

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Transportation
Sent: Tue 9/26/2017 2:03:21 PM
Subject: POLITICO's Morning Transportation, presented by Coalition for Future Mobility: House FAA extension stumbles — Next steps on the bill — FMCSA has a new chief-to-be

By Tanya Snyder, Stephanie Beasley and Brianna Gurciullo | 09/26/2017 10:00 AM EDT

With help from Lauren Gardner and Adrienne Hurst

NOTHING IS EASY: Not even an extension, apparently. An attempt to pass a six-month FAA patch failed Monday night in the face of opposition from House Democrats. House Minority Leader Nancy Pelosi panned the measure (H.R. 3284) Monday morning, saying it was "laden with completely unrelated and inadequate items" and that the House should be voting on an immigration bill. Her statement was followed by a Dear Colleague letter from House Minority Whip Steny Hoyer, top Transportation Committee Democrat Peter DeFazio (D-Ore.) and other Democratic committee leaders opposing what they described as a "partisan package of extraneous provisions." House Speaker Paul Ryan fired back, saying Dems "are willing to shut down air traffic control to make a political point."

Procedural note: The evening vote was scheduled to happen under suspension of the rules, a process requiring two-thirds of those present and voting for passage, which was impossible with the number of Democrats voting no. But Republicans should be able to pass an extension under normal simple majority procedures with most of the caucus on board, plus perhaps a few Democrats. Expect to see the House Rules Committee act to set up floor action in the next day or two.

Notable defections: Twenty-six Democrats -- including many from the hurricane-ravaged states of Texas and Florida -- voted for the bill, while eight Republicans opposed. Transportation Committee member Dan Lipinski (D-Ill.) and FAA overhaul bill co-sponsor Kyrsten Sinema (D-Ariz.) supported the extension; Committee Republicans Mark Sanford of South Carolina and Garret Graves of Louisiana opposed it, as did two opponents of Transportation Chairman Bill Shuster's air traffic control overhaul bill: Ralph Abraham of Louisiana and Ron Estes of Kansas. (Abraham said in a statement that he objected to the short length of the extension as well as the flood insurance and "disaster tax relief" measures in the bill.) Also of note: Oklahoma Republican Steve Russell, another detractor of the ATC spin-off plan, voted for the bill -- after telling reporters last week he planned to vote "no."

Case in point? Before the vote, Shuster (R-Pa.) said on the House floor that "progress is being made every day" on his FAA reauthorization bill (H.R. 2997 (115)). "The very fact that we have passed this bill today is one of the many reasons why we need a fundamental comprehensive FAA reform," Shuster said.

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

"You gave your heart to me / And soon the world will see / Our graffiti love / Spray-paint on my glove / They'll wonder who you are / On every subway car." (h/t Jennifer Kalczuk at AlphaVu)

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?

IT'S MARTINEZ FOR FMCSA HEAD: President Donald Trump is set to nominate Raymond Martinez, the New Jersey Motor Vehicle Commission's chairman and chief administrator, to be the head of FMCSA. Martinez is also a New Jersey State Planning Commission member. He formerly served as deputy U.S. chief of protocol during the George W. Bush administration. Before that, he was commissioner of the New York State Department of Motor Vehicles. The American Trucking Associations came out in support of Martinez's nomination Monday night.

KEEPING SCORE: The CBO published a longer [cost estimate](#) Monday for Shuster's multi-year FAA bill. The analysis said that a nonprofit corporation taking on the costs of managing air traffic control "would not materially change the overall magnitude of federal spending," but only "if future appropriations are reduced." Jeff Davis at the Eno Center for Transportation has a more thorough [breakdown](#).

MORNING TRANSPORT THEFT: From our cousins at Pro EU Transport: Emirates CEO Tim Clark spoke out against a new European Commission plan intended to fight "unfair" competition in the aviation sector in an interview with Dutch newspaper [Financieel Dagblad](#). "We have aviation agreements with all EU member states. I see no reason to change that," Clark said. "We suspect that the Germans and the French try to stop us because they do not want competition for their own airlines. We don't receive state aid. Anyone with doubts can look into our administration." The Commission set out a plan for new "868" rules giving Brussels the power to slap penalties on non-EU entities or airlines that harm the bloc's own carriers.

- The Trump problem: Clark said he is worried about growing political interference in the aviation industry. "Just look at the new U.S. government. If those sentiments grow, some countries may perhaps give in to their protectionist instincts. Then it will be harder for us [to operate]." Emirates saw its profit decline by 82 percent as a result of developments in the aviation industry including the U.S. laptop ban and a Qatar boycott.

**** A message from the Coalition for Future Mobility:** Driving Safety: Human error. It's a factor in 94% of all crashes according to government data. So imagine how much safer our roads would be with Autonomous Vehicles. By reducing risky and dangerous driving behaviors, AVs will help save lives. Tell Congress to greenlight Autonomous Vehicle testing and deployment. <http://bit.ly/gl-sd> **

WHAT DO WE WANT? A JONES ACT WAIVER: Seven Democrats [asked](#) the Trump administration Monday for a one-year Jones Act waiver to expedite hurricane relief aid to Puerto Rico. In a letter to Acting DHS Secretary Elaine Duke, they noted that the island already faced a severe financial crisis and crumbling infrastructure before the hurricane, which has left the entire island without power that could take months to restore. "Temporarily loosening these requirements - for the express purpose of disaster recovery - will allow Puerto Rico to have more

access to the oil needed for its power plants, food, medicines, clothing, and building supplies," the lawmakers wrote.

BACK IN BUSINESS: The FAA is permitting more than a dozen daily commercial flights to operate at Luis Munoz Marin International Airport in San Juan, Puerto Rico. The agency said Monday that although efforts to restore radars and navigational tools at the airport continue, the airport has been able to handle nearly 100 arrivals and departures, including military and relief flights. FAA has instituted a slot system and expects San Juan's capacity for commercial flights to increase soon, though it did not provide a timeline for when it expected service to be fully restored.

STORM-DRAINED: The Coast Guard took an estimated \$1 billion hit from Hurricanes Harvey, Irma and Maria, Commandant Adm. Paul Zukunft said Monday. Harvey alone caused about \$380 million worth of damage to Coast Guard assets. Pro Defense's Jacqueline Klimas has more for Pros.

REVERSE, REVERSE: After being hit by lawsuits from environmental groups and Democratic attorneys general, DOT is letting an Obama-era greenhouse reduction rule to go into effect, Pro Energy's Alex Guillen reports. The Trump administration initially delayed implementation of a rule aimed at reducing emissions from major highways before eventually placing it on indefinite hold earlier this year. However, DOT is now planning to publish the rule this Thursday. "In a letter to a federal judge in New York, the Justice Department said the rule has been submitted to the Federal Register and is expected to run Sept. 28," Alex writes.

CHANGE OF PLANS: The Supreme Court on Monday nixed oral arguments on Trump's travel ban after the administration unveiled new travel limits for individuals from eight countries the previous day, POLITICO's Josh Gerstein reports.

STB DOWN A MEMBER: Daniel Elliott, the vice chairman of the Surface Transportation Board, will resign, effective Saturday. Elliott was the board's chairman until Trump picked Ann Begeman to be acting chairwoman.

LETHALISH WEAPON: A new report from the Mineta Transportation Institute shows that while vehicle-ramming incidents are on the rise, they aren't as lethal as other terrorism tactics. The institute found that victims of the 37 vehicle-ramming incidents recorded since 1970 accounted for just two percent of the total number of fatalities from surface transportation attacks. Nevertheless, the number of incidents have greatly increased since 2014, analysts said. Steph has more details on the report's findings for Pros.

DHS RAMPS UP TRANSIT SURVEILLANCE: Recent metro bombings throughout Europe, last month's vehicle attacks in Spain and Al Qaeda's threats to target U.S. railways have raised questions about the Department of Homeland Security's efforts to prevent similar attacks in the United States. The department announced Monday that it is testing new tools, including technology that could remotely screen subway or rail commuters and their bags as well as allow authorities to scan hours of surveillance video footage more quickly. DHS said that with the new technology, it can better address the "unique security challenge" posed by transit systems, which

typically lack security checkpoints. Check out videos explaining the initiative on the [DHS website](#).

CAN UBER WIN LONDON BACK? Just a few days after [announcing](#) that Uber was "not fit and proper to hold a private hire operator license," London authorities are showing signs of softening. London Mayor Sadiq Khan [said](#) Monday that he wants Transport for London to meet with Uber. Khan said he "welcomed" Uber CEO Dara Khosrowshahi's [apology](#) and that "London should be a place for innovation," but that companies have to "[play by the rules](#)." In revoking its license, TfL had cited Uber's inadequate approach to "reporting serious criminal offenses" and its use of software to throw law enforcement off the scent of illegal operators.

MOVING FORWARD: The head of ICAO has called on the governments of member states affected by the hurricane season to upgrade their infrastructure as they recover, emphasizing the role of public and private investment in tourism and aviation development. "ICAO encourages local leadership to seek to ensure that more robust infrastructure and facilities are rebuilt so that these important economic benefits are less exposed to future risks," Secretary General Fang Liu said in her [address](#) to the Directors General of Civil Aviation for ICAO's North and Central America and Caribbean region.

IT'S WORLD TOURISM DAY EVE... and ICAO and a host of industry groups have dropped a [joint report](#) on the economic benefits of aviation - an industry that's expected to see a 122 percent jump in U.S. GDP between 2014 and 2034, according to the report. Targeting mainly government officials and national planners, the report details air transport's contributions to both global and regional economies, and it recommends steps leadership can take to "maximize air transport's socio-economic influence," according to a press release. (One takeaway: Aviation has contributed to the global economy about the equivalent of the U.K.'s overall GDP.)

SHIFTING GEARS: Will Otero is Volvo's new government affairs director for the Americas, per [POLITICO Influence](#). Otero formerly worked for the Alliance of Automobile Manufacturers and, prior to that, NHTSA.

THE AUTOBAHN:

- "Flight plan for failure." [The Boston Globe](#).
- "Dubai begins testing drone taxi service." [ZDNet](#).
- "Allegiant Air jet has emergency at California airport." [The Ledger-Enquirer](#).
- "Professional drivers fear job loss to self-driving vehicles." [The Detroit News](#).
- Millions of drivers lost licenses over unpaid court fees. [The Washington Post](#).
- Air France tries under-\$50 fares to attract millennials. (*But do they serve avocado toast?*) [CNBC](#).

- Thai authorities warn: Don't buzz the casket. [Bangkok Post](#).

THE COUNTDOWN: DOT appropriations run out in 74 days. The FAA reauthorization expires in 5 days. Highway and transit policy is up for renewal in 1,101 days.

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