

**TO:** AIRPORT COMMISSION

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**SUBJECT:** Legislative Update

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## **FEDERAL**

The partial shutdown ended on February 3, 2026. The consolidated appropriations package approves funding through the end of the fiscal year that ends on October 1, 2026 for the Departments of Defense, State, Labor, Education, Housing, and Transportation, which includes the Federal Aviation Administration (FAA). The measure also provides funding for the Department of Homeland Security (DHS) and its component agencies, including Transportation Security Administration (TSA) and Customs and Border Protection (CBP), through Friday, February 13, 2026.

The DHS spending bill was pulled out of a broader package of final FY26 appropriations measures over concerns regarding the actions and aggressive tactics of U.S. Immigration and Customs Enforcement (ICE). Lawmakers and the White House are in negotiations during this short-term funding period over a set of legal rules and constitutional issues to address the actions of ICE officials. Without another extension or full-year funding, another shutdown could occur, affecting both TSA and CBP.

### **The FAA spending bill includes:**

- \$22.2 billion for the FAA, which is \$1.2 billion above the current level
  - \$4 billion for FAA facilities and equipment, which is \$823.7 million above the current level

### **Key Items for Airports:**

- **AIP:** \$4 billion for base Airport Improvement Program (AIP) grants, plus \$577 million in additional discretionary funding
  - **Firefighting Foam:** The additional \$577 million in discretionary funding is eligible to help qualifying airports transition from aqueous film-forming foam (AFFF) to fluorine-free foam (F3)
- A provision (Section 111) prohibits the FAA from requiring airports to provide free space to the agency and free security badges to FAA personnel
- Other Key Items:
  - \$513 million for the Essential Air Service Program.

- \$15 million for the Small Community Air Service Development Program
- \$15 million for the Airport Cooperative Research Program
- \$40 million for FAA workforce development grants
- \$95 million above FY25 funding levels for Air Traffic Control hiring and training, with a goal of hiring 2,500 new controllers in FY26

More details on the Transportation Appropriations Act is available from the Airports Council International-North America:

- [https://airportscouncil.org/wp-content/uploads/2026/01/ACI-NA\\_House\\_THUD\\_Report\\_2026-01-20.pdf](https://airportscouncil.org/wp-content/uploads/2026/01/ACI-NA_House_THUD_Report_2026-01-20.pdf)

### ROTOR Act (S. 2503)

- Establishes new requirements for the utilization of Automatic Dependent Surveillance – Broadcast (ADS-B) technology by virtually all aircraft and helicopters
- Introduced following the tragic accident at National Airport (DCA)
- Would require all aircraft in controlled airspace to be equipped with ADS-B and close a loophole that permits the Department of Defense to fly aircraft domestically without having to use “ADS-B Out” technology
- Enhances oversight of helicopter routes near commercial service airports, require quarterly reports on ADS-B compliance, and study potential improvements to the airspace around DCA

### **STATE**

The California Air Resources Board (CARB) released a draft of its proposed Statewide Clean Aviation Initiative, which contains recommendations for reducing emissions at airports: <https://ww2.arb.ca.gov/sites/default/files/2026-01/SCAI%20Draft%20Concept%20Document.pdf>

The report contains various recommendations for airfield operations and equipment to accomplish the goal of lowering emissions, including:

- Minimize the use of aircraft auxiliary power units (APUs), small gas generators that provide power to aircraft, and increase the use of pre-conditioned air and ground power connections.
- Convert most ground support equipment (GSE) to electric by 2035 and larger GSE such as various types of airfield service trucks to electric by 2037.
- Implementation of zero-emission taxiing technology for all aircraft by 2030 – this is anticipated to apply to the 12 largest commercial airports in the state.
- Develop and implement differentiated landing fee schedules for aircraft with lower nitrogen oxide (NOx) emissions
- More efficient taxiing procedures