

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Transportation
Sent: Tue 7/25/2017 2:35:44 PM
Subject: POLITICO's Morning Transportation, presented by American Public Transportation Association: PFC watch — NTSB meets on grade-crossing crash — Out with the old

By Lauren Gardner and Stephanie Beasley | 07/25/2017 10:00 AM EDT

With help from Kathryn A. Wolfe

HEADS UP: The Senate Appropriations subcommittee in charge of transportation spending will mark up its draft fiscal 2018 funding bill today, and according to an action alert distributed by the American Association of Airport Executives and obtained by POLITICO, the mark may contain a long-sought hike for the cap on Passenger Facility Charges. The group says they're expecting the draft to raise the cap from \$4.50 to \$8.50 - along with a \$250 million bump for the Airport Improvement Program, with some caveats. The alert calls on members to press their senators to keep the language, as the "airlines and their allies are already hard at work trying to make sure any proposed PFC increase is defeated soundly."

Someone else got the message: Americans for Tax Reform reiterated its opposition to a fee hike in a letter to appropriators Monday. Read it [here](#).

Check's in the mail: Based on that subcommittee's recent hearing on transportation spending, we're expecting some big differences (per usual) from the House measure. For one, don't expect subcommittee cardinal [Susan Collins](#) (R-Maine) to sacrifice the TIGER grant program, which has been consistently funded at the \$500 million mark annually, for other priorities - she's on-record as a big booster of the program despite the Trump administration's desire to do away with it. That being said, we'll be looking for the panel to propose some way - as the House did - to send a chunk of money to the Gateway program, a top priority for Senate Minority Leader [Chuck Schumer](#) (D-N.Y.) and other Northeast lawmakers. While the Senate subcommittee has a few billion more to play with than the House did at about \$60.1 billion total, keep in mind this bill also has to fund housing programs.

Trains and planes: Collins has been historically friendly to Amtrak, which has a state-supported route running through her home state, and to transit grant programs. Once the text is released (later this week, after the full committee marks up on Thursday), we'll be watching for how the committee words DOT's responsibilities for carrying out the Capital Investment Grant program, which the administration has suggested winding down. And the Essential Air Service, another rural-focused program Trump proposed for the chopping block, is unlikely to be slashed dramatically, if at all.

About that recess ... : Meanwhile, House GOP appropriators are agitating for leadership to delay the August recess so the chamber can consider a trillion-dollar omnibus spending package catering to the party's base, POLITICO's Rachael Bade, John Bresnahan and Sarah Ferris [write](#). "If leadership decides to reverse course and pursue a full GOP spending package, it's likely the House will stay in session for another week, delaying the first week of recess," they report.

IT'S TUESDAY: Thanks for tuning in to POLITICO's Morning Transportation, your daily tipsheet on all things trains, planes, automobiles and ports. Lauren is in the MT driver's seat with Steph, so please send along tips, feedback and lyrics to lgardner@politico.com or @Gardner_LM and sbeasley@politico.com or [@Steph_Beasley](https://twitter.com/Steph_Beasley).

"They call me Baby Driver/And once upon a pair of wheels/I hit the road and I'm gone/What's my number?/ I wonder how your engines feel."

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

NTSB MEETS ON GRADE-CROSSING CRASH: The NTSB meets this morning to determine the probable cause of a 2015 train crash in suburban New York that killed five Metro-North passengers and the driver of an SUV that had stopped on the tracks at a grade crossing. The meeting has been a long time coming - NTSB investigations typically take between 12 months and 18 months to complete, and this one clocks in at nearly 18 - and The Journal News has a primer [here](#) with background and some things to expect. Sarah Feinberg, the most recent FRA administrator, focused a significant portion of her tenure on improving safety at grade-crossings. Ron Batory, who's been nominated as her successor for the Trump administration, appears before the Senate Commerce Committee Wednesday, and we wouldn't be surprised if someone like Sen. [Richard Blumenthal](#) (D-Conn.) decides to interrogate him about how he plans to address NTSB's recommendations for improving rail safety (in this case or for any number of train accidents that have happened in the last few years - including many in his state).

WAY BETTER DEAL? Congressional Democrats unveiled their "Better Deal" agenda (which House Republicans wasted little time ripping for sounding a lot like Speaker [Paul Ryan](#)'s "Better Way" platform) Monday in exurban Northern Virginia. They vowed to propose at least one more infrastructure-focused policy idea in the coming weeks that could be bolted onto the \$1 trillion plan Senate Democrats unveiled months ago. "Now, in future weeks we'll offer additional ideas, from rebuilding rural America to fundamentally changing our trade laws to benefit workers, not multinational corporations," Schumer said. House Minority Leader [Nancy Pelosi](#) (D-Calif.) also couldn't resist dinging President Donald Trump for not yet following through on his infrastructure pledge. "We are here with no jobs bill, no infrastructure bill, no tax reform legislation, no plan to avert the debt default," she said.

**** A message from American Public Transportation Association:** Public transportation is a vital part of an integrated transportation network that drives our economy forward, creating 50,000 jobs for every \$1 billion invested. Without public transit, America simply can't move forward. And in order to improve our public transportation systems, states and localities need continued federal investment. Learn more at [APTA.com/InvestNow](https://www.apta.com/InvestNow). **

OUT WITH THE OLD ... : Transportation Secretary Elaine Chao on Monday appointed David Horner and Steve McMillin to the board of directors for the Washington Metropolitan Area Transit Authority, replacing two Obama-era appointees that had not finished their terms, our Brianna Gurciullo [reports](#). Horner is a partner at Hunton & Williams and focuses on public-private partnerships. McMillin is a partner at U.S. Policy Metrics and former deputy director of

the Office of Management and Budget. The two take over for Carol Carmody and David Strickland, both former federal transportation safety officials and both appointed to multi-year terms last year by former DOT Secretary Anthony Foxx. They were asked to step down from their positions as two of the board's eight voting members.

Chao's stamp: Board members told the [Washington Post](#) that they were aware of Chao's plans to make the switch this week. Chao said in a statement that she was pleased to have appointed two "distinguished and experienced individuals" who would help "improve the performance and reliability of this vital transit system in the nation's capital." However, former Metro Special Advisor Katie Thomson (who was also appointed by Foxx) said replacing former NTSB member Carmody, in particular, was a "[huge mistake](#)" if safety was a priority for DOT.

TOOT TOOT: Tugboats, towboats and barges are moving about 763 million tons of cargo and generating more than \$33.8 billion in gross domestic product, according to a new [study](#) from the American Waterways Operators and Pricewaterhouse Coopers highlighting the importance of waterway infrastructure. AWO has been pressing lawmakers to include funding for inland and coastal waterway repairs in any infrastructure package that might be developed over the next year. The group also has pressed Congress to pass legislation that would put the U.S. Coast Guard in charge of determining how commercial vessels should get rid of wastewater, the American Waterways Operators said. The group issued a [list](#) of policy priorities that included passage of the Commercial Vessel Incidental Discharge Act ([S. 168 \(115\)](#)) - a bill introduced by Sen. [Roger Wicker](#) (R-Miss.) that would give the Coast Guard authority to consolidate and issue new federal regulations for ballast water discharge standards.

MT MAILBAG: The U.S. Chamber of Commerce sent House Energy and Commerce leaders a [letter](#) Monday voicing support for their draft self-driving vehicle bill, which a subcommittee approved last week. "This legislation is a critical step towards capitalizing on the opportunities of this technology as long as it continues to be technologically neutral, promote coordination in legislation, and support innovation and market competition," Chamber reps wrote to committee Chairman [Greg Walden](#) (R-Ore.) and ranking Democrat [Frank Pallone](#) of New Jersey.

SHIFTING GEARS: The National Restaurant Association has hired Jessica Falborn as a senior adviser and Adam Hasley as director of advocacy research and insights. Roy Charles Brooks, the commissioner of Texas' Tarrant County, is now president of the National Association of Counties.

THE AUTOBAHN:

- "New York Rail Design Cited for Boosting Death Toll in 2015 Crash." [Bloomberg](#).
- "New distracted driving law in Washington makes it illegal to hold phone while driving." [USA Today](#).
- "U.S. charges driver after dead discovered in stifling truck in Texas." [Reuters](#).
- "Iowa firm tied to truck deaths has history of legal problems." [The Associated Press](#).

- "NASA has a way to cut your flight time in half." [Bloomberg](#).

- "The TSA is fighting United on Twitter over ... comic books?" [New York Magazine](#).

THE COUNTDOWN: DOT appropriations run out in 67 days. The FAA reauthorization expires in 67 days. Highway and transit policy is up for renewal in 1,163 days.

**** A message from American Public Transportation Association:** Our nation's public transit systems do more than carry Americans to work-they're a critical part of an integrated transportation network that drives our economy forward. That's why states and localities have partnered with the federal government for more than 35 years to repair and expand services. But President Trump's budget would eliminate funding for vital public transportation projects-and put 800,000 jobs at risk, including more than 500,000 construction-related jobs. Communities can't improve public transportation alone. To protect our future, we need continued federal investment in public transportation. Congress: Fully fund the FAST Act, and include public transportation in any infrastructure bill. Visit APTA.com/InvestNow to learn more. **

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