



NASAO Legislative Alert

November 6, 2021

Last night, the House passed the Bipartisan Infrastructure bill ([H.R.3684, Infrastructure Investment and Jobs Act](#)) by a vote of 228 to 206, sending it straight to the President's desk (as the Senate passed the bill in August). The bill is expected to be signed into law next week. The bill includes \$550 billion in new spending over five years, of which \$15 billion is for AIP type grants to airports, \$5 billion for a new Airport Terminal Program, and \$5 billion for air traffic control infrastructure. See below for a recap on what's in the bill. Also, you can view [state-by-state fact sheets](#) on how the bill would impact your individual state.

The House also approved a procedural rule for the \$1.75 trillion [Build Back Better Act](#) (President Biden's human infrastructure package), which includes a SAF blenders tax credit. House Speaker Nancy Pelosi wants to pass the bill before Thanksgiving.

Bipartisan Infrastructure Bill Recap

The bill would provide the following:

- **\$15 billion (\$3 billion/yr.) for grants for airports to use for AIP type projects.**
This funding is formula-driven and spread out over five years. For each fiscal year:
 - **\$2.48 billion** would be for primary airports and certain cargo airports;
 - **\$500 million** would be for general aviation and non-primary commercial service airports; and
 - **\$20 million** would be for airports participating in the contract tower program and the contract tower cost share program to sustain, construct, improve, or replace/relocate nonapproach control towers and acquire and install air traffic control, communications, and related equipment.
 - USDOT may use any unobligated funds (at the end of the fourth fiscal year after they were made available) for competitive grants to reduce airport emissions, noise impact, dependence on the electrical grid, or provide general benefits to the surrounding community.
- **\$5 billion (\$1 billion/yr.) for the Airport Terminal Program**, a discretionary grant program for terminal development and other landside projects spread out over 5 years.
 - Large hub airports would receive 55 percent, medium hub airports would receive 20 percent, and nonhub and nonprimary airport would receive 10 percent of the funds.
 - The Federal share would be 80 percent for large and medium hub airports and 95 percent for small hub, nonhub, and non-primary airports.
 - The USDOT may provide grants under this program for a project at any airport that is eligible to receive a grant from the discretionary fund.
- **\$5 billion for FAA's Facilities and Equipment**, of which \$200 million is for FAA-owned ATC facilities and FAA-owned contract towers. This funding is spread out

over five years and subject to congressional approval each fiscal year.

Additionally, the bill would:

- Expand eligibility for Transportation Infrastructure Finance and Innovation (**TIFIA**) **credit assistance to eligible airport-related projects**. TIFIA provides long-term, low-interest loans and other types of credit assistance for construction of large-scale surface transportation projects.
 - Establish the **Nontraditional and Emerging Transportation Technology Council** within USDOT, to address coordination on emerging technology issues across all modes of transportation. This is very similar to the NASAO-backed Advanced Air Mobility Coordination and Leadership Act (S.516/H.R.1339), which seeks to establish a federal interagency working group to facilitate the growth of the Advanced Air Mobility sector.
 - Provide **\$100 million for the SMART Grant Program**, a new public-private partnership program aimed at reducing congestion and improving safety and connectivity in cities and communities. The program seeks to increase the use of technologies in transportation, such as autonomous vehicles, systems integration, sensors, and unmanned aircraft systems for infrastructure inspection and traffic monitoring.
 - Establish the **Advanced Research Projects Agency-Infrastructure (ARPA-I)**, a new transportation research program at USDOT. ARPA-I would award grants to support the development of science technology solutions to overcome long-term challenges and advance transportation infrastructure. States would be eligible for these grants.
 - Direct the National Academy of Sciences to **develop a workforce needs assessments** that addresses the education and recruitment of technical workers for intelligent transportation technology jobs. It would also establish a federal interagency council that would develop and **implement an intelligent transportation technologies and system industry workforce development plan**.
 - **Establish a transportation workforce outreach program** within USDOT to increase awareness of career opportunities in the transportation sector.
 - **Establish a chief travel and tourism officer within USDOT**. The officer would implement a strategy for the department and other agencies to use infrastructure investments to support the travel and tourism industry in the wake of the COVID-19 pandemic.
 - Provides **\$500 million** to establish Transportation Resilience and Adaptation Centers of Excellence to **study how to make transportation more resilient to extreme weather and climate change**.
 - **Provides \$7.5 billion** for projects with local or regional significance, including highways, bridges, public transit, passenger rail, port infrastructure, parts of airport projects, and culvert replacement.
 - Provides **\$6.42 billion** for a new program **to reduce transportation related carbon emission**. Eligible projects would include truck stop electrification systems, trail facilities for pedestrians and bicyclists, congestion management technologies, intelligent transportation system capital improvements, energy-efficient alternatives to streetlights, electric vehicle charging infrastructure, and port electrification.
 - Requires the Transportation Department to provide notice and opportunity for comment before waiving Buy America requirements.
 - Provides \$7.5 billion to build out a **national network of EV chargers**.
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