

TO: AIRPORT COMMISSION

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SUBJECT: Legislative Update

DATE: April 28, 2022

FEDERAL

Appropriations

Last month, the Biden Administration released its [FY23 budget request](#), which is a mixed bag for airports. While it proposed the usual \$3.35 billion for the Airport Improvement Program, it failed to include additional funding for supplemental discretionary grants, which lawmakers used to fund more than \$550 million in congressional earmarks and other airport infrastructure projects in FY22.

Within [homeland security](#), the budget request aims to add 2,540 Transportation Security Officer positions to support projected increases in passenger volumes as travel demand grows, and it calls for maintaining current Customs and Border Protection Officer staffing levels. The budget request proposes a nearly \$20 million boost in funding towards implementing the REAL ID law, including an \$8 million advertising program at TSA. Additionally, it calls for maintaining TSA's Law Enforcement Officer Reimbursement Program at \$46 million and seeks to continue TSA's procurement of new technology to improve checkpoint operations.

The budget request also proposes doing away with the longstanding practice of diverting TSA security fee revenues to subsidize other federal programs. In 2013, Congress began diverting one-third of the revenue collected from the airline passenger security fees to offset unrelated government spending, causing TSA to forgo upwards of \$19 billion in these fees.

Finally, the budget proposal calls for ending TSA staffing of exit lanes, a projected savings of \$109 million for the agency. This proposal would transition TSA's responsibility for staffing TSA exit lanes to airports. This change, if implemented, would add an estimated \$300,000 in costs to the San Jose Airport.

Transportation Secretary Pete Buttigieg [appeared before the Senate Appropriations Committee](#) on April 28, 2022 to present the department's funding request for fiscal year 2023.

- Senator Susan Collins (R-ME) asked about 5G interference issues. Buttigieg responded that it remains one of his top concerns, with the voluntary mitigation measures agreed to by the telecom providers set to expire in July. He put pressure on the telecom providers to keep those voluntary measures in place by saying the technological issues related to aircraft altimeters will not be resolved by this summer.
- Senator Brian Schatz (D-HI) asked about steps the federal government and aviation industry is taking to address carbon emissions. Buttigieg responded that the administration's budget request includes \$18 million for additional sustainable aviation fuel (SAF) research, but then acknowledged that government and industry need to do more to move the needle on cleaner

fuels. The airline industry last year pledged to get to net zero by 2050. However, hydrogen and electric aircraft would not be operating in significant numbers until the 2040s. As a result, they are relying heavily on major emissions reductions to come from a more widespread use of SAF, and they are pushing for a federal blenders tax credit to stimulate more SAF production.

- Several senators asked about efforts at DOT to streamline federal permitting of infrastructure projects. Buttigieg responded that the United States struggles to deliver infrastructure projects on-time and on-budget. He detailed the steps DOT is taking, as directed in the bipartisan infrastructure law, to restructure the [infrastructure-permitting process](#) so that it improves and shapes a project rather than simply stops or steamrolls a project.