

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Morning Transportation  
**Sent:** Thur 5/25/2017 2:07:38 PM  
**Subject:** POLITICO's Morning Transportation: When can we expect an FAA bill? — A ban on talking about the laptop ban — Clarke who?

By Brianna Gurciullo and Tanya Snyder | 05/25/2017 10:03 AM EDT

*With help from Lauren Gardner and Stephanie Beasley*

**PANDA WATCH IS BACK:** The process of reauthorizing the FAA may be molasses-like, but MT is here to take you through every sticky step. Lauren Gardner started the tradition of calling this exercise our panda watch last year, a legacy that now continues. Here's the latest: Senate Commerce Chairman John Thune (R-S.D.) told Lauren on Wednesday that he's shooting for a June markup. And while he'd prefer the House act on a bill first, Thune's gunning for floor time in July. "I've talked with [House Transportation Committee Chairman Bill] Shuster about it, but we've got to work, too," Thune said, adding that he is "trying to sort of sync up as much as we can" with the lower chamber.

**Where's the popcorn:** The end of September may seem like a long way away, but consider this: Health care, the tax code, nominations, appropriations, the debt ceiling, Trump-related investigations and other issues will jam up the congressional calendar through the end of the fiscal year and beyond. Shuster's push to include an air traffic control overhaul in the reauthorization certainly won't accelerate the timeline.

**Wait and see:** Earlier this month, we asked Thune whether it looks like a reauthorization or an extension will be enacted before Sept. 30. "We'll see what we can get done," he said then. He also told us at the time that while senators are "open to listening" to Shuster's pitch to separate air traffic control operations from the FAA, it's "something the House will have to lead on."

**IT'S THURSDAY:** Thanks for tuning in to POLITICO's Morning Transportation, your daily tipsheet on all things trains, planes, automobiles and ports. We are your MT hosts today, so please send tips, feedback and lyrics to [tsnyder@politico.com](mailto:tsnyder@politico.com) or [@TSnyderDC](https://twitter.com/TSnyderDC) and [bgurciullo@politico.com](mailto:bgurciullo@politico.com) or [@brigurciullo](https://twitter.com/brigurciullo).

"Well on a train / I met a dame / She rather handsome / We kinda looked the same."

Want to keep up with MT's song picks? Follow our [Spotify playlist](#).

**PROGRAMMING NOTE** - Due to the Memorial Day holiday, Morning Transportation will not publish on Monday, May 29. Our next Morning Transportation will publish on Tuesday, May 30. Please continue to follow Pro Transportation issues [here](#).

**2GOOD 2B 4GOTTEN** : Ninety-nine people entered our contest to guess when the administration would release an infrastructure proposal. We announced the three winners this week, but some of our other entrants' comments were just too good to leave on the cutting room floor. Here they are (anonymous, of course): "Tuesdays are always a good day to rollout news.

Mondays, too hectic, Fridays, do people work in DC still on Fridays?" Another guessed that a plan was just as likely to come out in a Trump tweet as in a "known-in-advance press release from Sec. Chao based on detailed consultation with state DOTs, private sector actors, advocacy groups and USDOT." Another asked if respondents could "short the market" and bet on no plan at all. "If so, I'll take that," he said. "2021 is a long time to wait for coffee, though." One person whose guess was just three days too late said the plan would arrive "late in the afternoon, right when everyone is trying to get out of town for Memorial Day Weekend on our roads that need repair." And another expressed hope for a "contest on guessing the enactment date... if it actually comes anywhere close to that."

**A BAN ON TALKING ABOUT THE BAN:** There won't be any more U.S.-European discussions about a possible expansion of an electronics ban to airports in Europe and beyond unless European officials push for it, DHS spokesman David Lapan said during a pen and pad Wednesday. Lapan said DHS had a third, and seemingly final, meeting with European officials Tuesday to discuss best practices for aviation security as well as the merits of adding European airports to the directive banning large electronic devices in the cabins of U.S.-bound flights.

**Not a negotiation:** The meetings were meant to foster information-sharing, not to serve as an opportunity for officials to negotiate about whether DHS should move forward with an expansion of the ban, Lapan said. "It's the secretary's decision," he said. "The Europeans have asked for meetings and for more information. That's what we've been providing."

**CLARKE WHO?** DHS still isn't corroborating Milwaukee County Sheriff David Clarke's claim that he's been selected for an assistant secretary position at the agency's Office of Partnership and Engagement. "The position is a secretary of Homeland Security-appointed position and we have not made an announcement on who will fill that position," Lapan said. (The fact that Clarke has been embroiled in controversy this week following allegations that he plagiarized large parts of his master's thesis is probably not the resume booster he needed.)

**NO, YOU SHUT UP:** Rep. Henry Cuellar (D-Texas) upbraided Homeland Security Secretary John Kelly during a House Appropriations subcommittee hearing Wednesday, seizing on an earlier slight Kelly made some months ago when he told Congress to "shut up" and let his agents do their jobs. "I don't think it's correct for you to tell members of Congress to shut up, if we disagree," Cuellar said. "I'm just saying - otherwise it's going to be a long term for you." Kelly did not back down from his earlier remarks, but clarified that while it was fine to criticize him or the administration's policies, he would not abide criticism of his personnel, suggesting they should be treated with the same respect as those in the military.

**DHS budget gets lukewarm reaction:** Reps. Nita Lowey (D-N.Y.) and Rep. David Price (D-N.C.) generally panned the White House's heavy focus on securing the U.S.-Mexico border in its fiscal 2018 DHS budget proposal, saying directing more resources there would come at the expense of other national security initiatives. For example, TSA bomb-sniffing teams would be reduced from 31 to eight. Lowey said Trump's budget recommendations for DHS fail to "fully reflect the grave character of the threats we face."

**About that reimbursement idea:** Trump's proposal also calls for TSA to stop reimbursing

airports that hire local law enforcement officers. DHS spokesman David Lapan told reporters during a pen and pad earlier Wednesday that although airports would no longer be reimbursed, they would still legally be required to maintain law enforcement officers at their facilities.

**THE COAST (GUARD) IS CLEAR:** The Coast Guard reauthorization bill ([H.R. 2518](#)) the House Transportation Committee approved Wednesday includes a 3 percent funding increase for next year and a few gifts for Democratic lawmakers, including clarifying that the Coast Guard should authorize vessels for five years at a time instead of just one. "This is a major problem for people," Rep. [Peter DeFazio](#) (D-Ore.) said at the markup, noting that vessels within six months of the expiration of their documentation can't enter U.S. ports and the Coast Guard is "a year behind in issuing documents."

**Just this once:** Washington Democrat [Rick Larsen's amendment](#) to issue a Jones Act waiver to a shipbuilder in his district was approved - grudgingly - by voice vote. The shipbuilder in question had discovered that the vessel it was building was comprised of "an excess amount of foreign-fabricated steel" in violation of the Jones Act's "Buy America" requirement. Shuster assented, but he wasn't happy about it. "If we don't have the Jones Act, we won't have shipbuilding capacity, commercially or for our military," he said. "One of the greatest seafaring powers in the world, the British, can't even build a ship today. The United States of America should never, ever, ever be in that position."

**CAUGHT FLAT-FOOTED:** MT would like to extend her sincerest apologies to Shuster, on whose heel she accidentally stepped while trying to ask him a question off the House floor Wednesday. MT promises to be lighter on her feet in the future.

**MY WAY FOR THE HIGHWAY:** Today, the Congressional Progressive Caucus and a coalition of left-of-center organizations will announce their drive for a progressive infrastructure package that would "prioritize public investment over corporate giveaways and selling off public goods." That includes plans to introduce a [concurrent resolution](#) stating that taxpayers shouldn't "subsidize billionaires ... that will profit from privatizing" infrastructure. Read their white paper [here](#).

**MT MAILBAG:** The Rail Customer Coalition, a group of bulk goods shippers that primarily rely on rail, sent a [letter](#) to Trump this week urging him to nominate Patrick Fuchs as a member of the Surface Transportation Board. Fuchs is the lead rail staffer on the Senate Commerce Committee who helped write the 2015 STB reauthorization. The coalition also wants Ann Begeman, the board's current acting chairwoman, to serve as permanent chairwoman.

**AY MI CUBA:** Travel companies operating in Cuba breathed a sigh of relief on May 20, when Trump recognized the anniversary of the end of Spanish rule without announcing a rollback in President Barack Obama's policy of liberalizing travel to the island, as some expected he would. Still, they're not taking anything for granted. More than 40 U.S. travel companies and associations sent Trump a [letter](#) Wednesday urging him to maintain and even expand permissions for U.S. citizens to travel to the island. The organizations said the increase in U.S. travel to Cuba has increased their revenue and allowed them to hire more U.S. employees. They want to see Congress act to remove statutory barriers to travel as well.

**MAKE SOME NOISE:** Flight attendants and pilots on Wednesday descended on the Capitol to appeal to lawmakers and the administration to push back against Gulf carriers that they say receive unfair government subsidies. Tim Canoll, the president of the Air Line Pilots Association, said the groups aren't looking for lawmakers to address the issue in the forthcoming FAA reauthorization because it "is still something that well resides within the purview of the executive branch." However, they are hoping lawmakers pressure the Trump administration to stop those airlines from getting more routes to the United States and potentially revisit Open Skies agreements with Qatar and the United Arab Emirates.

**BUDGET CLEANUP:** One note of clarification. We questioned earlier this week whether the budget's proposed air traffic control overhaul would affect retirement plans for controllers because of the wording in one of OMB's footnotes. But administration officials say they weren't intended to be tied together and were mentioned in the same footnote because each proposal - removing ATC operations from the FAA and making changes to civilian employee retirement plans - would reduce discretionary spending caps in a similar fashion.

**BY THE NUMBERS:** Seventy-one percent of respondents to a new Morning Consult/POLITICO poll said passing an infrastructure package should be a "top" or "important, but lower" priority for lawmakers. Eleven percent said an infrastructure package should be the No. 1 priority for lawmakers when listed alongside other goals like overhauling health care or the tax code. Here are the toplines and crosstabs.

**CRUZ IN FOR A BRUISIN':** Carnival Cruise Lines has apparently gotten tangled up in a feud between Sens. Al Franken (D-Minn.) and Ted Cruz (R-Texas), reports MT alum Burgess Everett. Franken devoted an entire chapter of his book, "Giant of the Senate," to hating on Cruz - and included this lowbrow crack: "When most people think of a cruise that's full of sh\*\*, they think of Carnival. But we think of Ted." Carnival did not respond to a request for comment by press time.

**MAYORS PRIORITIZE WALKABILITY:** As cities continue to bounce back from the recession - and then some - they can afford to address infrastructure issues, according to the National League of Cities' new "State of the Cities" report. They're investing in transit expansion, long-overdue repairs and maintenance and neighborhood amenities. Mayors are especially focused on biking and walking infrastructure, including bike share systems. The report found that 43 percent of this year's "State of the City" speeches included "significant coverage of infrastructure issues."

**SHIFTING GEARS:** American Airlines has hired Nathan Gatten - who's been managing director and head of global government relations at JPMorgan Chase - to be senior vice president for government affairs.

#### **THE AUTOBAHN:**

- "Get ready to unpack for airport security." The Wall Street Journal.

- "Someone killed a congressional inquiry into America's sky-high transit construction costs." [Vox](#).

- "Trump administration continues to consider Purple Line for \$900 million in funding." [The Washington Post](#).

- "Trump wants \$108M for deeper ports; Corps adds \$56M boost." [The Associated Press](#).

- "FAA: Airlines must remove unsafe seats from some regional planes." [USA Today](#).

- "Hawaii sues Ford, Nissan and Toyota over dangerous air bags." [The Associated Press](#).

- "This Memorial Day weekend is expected to be Washington's busiest in 12 years." [The Washington Post](#).

- "Tesla replaces head of HR amid allegations of poor working conditions, harassment." [BuzzFeed News](#).

**THE COUNTDOWN:** DOT appropriations run out in 129 days. The FAA reauthorization expires in 129 days. Highway and transit policy is up for renewal in 1,225 days.

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