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*Agency of Transportation*

**To: Vice Chair Becca White, Senate Transportation Committee**
**Date: March 24, 2026**
**Memo: Aviation FY 27 Follow up – DHS at VT Airports**

Vice Chair White,

As requested, here is some information for you and the committee to address your question regarding restrictions of Department of Homeland Security operations and potential implications from the Federal Aviation Administration.

Should the Vermont Agency of Transportation implement policy at its 9 NPIAS (federally supported) airports that impedes or obstructs Department of Homeland Security aeronautical use of airports in Vermont, AOT would be in direct violation of Grant Assurance 22.

**FAA Grant Assurance 22, Economic Non-Discrimination** –

a. It will make the airport available as an airport for public-use on reasonable terms and without unjust discrimination to **all types, kinds and classes of aeronautical activities** including commercial aeronautical activities offering services to the public at the airport. (See 49 U.S.C. § 47107(a)).

Violating FAA grant assurances may lead to severe penalties, including the loss of current or future Airport Improvement Program (AIP) funding, civil penalties, and potential legal action to enforce compliance.