

Historical Note

1961 Amendment. Subsec. (a). Pub.L. 87-255, § 5(h), substituted "(b), (c), and (d)" for "(b), (c), (d), and (e)" in the exception clause.

Subsec. (c). Pub.L. 87-255, § 8(e), struck out "Alaska and" preceding "the Virgin Islands."

Subsec. (d). Pub.L. 87-255, § 5(a), re-designated former subsec. (e) as (d), incorporating the provision thereof relating to high intensity lighting on runways designated landing runways by the Administrator in item (3) and adding items (1), (2), and (4).

Subsec. (e). Pub.L. 87-255, § 5(a), re-designated former subsec. (e) as (d).

1959 Amendment. Subsec. (c). Pub.L. 86-72 struck out "the Territory of" preceding "Alaska".

1951 Amendment. Subsec. (d). Act Jan. 9, 1951, repeated the provisions relating to acquisition of lands and interests in air space.

Legislative History: For legislative

history and purpose of Act Apr. 17, 1948, see 1948 U.S.Code Cong.Service, p. 1469.

See, also, Act Aug. 15, 1949, 1949 U.S.Code Cong.Service, p. 1813; Act Jan. 9, 1951, 1951 U.S.Code Cong.Service, p. 4314; Pub.L. 86-72, 1959 U.S.Code Cong. and Adm. News, p. 1705; Pub.L. 87-255, 1961 U.S. Code Cong. and Adm. News, p. 2707.

§ 1110. Project sponsorship; requirements; contracts between Administrator and public agencies; relief of sponsors

As a condition precedent to his approval of a project under this chapter, the Administrator shall receive assurances in writing, satisfactory to him, that—

- (1) the airport to which the project relates will be available for public use on fair and reasonable terms and without unjust discrimination;
- (2) such airport and all facilities thereon or connected therewith will be suitably operated and maintained, with due regard to climatic and flood conditions;
- (3) the aerial approaches to such airport 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;
- (4) all the facilities of the airport developed with Federal aid and all those usable for the landing and take-off of aircraft will be available to the United States for use by military and naval

aircraft in common with other aircraft at all times without charge, except, if the use by military and naval aircraft shall be substantial, a reasonable share, proportional to such use, of the cost of operating and maintaining the facilities so used;

(5) the airport operator or owner will furnish without cost to the Federal Government for use in connection with any air traffic control activities, or weather-reporting activities and communication activities related to air traffic control, such areas of land or water, or estate therein, or rights in buildings of the sponsor as the Administrator may consider necessary or desirable for construction at Federal expense of space or facilities for such purposes;

(6) all project accounts and records will be kept in accordance with a standard system of accounting prescribed by the Administrator after consultation with appropriate public agencies;

(7) the airport operator or owner will submit to the Administrator such annual or special airport financial and operations reports as the Administrator may reasonably request; and

(8) the airport and all airport records will be available for inspection by any duly authorized agent of the Administrator upon reasonable request.

To insure compliance with this section, the Administrator shall prescribe such project sponsorship requirements, consistent with the terms of this chapter, as he may deem necessary. Among other steps to insure such compliance the Administrator is authorized to enter into contracts with public agencies, on behalf of the United States. Whenever the Administrator shall obtain from a sponsor any area of land or water, or estate therein, or rights in buildings of the sponsor and shall construct thereon at Federal expense space or facilities, he is authorized to relieve the sponsor from any contractual obligation entered into under this chapter to provide free space in airport buildings to the Federal Government to the extent he finds such space no longer required for the purposes set forth in paragraph (5) of this section. May 13, 1946, c. 251, § 11, 60 Stat. 176; Sept. 20, 1961, Pub.L. 87-255, § 6, 75 Stat. 526.

Historical Note

1961 Amendment. Pub.L. 87-255 substituting activities, or communications activities related to air traffic control for part owner or operator seeking approval of a project application furnish the Federal Government, without cost, such rights in real property as the Administrator considers necessary or desirable for the construction at Federal expense of space or facilities needed to house air traffic control activities, weather report-