

NASAO Legislative Update

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FAA Reauthorization Bill Overview

- Passed the House by a **398-23** vote and the Senate by **93-6**.
- Maintains level mandatory funding of \$3.35 billion annually for AIP
- Comprehensive reform of the FAA and the nation's aviation system.
- Does NOT include privatization of Air Traffic Control.
- Five year bill, reauthorizing the FAA through FY2023.
 - > Longest FAA bill in number of years since 1980s.
 - > Authorizes Supplemental Funding
 - > Expands State Block Grant Program
 - > Non-Primary Entitlement Program Reform
 - > Pavement Specification Flexibility
 - > Contract Tower Program Reforms
 - > Reforms for Operating a Drone

Expansion of State Block Grant Program

- The cap on the State Block Grant program, which allows states to assume responsibility for administering AIP grant funding to non-primary airports, was increased from ten to twenty states.
- States that have expressed interest in learning more and possibly joining the State Block Grant Program include:
 - > Alabama
 - > Alaska
 - > Kansas
 - > Louisiana
 - > Maryland
 - > Minnesota
 - > Nevada

Non-Primary Entitlement (NPE) Reform

Non-Block Grant States

- Expired NPE funds in non-block grants will go back to the federal discretionary account, as they have before. However, H.R. 302 ensures that expired NPE dollars can only be used at GA airports.

Block Grant States

- Requires that if an airport's non-primary entitlement funds are not obligated within the four years permitted, that funds will be made available to that state under the same conditions as if the State had been apportioned that amount

Pavement Specifications

- Requires the Secretary of Transportation to allow the use of a State's highway specifications for airfield pavement construction / improvement at non-primary airports serving aircraft that do not exceed 60,000 pounds.
 - > Previous limit was 12,500
 - > The current specifications are not warranted for lighter aircraft and have created challenges related to procurement of materials and qualified vendors.
 - > This new flexibility will more easily allow vendors to provide pavement:
 - * Needed due to the limited availability of airfield pavement materials, especially in rural areas
 - * Safety will remain the first priority

Contract Tower Program Reforms

Makes significant positive reforms to the Contract Tower Program including:

- Changes to the rules on when the FAA can issue benefit/cost analyses
- Removes the cap on the amount of AIP funds that can be used to construct and equip a contract tower
- Sets a maximum time limit of 90 days for the FAA to respond to increased staffing requests from contract tower airports.

SCASDP & EAS

Small Community Air Service Development Program (SCASDP)

- Authorizes \$10 million annually for SCASDP from fiscal years 2018 through 2023.
- 4.8 million of the \$10 million will fund a newly-created Regional Air Transportation Pilot Program.
- Allows communities to apply for SCASDP grants for the same project once per 10 years.
- As many as 40 communities per year could receive grants.

Essential Air Service (EAS)

- Increased funding for each fiscal year from \$150 million in FY18 to \$172 million in FY2023.
- Allows DOT to waive several EAS eligibility rules
- Requires DOT to waive subsidy-per-passenger caps in some circumstances.

Unmanned Aircraft Systems (UAS)

- **Codifies the UAS Integration Pilot Program (IPP)**
- **Counter UAS Authority**
 - Granted to DOJ & DHS
 - Codifies C-UAS testing at airports & will make technology AIP eligible
- **Repeals Special Rule for Model Aircraft and creates new framework for hobbyist**
 - Passage of an aeronautical safety and knowledge test
 - Registration and marking of the recreational drone
 - Operating under a community-based organization's set of safety guidelines
 - Below 400 feet above ground level
- **Remote Identification and Tracking**
 - Requires the FAA to establish a pilot program to begin more thoroughly utilizing remote detection and identification of drones.

Supplemental Funding

FY2018 Appropriations	FAA Reauthorization Bill	FY 2019 Appropriations	FY 2020 Appropriations
\$1 billion	\$1 billion per year (FY19- FY23)	\$500 million	TBD?
Available through FY20	---	Available through FY21	---
<ul style="list-style-type: none"> • Non primary airports not located within metro/micropolitan statistical area • Primary airports classified as small or non-hub 	<ul style="list-style-type: none"> • At least 50% of the funds are required to be used for non or small hub airports as well as GA 	<ul style="list-style-type: none"> • No criteria/ parameters • Should follow FAA Reauth criteria (\$250 million to GA, small and non hubs) 	---
Cost Share: 100%	If appropriated available for two fiscal years.	---	---
\$205 million awarded thus far	---	\$0 awarded thus far; still awaiting notice for applications	Will require a budget agreement that raises BCA caps

Aviation Funding Stability Act of 2019 / H.R. 1108

- In the event of a lapse in appropriations, the bill would maintain current funding levels for all FAA accounts by providing unobligated funds at the most recently appropriated levels
- All funds provided by H.R. 1108 would come from the Airport and Airway Trust Fund (AATF).
- H.R. 1108 garnered bipartisan support, passing by voice vote in Committee.

AIP Amendment

- An amendment to H.R.1108, offered by Ranking Member Graves, increased AIP contract authority in fiscal years 2020-2023 to \$4 billion annually.

Infrastructure Bill

President Trump's original proposal

- \$1 trillion (\$200 million in direct federal investment)
- Heavy reliance on P3s / state and local funds

Speaker Pelosi's proposal

- \$2 trillion (\$1 trillion in direct federal investment)

House Transportation & Infrastructure Leadership

- Funding source has not been determined
- Aim to pass a bill out of Committee before August
- Priority is a highway bill (currently expires at the end of FY20)

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