

Congress of the United States
House of Representatives
Washington, DC 20515-0533

July 30, 2015

Michael P. Huerta
Administrator
Federal Aviation Administration
800 Independence Ave, SW
Washington, DC 20591

Dear Administrator Huerta,

We are writing regarding a portion of land owned by the City of Santa Monica (the City) at Santa Monica Airport that should have already reverted back to the control of the City. On June 29, 1994, the City accepted a grant for Project Number 3-060239-06, conferred by Contract No. DTFA08-94-C-20857. This is the last grant the City accepted from the FAA. The grant specifically stated that “the terms, conditions, and assurances of the grant agreement shall remain in full force and effect throughout the useful life of the facilities developed..., but in any event not to exceed twenty years from the date of the acceptance of the grant offer of Federal funds for the project.” Twenty years from the date the City accepted the grant on June 29, 1994 would mean that the grant obligations expired on June 29, 2014.

The conditions of the grant agreement—including the twenty year expiration date—anticipated that amendments and adjustments to the agreement could happen at a later date. Nowhere in the agreement was it stated that if any changes or amendments were added, those changes would activate a new grant obligation period from the date of those actions. In fact, the exact opposite has happened. The last time the grant agreement was amended was on August 27, 2003 for an adjustment of \$240,600. That amendment specifically stated that “[all] other terms and conditions of the Grant Agreement remain in full force and effect.” The claim by the National Business Aircraft Association that this adjustment somehow triggered a new time period has no legal basis because the adjustment was contemplated in the original grant and the wording of the amendment specifically stated the terms of the original grant applied.

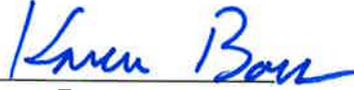
The decision in this matter now lies with the FAA, and it is months overdue. We cannot imagine a scenario where the FAA would be legally justified to rule against the City in this grant matter, and we hope you will issue a prompt decision. Respectfully, we request an update on the FAA’s

timeline for this matter and urge you to announce a decision in favor of the City as soon as possible. Thank you for your attention to this matter.

Sincerely,



Ted W. Lieu
Member of Congress



Karen Bass
Member of Congress