lighting

150/5345-5A  
Circuit Selector Switch

150/5345-7D  
CHG 1  
Specification for L824 Underground Electrical Cable for Airport Lighting Circuits

150/5345-10E  
Specification for Constant Current Regulators Regulator Monitors

150/5345-12C  
Specification for Airport and Heliport Beacon

150/5345-13A  
Specification for L841 Auxiliary Relay Cabinet Assembly for Pilot Control of Airport Lighting Circuits

150/5345-26B  
CHG 1 & 2  
Specification for L823 Plug and Receptacle, Cable Connectors

150/5345-27C

Specification for Wind Cone Assemblies

150/5345-28D

CHG 1

Precision Approach Path Indicator (PAPI) Systems

150/5345-39B

CHG 1

FAA Specification L853, Runway and Taxiway Centerline  
Retroreflective Markers

150/5345-42C

CHG 1

Specification for Airport Light Bases, Transformer Housings,  
Junction Boxes and Accessories

150/5345-43D

Specification for Obstruction Lighting Equipment

150/5345-44F

CHG 1

Specification for Taxiway and Runway Signs

150/5345-45A

Lightweight Approach Light Structure

150/5345-46A

Specification for Runway and Taxiway Light Fixtures

150/5345-47A

Isolation Transformers for Airport Lighting Systems

150/5345-49A

Specification L854, Radio Control Equipment

150/5345-50

CHG 1

Specification for Portable Runway Lights

150/5345-51

CHG 1

Specification for Discharge-Type Flasher Equipment

150/5345-52

Generic Visual Glideslope Indicators (GVGI)

150/5345-53

Airport Lighting Equipment Certification Program

150/5360-9

Planning and Design of Airport Terminal Facilities at NonHub Locations

150/5360-12A

Airport Signing & Graphics

150/5360-13

CHG 1

Planning and Design Guidance for Airport Terminal Facilities

150/5370-2C

Operational Safety on Airports During Construction

150/5370-6B

Construction Progress and Inspection Report-Airport Grant Program

150/5370-10A

CHG 1, 2, 3, 4, 5, 6, 7, 8

Standards for Specifying Construction of Airports

150/5370-11

CHG 1

Use of Nondestructive Testing Devices in the Evaluation of Airport Pavements

150/5370-12

Quality Control of Construction for Airport Grant Projects

150/5390-2A

Helipoint Design

150/5390-3

Vertipoint Design

CURRENT FAA ADVISORY CIRCULARS FOR PFC PROJECTS

Updated on: 5/1/95

NUMBER  
SUBJECT

70/7460-1H

CHG 1 & 2

Obstruction Marking and Lighting

150/5000-12

Announcement of Availability--Passenger Facility Charge  
(PFC) Application (FAA Form 5500-1)

150/5000-13

Announcement of Availability--RTCA Inc., Document RTCA-221,  
Guidance and Recommended Requirements for Airport Surface  
Movement Sensors

150/5210-5B

Painting, Marking and Lighting of Vehicles Used on an  
Airport

150/5210-14

Airport Fire and Rescue Personnel Protective Clothing

150/5210-15

Airport Rescue & Firefighting Station Building Design

150/5220-10A

Guide Specification for Water/Foam Type Aircraft Rescue and  
Firefighting Vehicles

150/5220-13B

Runway Surface Condition Sensor Specification Guide

150/5220-14A

Airport Fire and Rescue Vehicle Specification Guide

150/5220-16A

Automated Weather Observing Systems for NonFederal Applications

150/5220-17A

Design Standards for Aircraft Rescue Firefighting Training Facilities

150/5220-19

Guide Specification for Small, Dual-Agent Aircraft Rescue and Firefighting Vehicles

150/5220-21

CHG 1

Guide Specification for Lifts Used to Board Airline Passengers With Mobility Impairments

150/5300-13

CHG 1, 2, 3, 4

Airport Design

150/5300-14

Design of Aircraft Deicing Facilities

150/5320-6C

CHG 1 & 2

Airport Pavement Design and Evaluation

150/5320-12B

Measurement, Construction, and Maintenance of Skid Resistant Airport Pavement Surfaces

150/5340-1G

Standards for Airport Markings

150/5340-4C

CHG 1 & 2

Installation Details for Runway Centerline Touchdown Zone Lighting Systems

150/5340-5B

CHG 1

Segmented Circle Airport Marker System

150/5340-14B

CHG 1 & 2

Economy Approach Lighting Aids

150/5340-17B

Standby Power for NonFAA Airport Lighting Systems

150/5340-18C

CHG 1

Standards for Airport Sign Systems

150/5340-19

Taxiway Centerline Lighting System

150/5340-21

Airport Miscellaneous Lighting Visual Aids

150/5340-23B

Supplemental Wind Cones

150/5340-24

CHG 1

Runway and Taxiway Edge Lighting System

150/5340-27A

Air-to-Ground Radio Control of Airport Lighting Systems

150/5345-3D

Specification for L821 Panels for Remote Control of Airport Lighting

150/5345-10E

Specification for Constant Current Regulators Regulator Monitors

150/5345-12C

Specification for Airport and Heliport Beacon

150/5345-26B

CHG 1 & 2

Specification for L823 Plug and Receptacle, Cable Connectors

150/5345-27C

Specification for Wind Cone Assemblies



150/5345-28D

CHG 1

Precision Approach Path Indicator (PAPI) Systems

150/5345-39B

CHG 1

FAA Specification L853, Runway and Taxiway Centerline  
Retroreflective Markers

150/5345-42C

CHG 1

Specification for Airport Light Bases, Transformer Housings,  
Junction Boxes and Accessories

150/5345-43D

Specification for Obstruction Lighting Equipment

150/5345-44F

CHG 1

Specification for Taxiway and Runway Signs

150/5345-45A

Lightweight Approach Light Structure

150/5345-46A

Specification for Runway and Taxiway Light Fixtures

150/5345-47A

Isolation Transformers for Airport Lighting Systems

150/5345-49A

Specification L854, Radio Control Equipment

150/5345-51

CHG 1

Specification for Discharge-Type Flasher Equipment

150/5345-52

Generic Visual Glideslope Indicators (GVGI)

150/5345-53

Airport Lighting Certification Program

150/5370-2C

Operational Safety on Airports During Construction

LOBBYING AND INFLUENCING FEDERAL EMPLOYEES

(a) No Federal appropriated funds shall be paid, by or on behalf of the contractor, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant and the amendment or modification of any Federal grant.

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal grant, the contractor shall complete and submit Standard Form-LLL, "Disclosure of Lobby Activities," in accordance with its instructions.

150/5370-10A

CHG 1, 2, 3, 4, 5,

6, 7, 8

Standards for Specifying Construction of Airports

150/5390-2A

Heliport Design

150/5390-3

Vertiport Design

Canceled