Federal Aviation Administration

FAA Updates: Grant Assurances and Accessibility

Office Of Civil Rights

ACHIEVING SAFETY THROUGH DIVERSITY

Elisha Luyeho
FAA Office of Civil Rights

October 25, 2022

Grant Assurances – Federal Register Notice

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. FAA–2022–0345]

Airport Improvement Program (AIP) Grant Assurances

AGENCY: Federal Aviation Administration (FAA), Department of Transportation.

ACTION: Notice of modification of Airport Improvement Program grant assurances.

SUMMARY: On April 4, 2022, the FAA issued a notice of proposed modification of the Airport Improvement Program Grant Assurances in the **Federal Register** and provided an opportunity for public comment. In this notice, the FAA adopts without change the proposed grant assurance modifications. Additionally, the FAA

- August 29, 1989, at 54 FR 35748;
- June 10, 1994, at 59 FR 30076;
- January 4, 1995, at 60 FR 521;
- June 2, 1997, at 62 FR 29761;
- August 18, 1999, at 64 FR 45008;
- August 24, 2004, at 69 FR 52057 and amended on March 29, 2005, at 70 FR 15980;
- March 18, 2011, at 76 FR 15028;
- April 13, 2012, at 77 FR 22376;
- April 3, 2014, at 79 FR 18755; and
- February 28, 2020, at 85 FR 12048.

A complete list of the grant assurances may be viewed at: *https://www.faa.gov/airports/aip/grant_assurances/.*

Comments Received

The FAA received three comments during the comment period. Two

Regulations (CFR) 1.83 (''Delegations to the Federal Aviation Administration'').

Robert John Craven,

Director, Office of Airport Planning and Programming.

[FR Doc. 2022–09303 Filed 4–29–22; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

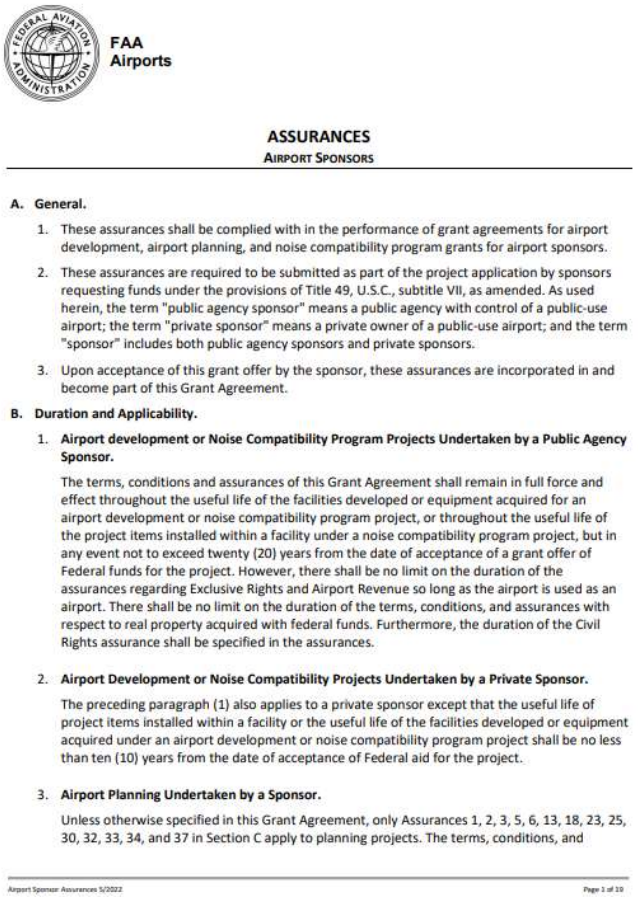
Federal Aviation Administration

[Docket No. FAA–2022–0559; Notice of Availability Docket No. 22–ANE–6]

Notice of Availability of the Final Environmental Assessment (Final EA)/ Finding of No Significant Impact (FONSI) and Record of Decision (ROD) for a New Instrument Approach Procedure (IAP), Referred to as the Area Navigation (RNAV) Global Positioning System (GPS) Runway 4

Grant Assurances

- https://www.faa.gov/airports/aip/grant_assurances/



FAA
Airports

ASSURANCES
AIRPORT SPONSORS

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 this grant offer by the sponsor, these assurances are incorporated in and become part of this 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 this 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 assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport. There shall be no 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 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 this Grant Agreement, only Assurances 1, 2, 3, 5, 6, 13, 18, 23, 25, 30, 32, 33, 34, and 37 in Section C apply to planning projects. The terms, conditions, and

Airport Sponsor Assurances 5/2022 Page 1 of 10

Grant Assurance 30

30. Civil Rights. It will promptly take any measures necessary to ensure that no person in the United States shall, on the grounds of race, color, and national origin (including limited English proficiency) in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. § § 2000d to 2000d-4); creed and sex (including sexual orientation and gender identity) per 49 U.S.C. § 47123 and related requirements; age per the Age Discrimination Act of 1975 and related requirements; or disability per the Americans with Disabilities Act of 1990 and related requirements, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any program and activity conducted with, or benefiting from, funds received from this Grant.

Bipartisan Infrastructure Law - BIL

A 5-YEAR, $25 BILLION INVESTMENT IN THE NATIONS AIR TRANSPORTATION SYSTEM.

$5B

AIR TRAFFIC FACILITIES

To replace facilities and equipment and improve safety, security, and environmental standards.

$15B

AIRPORT INFRASTRUCTURE

For airport projects that increase safety and expand capacity.

$5B

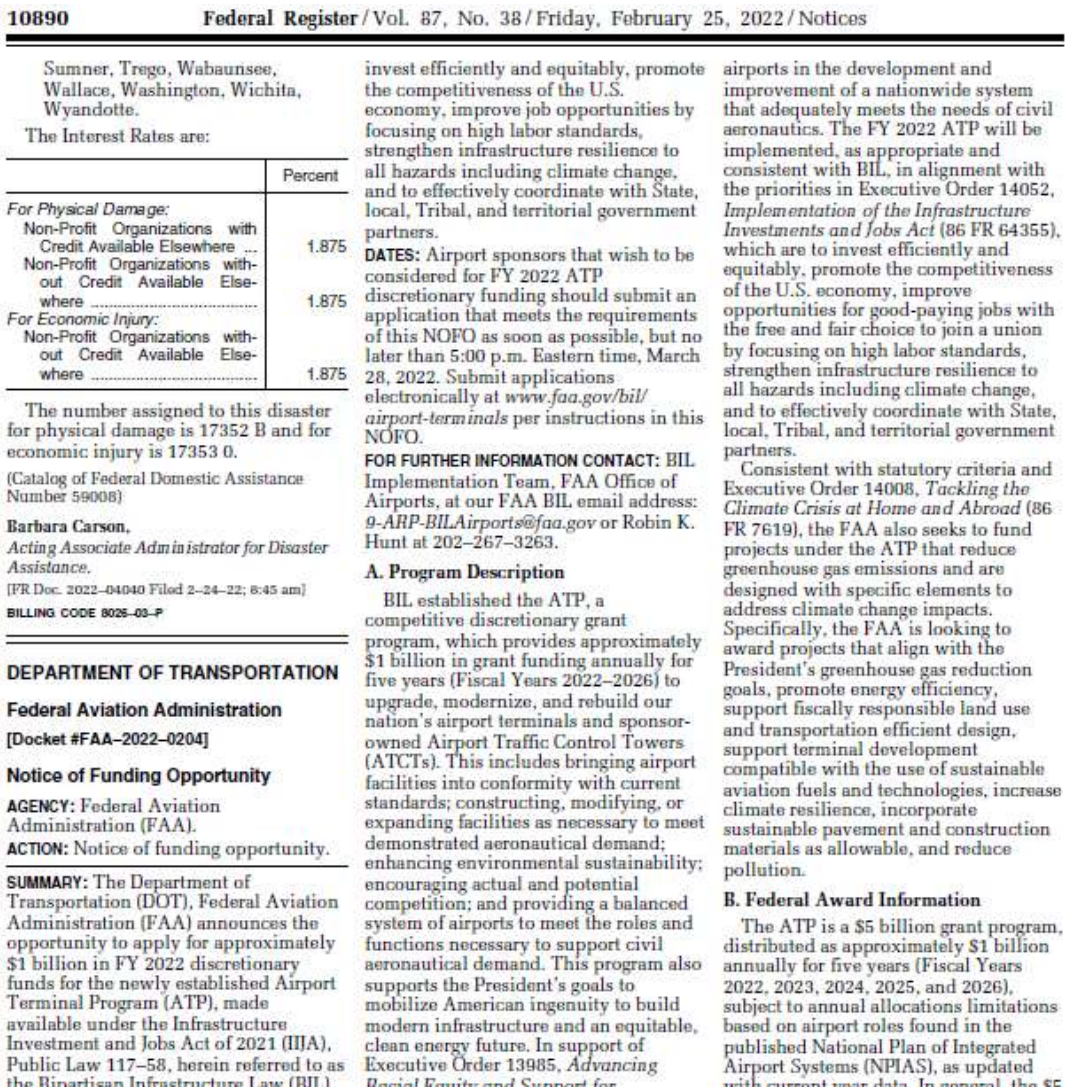
AIRPORT TERMINALS

To replace aging terminals and airport-owned towers, increase terminal energy efficiency and accessibility, and more.

Bipartisan Infrastructure Law - BIL

Airport Terminal NOFO

Application Period Closed



Sumner, Trego, Wabaunsee, Wallace, Washington, Wichita, Wyandotte.

The Interest Rates are:

	Percent
For Physical Damage:	
Non-Profit Organizations with Credit Available Elsewhere ...	1.875
Non-Profit Organizations without Credit Available Elsewhere ...	1.875
For Economic Injury:	
Non-Profit Organizations without Credit Available Elsewhere ...	1.875

The number assigned to this disaster for physical damage is 17352 B and for economic injury is 17353 0.

(Catalog of Federal Domestic Assistance Number 59008)

Barbara Carson,

Acting Associate Administrator for Disaster Assistance.

[FR Doc. 2022–04040 Filed 2–24–22; 8:45 am]

BILLING CODE 8026–03–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket #FAA–2022–0204]

Notice of Funding Opportunity

AGENCY: Federal Aviation Administration (FAA).

ACTION: Notice of funding opportunity.

SUMMARY: The Department of Transportation (DOT), Federal Aviation Administration (FAA) announces the opportunity to apply for approximately $1 billion in FY 2022 discretionary funds for the newly established Airport Terminal Program (ATP), made available under the Infrastructure Investment and Jobs Act of 2021 (IIJA), Public Law 117–58, herein referred to as the Bipartisan Infrastructure Law (BIL), to invest efficiently and equitably, promote the competitiveness of the U.S. economy, improve job opportunities by focusing on high labor standards, strengthen infrastructure resilience to all hazards including climate change, and to effectively coordinate with State, local, Tribal, and territorial government partners.

DATES: Airport sponsors that wish to be considered for FY 2022 ATP discretionary funding should submit an application that meets the requirements of this NOFO as soon as possible, but no later than 5:00 p.m. Eastern time, March 28, 2022. Submit applications electronically at *www.faa.gov/bil/airport-terminals* per instructions in this NOFO.

FOR FURTHER INFORMATION CONTACT: BIL Implementation Team, FAA Office of Airports, at our FAA BIL email address: *9-ARP-BILAirports@faa.gov* or Robin K. Hunt at 202–267–3263.

A. Program Description

BIL established the ATP, a competitive discretionary grant program, which provides approximately $1 billion in grant funding annually for five years (Fiscal Years 2022–2026) to upgrade, modernize, and rebuild our nation's airport terminals and sponsor-owned Airport Traffic Control Towers (ATCTs). This includes bringing airport facilities into conformity with current standards; constructing, modifying, or expanding facilities as necessary to meet demonstrated aeronautical demand; enhancing environmental sustainability; encouraging actual and potential competition; and providing a balanced system of airports to meet the roles and functions necessary to support civil aeronautical demand. This program also supports the President's goals to mobilize American ingenuity to build modern infrastructure and an equitable, clean energy future. In support of Executive Order 13985, *Advancing Racial Equity and Support for* airports in the development and improvement of a nationwide system that adequately meets the needs of civil aeronautics. The FY 2022 ATP will be implemented, as appropriate and consistent with BIL, in alignment with the priorities in Executive Order 14052, *Implementation of the Infrastructure Investments and Jobs Act* (86 FR 64355), which are to invest efficiently and equitably, promote the competitiveness of the U.S. economy, improve opportunities for good-paying jobs with the free and fair choice to join a union by focusing on high labor standards, strengthen infrastructure resilience to all hazards including climate change, and to effectively coordinate with State, local, Tribal, and territorial government partners.

Consistent with statutory criteria and Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad* (86 FR 7619), the FAA also seeks to fund projects under the ATP that reduce greenhouse gas emissions and are designed with specific elements to address climate change impacts. Specifically, the FAA is looking to award projects that align with the President's greenhouse gas reduction goals, promote energy efficiency, support fiscally responsible land use and transportation efficient design, support terminal development compatible with the use of sustainable aviation fuels and technologies, increase climate resilience, incorporate sustainable pavement and construction materials as allowable, and reduce pollution.

B. Federal Award Information

The ATP is a $5 billion grant program, distributed as approximately $1 billion annually for five years (Fiscal Years 2022, 2023, 2024, 2025, and 2026), subject to annual allocations limitations based on airport roles found in the published National Plan of Integrated Airport Systems (NPIAS), as updated with current year data. In general, the $5

Bipartisan Infrastructure Law - BIL

Bipartisan Infrastructure Law - Get Involved

How to Get Started

There will be many opportunities for airports and businesses to get involved in building better airports across America. This page provides all information about what you can do now and what to be on the lookout for in the near future. Be sure to stay up-to-date on the latest funding announcements and project progress on Airport Infrastructure, Air Traffic Facilities, and Airport Terminals.

https://www.faa.gov/bil/get-started

Potential Changes to Accessible Standards

Public Rights of Way Guidelines (PROWAG)

Updated Accessible Transportation Vehicle Standards

Upcoming Deadlines

Nursing Mothers Rooms: Oct. 1, 2022

Automated Ticketing Kiosks: Dec. 12, 2022

Additional Airport Disability Access Resources

Description	Website Link
ADA regulations	www.ecfr.gov for 28 CFR 35 and 36 and 49 CFR 37, 38
Sec. 504 regulations	www.ecfr.gov for 49 CFR 27
Standards for Accessible Design	www.access-board.gov for Buildings & Sites and Transportation
Training videos for Standards	https://www.access-board.gov/guidance.html
DOJ ADA website	www.ada.gov
FAA Advisory Circulars	www.faa.gov/regulations_policies/advisory_circulars for AC 150/5220-21C, AC 150/5360-12F, and AC 150/5360-14A
FTA Guidance	www.transit.dot.gov/ada for ground transportation

FAA ADA / 504 External Program Staff

ADA / Sec. 504 Team Email: 9-AGL-ADA-504@faa.gov

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Questions