



# Federal Aviation Administration

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## Memorandum

Date: February 27, 2024

To: Regional Airports Directors, 610 Branch Managers, and ADO  
Managers

From: David F. Cushing, Office of Airport Planning and Programming,  
Acting APP-1 **DAVID F CUSHING** Digitally signed by DAVID F CUSHING  
Date: 2024.02.27 09:03:59 -05'00'

Subject: INFORMATION: PFC Update, PFC 76-24

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### **PFC 76-24. Lapse in FAA Authorization**

This PFC Update letter provides guidance for FAA employees administering the *Passenger Facility Charge (PFC) Program* in the event of a lapse in FAA authorization. If the FAA is unable to operate due to a lapse in authorization, the FAA will toll the time period allotted to the FAA to respond to PFC notices of intent (NOIs).

Under 49 U.S.C. § 40117(l)(4)-(5), if the FAA fails to respond to an NOI, the public agency is considered to have authorization to impose a PFC.

As FAA personnel would be unable to review the NOIs submitted during a lapse in authorization, the FAA will "pause," or toll, the NOI review time.

This notice includes all NOIs received within 30 days prior to, or submitted during, a work stoppage.

#### Example 1:

Authorization lapses on October 1. An NOI is submitted to the FAA on October 1. Work resumes on October 14. The 30-day review period begins October 14 or the first workday thereafter.

#### Example 2:

An NOI is submitted to FAA on October 1. The FAA experiences a work stoppage, due to a lapse in authorization, from October 15 through October 30. Work resumes on October 31. The FAA has the remaining 17 days to complete review following October 31 or the first workday thereafter.

If you have any questions on the information, please contact APP-510 at (202) 267-3831 for further information.