

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Transportation
Sent: Wed 10/11/2017 2:02:19 PM
Subject: POLITICO's Morning Transportation: Huerta to ATC opponents: 'Listen to each other' — Highways and Transit hearing on infrastructure today — Meanwhile, truckers to hear Trump talk taxes

By Brianna Gurciullo | 10/11/2017 10:00 AM EDT

With help from Tanya Snyder, Lauren Gardner and Stephanie Beasley

WHY CAN'T WE ALL GET ALONG? FAA Administrator Michael Huerta Tuesday called for collaboration among the camps waging war over whether to separate air traffic control operations from the FAA. "We must not allow ourselves to dig in so deeply to our own position that the debate becomes a volley of talking points that we lob past one another," Huerta told members of the National Business Aviation Association, according to his [prepared remarks](#). "Disagreement can be a good thing when both sides listen to each other and agree to collaborate rather than draw lines in the sand."

Close to home: At the NBAA event in Las Vegas, Huerta highlighted the stories of two FAA employees who survived the Oct. 1 shooting. One employee "was shot and seriously injured as he attempted to shield his wife from gunfire," Huerta said. The other employee, an air traffic controller, "called the control tower and warned the crew to keep aircraft from straying into the line of fire."

ADS-Behind: Huerta, who has served as permanent administrator since 2013, thanked NBAA for urging the general aviation industry to install ADS-B, a key piece of NextGen. All planes need to have the technology installed by the start of 2020, but just around 30,000 general aviation planes have satisfied the requirement so far. FAA spokesman Paul Takemoto told us last month that an estimated 160,000 general aviation planes will need ADS-B by the first day of 2020 "in order to fly in certain controlled airspace."

So long: With his term set to expire in January, Huerta said his remarks Tuesday would be his last in front of NBAA. He praised NBAA President and CEO Ed Bolen, saying he "was one of the first people I met when I came to Washington after I joined the Department of Transportation in the early 1990s."

IT'S WEDNESDAY: Thanks for tuning in to POLITICO's Morning Transportation, your daily tipsheet on all things trains, planes, automobiles and ports. Send along tips, feedback and lyrics to bgurciullo@politico.com or [@brigurciullo](https://twitter.com/brigurciullo).

"It's been two years since I let you go / I couldn't listen to a joke or a Rock and Roll / Muscle cars drove a truck right through my heart."

GET LISTENING: Follow MT's [playlist](#) on Spotify. What better way to start your day than with songs (picked by us and readers) that are all about flying, driving, commuting and sailing?

LET'S HEAR IT: The House Transportation Highways and Transit Subcommittee is holding a

hearing this morning on infrastructure needs. MT drinking game: Drink every time the American Society of Civil Engineers infrastructure report card is mentioned (and by drinking, we mean coffee, of course). We expect lawmakers and witnesses to have their say on the ideas the Trump administration has presented so far, including the use of public-private partnerships and streamlining regulations. Chairman Sam Graves (R-Mo.) is sure to bring up the Highway Trust Fund and will probably signal again that he is open to all options for making it solvent. So, yes, there should be some talk about both raising the federal gas tax and VMT. Graves and his Democratic counterpart, D.C. Del. Eleanor Holmes Norton, want a tax overhaul to deal with the HTF.

The witnesses: Patrick McKenna, the director of Missouri's DOT, who will represent AASHTO; James Roberts, the president and CEO of Granite Construction, who will represent the Transportation Construction Coalition; Brent Booker, the secretary-treasurer of North America's Building Trades Unions; Ray McCarty, the president and CEO of Associated Industries of Missouri, who will represent NAM; and Peter Rogoff, the CEO of Sound Transit.

SPEAKING OF GAS TAXES: The California press has been all over the drama surrounding the Golden State's gas tax hike, which goes into effect Nov. 1. The Los Angeles Times has a good rundown here, but the abridged version is this: A majority of the state's GOP congressional delegation supports proposed ballot initiatives that would undo the higher tax, and a coalition of California business groups and construction companies is ready to wage war over it. Keep in mind that the Trump administration is advocating a "self-help" philosophy on infrastructure investment, encouraging state and local governments to do more to fund their own needs.

Back and forth: The Fix Our Roads coalition has alleged that the federal-level support from 11 Republicans, including House Majority Leader Kevin McCarthy and senior appropriator Ken Calvert, is linked to an effort "to protect all incumbent Republicans and increase the number of Republicans in the House as well as other elected bodies." The lawmakers shot back that the tax increase is bad policy and doesn't fix the underlying issues of the state's transportation gridlock.

Nota bene: California Rep. Jeff Denham, who's eyeing the T&I gavel next Congress (and who won a tight reelection race last cycle), didn't sign onto the Republican letter. Granite Construction's Roberts, who's testifying today, signed onto the coalition letter. Maybe it'll come up?

A HOT CUP OF VMT: Six states have gotten a new shot of money from FHWA to keep trying out VMT fees. The \$15.5 million pot is largely being divided among the recipients of last year's round of Surface Transportation System Funding Alternatives grants. The states: California, Delaware, Missouri, Washington and Oregon. Colorado is also included this time, while Hawaii and Minnesota are out.

What's it for? The biggest grant, \$4.6 million, goes to Washington's DOT and transportation commission for a public campaign to determine the best way to assess and collect mileage-based fees. Oregon's DOT and the Western Road User Charge Consortium will get almost \$2.6 million to link the Oregon and California VMT pilot programs. Meanwhile, both Delaware and Missouri will study issues associated with VMT fees like privacy.

FOR YOUR RADAR: "Hundreds" of truck drivers will be in Harrisburg, Pa., for President Donald Trump's speech today on overhauling the tax code. "They keep our economy moving - literally," White House press secretary Sarah Huckabee Sanders told reporters during Tuesday's briefing. "And they are excited about the president's tax reform plan, which will create more jobs and empower workers and families to keep more of their hard-earned money."

ICYMI: In an op-ed, the head of Airlines for America slammed Senate appropriators for including a Passenger Facility Charge cap increase in their transportation spending bill. "A measure to significantly raise the airport tax on millions of flyers is being sprung on the American people with zero transparency, and the money that would flow to airports' coffers is not needed," A4A President and CEO Nicholas Calio wrote. "This issue could have been addressed, debated and voted on in the Senate Commerce Committee, where by jurisdiction it belongs." (h/t Jacob Fischler at CQ for spotting the op-ed.)

MT note: Kevin Burke, the president and CEO of Airports Council International-North America, told us in the summer that the Commerce Committee didn't touch the PFC issue as part of its FAA bill because it was already dealing with the controversial subject of pilot training.

PRETTY VACANT: In the transportation world, folks are getting antsy for Trump to nominate key officials including a NHTSA administrator. But the president indicated in a recent Forbes interview that he is lagging behind other presidents in his pace of nominations across the government on purpose and said he'll leave many spots empty. "I'm generally not going to make a lot of the appointments that would normally be - because you don't need them," Trump said. "I mean, you look at some of these agencies, how massive they are, and it's totally unnecessary. They have hundreds of thousands of people." (Of course, everyone expects Trump to nominate a NHTSA administrator at some point.)

HERE WE GO: Hawaii filed a motion Tuesday to impede parts of Trump's new travel ban, Ted Hesson reports for Pro Employment & Immigration. The state and a local imam argue that the new travel limitations still "reflect an intent to exclude Muslims from the United States."

GAME OVER: Beginning this month, TSA will tell travelers at airports in upstate New York to put their large electronics in separate bins when they reach security checkpoints. TSA will instruct passengers who don't have PreCheck to take any device bigger than a cell phone out of carry-on bags and put them in a bin for X-ray screenings. The new requirement will go into effect at both small and large airports "in the weeks ahead," TSA said in a release Tuesday. The agency initially unveiled plans to update U.S. screening procedures for portable devices in July, just weeks after then-Homeland Security Secretary John Kelly issued a directive for all international airports operating U.S.-bound flights to revamp their security.

REPORT ALERT: TransitCenter and the Eno Center for Transportation published a report Tuesday on transit agencies contracting with private operators to boost service and maintain labor safeguards at the same time. The report comes as Washington, D.C., and Boston are grappling with contracting issues. The organizations said in a release that contracting may be a way for cities to "engage in more transparent assessments of service levels, transit performance

and ways to improve them," but that it "is not a quick fix for lowering public costs."

MT MAILBAG: House Transportation Committee Democrats wrote to Transportation Secretary Elaine Chao this week to urge her to finalize a rule that would align DOT's drug test panel with recently revised HHS guidelines, which now include certain prescription opioids. DOT proposed that harmonization on Jan. 23, just as the incoming administration was ordering a freeze on most new regulations, but the comment period closed March 24. The letter was prompted by revelations that two Amtrak maintenance workers struck and killed had opioids or cocaine in their system, and that the engineer at the controls of the passenger train showed he'd been using marijuana.

ACROSS THE POND:

- After U.K. Prime Minister Theresa May said she is gearing up in the event of Britain withdrawing from the European Union with no free-trade agreement between them in place, the British Airline Pilots' Association said that situation would be "a total disaster for our world-leading U.K. aviation sector and beyond." Cathy Buyck has more.

- Meanwhile, Uber anticipates that by year's end a U.K. labor tribunal will decide on the company's appeal of a ruling that its drivers could qualify for a different status than "independent contractor." "As workers, they would gain additional rights, such as paid holiday leave and the national minimum wage," Joanna Plucinska reports.

THE AUTOBAHN:

- "It's no use honking. The robot at the wheel can't hear you." Bloomberg.

- "Uber riders in Dubai can now select electric-powered Tesla." The Associated Press.

- "GM's Mary Barra makes a U-turn on China." Fortune.

THE COUNTDOWN: DOT appropriations run out in 59 days. The FAA reauthorization expires in 172 days. Highway and transit policy is up for renewal in 1,086 days.

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<http://www.politico.com/tipsheets/morning-transportation/2017/10/11/huerta-to-atc-opponents-listen-to-each-other-222746>

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