

Transportation Weekly

Volume 1, Issue 1

Monday, October 4, 1999

Legislative Schedules

Week of Oct. 4, 1999

House

Monday—meets at 2 pm for business—no votes before 6 pm—12 suspensions.

Tuesday—meets at 10 am for business—two suspensions plus H.R. 417, Child Abuse Prevention.

Wednesday and Thursday—meets at 10 am — H.R. 2723, HMO reform, H.R. 2990, Health insurance accessibility, and Labor-HHS Appropriations.

Friday — House not in session.

Senate

Monday — meets at noon — S. 82, FAA Reauthorization, and H.R. 2084, DOT Appropriations conference report, with a vote on the conference report occurring at 5:30 pm.

Tuesday — complete action on S. 82.

Wednesday and Thursday — available appropriations conference reports and complete Labor-HHS Appropriations.

Friday — begin consideration of the Comprehensive Test Ban Treaty

Inside this issue:

Short-Term Airport Funding Enacted	2
Legislators Seek Wilson Bridge Funds	2
Highlights of Transportation Appropriations	3
Funding Levels in DOT Appropriations	3
From the Federal Register	3
In Committee This Week	4
Status of Major Transportation Bills	4

Transportation Appropriations Finalized, Passed by House

The Transportation and Related Agencies Appropriations bill for fiscal year 2000 was finalized by House-Senate conferees last week, and the conference report was passed by the House last Friday morning despite the strenuous objections of the House Transportation and Infrastructure Committee.

The conference report, which passed by a recorded vote of 304-91, with one member voting "present," now moves to the Senate, which has scheduled a vote on the report for 5:30 pm today. The President is expected to sign the bill into law

The conference report contains numerous legislative provisions which

amend last year's mammoth highway bill (TEA-21) and fall under the jurisdiction of the Transportation and Infrastructure Committee. That committee's chairman and ranking Democrat, Bud Shuster (R-PA) and James Oberstar (D-MN), had been preparing an all-out fight to defeat the conference report.

However, Speaker Hastert and the rest of the Republican leadership sided with the Appropriations Committee, brought the conference report before the House without warning at 9 a.m. last Friday, and quickly yielded back all debate time and called for a final vote before Shuster and his supporters could



House Speaker Denny Hastert (R-IL) brought up the Transportation Appropriations bill before its opponents could rally opposition against it.

reach the House chamber.

The vote was so unexpected that 37 House members missed it entirely, even though the vote was held open a half-hour longer than normal.

Shuster later lamented, "the House Leadership and the Appropriations Committee pulled a fast one and got away with it."

BILL HIGHLIGHTS ON PAGE 3

Senate To Begin Debating FAA Reauthorization Bill Today

After languishing on the Senate calendar since last March, legislation reauthorizing the Federal Aviation Administration will be considered by the Senate today.

The bill (S. 82) has been

held up by Senators from Virginia, New York, and Illinois because of provisions in the bill that would affect takeoff and landing restrictions at JFK, La Guardia, O'Hare and Reagan National airports.

Although these Senators are predominantly Democrats, Senate Minority Leader Tom Daschle (D-SD) last Thursday agreed to a unanimous consent request that will allow the

CONTINUED ON PAGE 2

Short-Term Airport Funding Signed Into Law

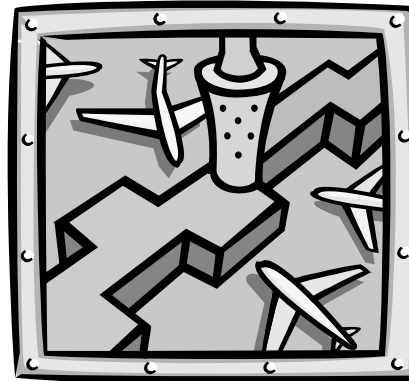
A threatened funding shortfall in the FAA's Airport Improvement Program (AIP) was averted last week by the quick enactment of yet another short-term extension of the AIP program.

A bill (S. 1637) extending the AIP's authorization to September 30 was passed by the Senate on September 24 and by the House on September 27, in both instances by voice vote. The President signed the bill into law (Public Law 106-59) on September 29.

The most recent of three short-term statutory authorizations for the FAA and the AIP expired on August 6. \$290 million in previously appropriated AIP funds were left in limbo

and would have reverted back to unobligated status at the end of the fiscal year on September 30.

The Senate had passed a similar short-term extension (S. 1467) on



Under legislation signed by the President on Sept. 29, \$290 million in airport funding grants will be released.

July 30, but the House took that bill and substituted its multi-year FAA reauthorization bill (H.R. 1000) in an effort to bypass Senate consideration of that bill and jump-start the reauthorization process by avoiding contentious Senate floor debate on slots for certain controlled airports and on passenger rights (see related article on page 1).

Senate leaders could not get the unanimous consent agreement necessary to send that legislation to House-Senate conference because of Democratic objections, and the Congress adjourned for the traditional August recess with the bills unreconciled and the AIP program's authorization expired.

FAA Funding...

CONTINUED FROM PAGE 1

S. 82 to be brought before the Senate today.

The agreement allows only "aviation-related" amendments and relevant second-degree amendments thereto, ensuring that the bill will not be bogged down by unrelated amendments on the minimum wage, HMO reform or agricultural relief.

Senator John Warner (R-VA) specifically asked of Senate Majority Leader Trent Lott (R-MS) if amendments altering the number of new takeoff and landing slots at Reagan National Airport would be allowed under the terms of the agreement and was assured that they would be.

In addition to amendments related to slots and the 1,250 mile "perimeter rule" at Reagan National, a

variety of other amendments are anticipated on the subjects of competition between air carriers and passenger rights.

No amendments to S. 82 had been filed by the close of business on Friday October 1.

Only "aviation-related" amendments to S. 82 will be allowed to be offered.

The House-passed FAA bill (H.R. 1000), known as AIR-21, is far broader in its scope than S. 82 and reconciling the bills will be contentious.

D.C. Area Legislators Seek Increased Wilson Bridge Funds

Virginia and Maryland legislators, representatives of the Clinton Administration and other concerned groups told the House Ground Transportation Subcommittee on Thursday that more federal funding will be required to replace the aging Woodrow Wilson Bridge bearing Interstate 95 across the Potomac River.



The Wilson Bridge will be replaced by a dual bridge.

Last year's multi-year highway bill (TEA-21) provided \$930 million in federal funds for the eventual replacement of the bridge for fiscal years 1997-2003. The local legislators say that the project will require \$600 million more over four years beginning in FY 2004, in addition to the \$200 million each that

Maryland and Virginia are putting towards the project.

House Transportation Chairman Shuster has opposed further federal funding for the bridge. No Congressional action has yet been scheduled for any legislation providing more funds for the bridge. Any bill providing funds for a single project would doubtless attract other projects.

Highlights of DOT Appropriations

While severe budget restrictions are a fact of life for most other appropriations bills this year, the conference report to accompany H.R. 2084, the Transportation and Related Agencies Appropriations Act, 2000 (H. Rept. 106-355) actually contains a net increase in funding for federal transportation programs.

The increase is due to the funding guarantees for highways and mass transit set in last year's highway bill (TEA-21), but the conference report goes a long way towards re-establishing some of the authority over surface transportation spending that the Appropriations Committees lost in TEA-21.

While the bill meets the guaranteed funding levels set in TEA-21, the appropriators made room for more discretionary programs (only thirty

percent of the bill is outside the TEA-21 guarantees) by breaking with tradition and eliminating the contribution to FAA operations made by the general fund of the Treasury.

The appropriators have taken several highway programs that TEA-21 left to DOT's discretion and earmarked substantial portions of the funds — nearly half of the federal lands and discretionary bridge funds, sixty percent of the ferry boat, federal lands and corridor/border programs, two-thirds of the welfare-to-work money and all of the transportation and community system preservation funds.

The conference report also redistributes excess gas tax receipts to states to the states through a formula in contravention of TEA-21.

Most of the controversy surrounding the bill focuses on some of the general provisions. The bill in effect abolishes the Office of Motor Carriers within the Federal Highway Administration, forcing the authorizing committees to establish a motor carrier regulatory authority outside FHWA immediately.

A Senate provision prohibiting states from selling any drivers' license information was modified and greatly weakened.

The bill also takes away DOT's power to issue surprise press releases. DOT may no longer issue a discretionary grant, letter of intent, or full funding grant agreement of more than \$1 million without notifying the Appropriations committees three days in advance. Funding levels are shown below.

FROM THE *FEDERAL REGISTER*

Monday, Sept. 27 — NHTSA published rules relating to consumer information on uniform tire quality grading standards.

Wednesday, Sept. 29 — FHWA published a final environmental impact statement for the Nationwide Differential Global Positioning System.

FHWA announced a series of upcoming public workshops on the implementation of the National Corridor Planning and Development Program and Coordinated Border Infrastructure Program.

Friday, Oct. 1 — The FAA published a final rule amending its regulations governing takeoff and landing slots and slot allocation procedures at certain High Density Traffic Airports. As a result of the "Open Transborder" Agreement between the Government of the United States and Government of Canada, this rule codifies the provisions of the bilateral agreement and ensures consistency between FAA regulations governing slots and the bilateral agreement.

Funding levels in H.R. 2084, DOT Appropriations

Office of the Secretary	\$75.75 million
Coast Guard operations	\$2.781 billion
Coast Guard procurement	\$389 million
FAA operations	\$5.9 billion (no general fund)
FAA F & E	\$2.075 billion
FAA research	\$156.5 million
FAA AIP obligation limit	\$1.95 billion
Federal-Aid Highways	\$27.7 billion
motor carrier grants	\$105 million
Highway Safety Grants	\$206.8 million
FRA operations	\$94.3 million
AMTRAK capital grants	\$571 million
FTA formula grants	\$3.098 billion
FTA capital grants	\$2.451 billion
STB	\$17 million
NTSB	\$57 million
Total resources	\$50.174 billion
Total vs. FY 1999	+\$2.95 billion
Total vs. President	+\$36 million

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IN COMMITTEE THIS WEEK

Tuesday, Oct. 5 — Senate Environment and Public Works, Subcommittee on Clean Air, Wetlands, Private Property and Nuclear Safety — hearing on EPA's Blue Ribbon Panel findings on MTBE — 9:30 a.m., SD-406.

Wednesday, Oct. 6 — Senate Environment and Public Works — full committee hearing on the nominations of Skila Harris of Kentucky and Glenn L. McCullough, Jr. to the board of the Tennessee Valley Authority and Gerald V. Poje to the Chemical Safety and Hazard Investigation Board — 10 a.m., SD-406.

Senate Commerce — full committee hearing on S. 1510, the Cruise Ship Tourism Act, waiving the Passenger Vessel Act until December 31, 2006 — 9:30 a.m., SR-253.

House Transportation and Infrastructure — Subcommittee on Water Resources and Environment — hearing on Binational Great Lakes-Seaway Enhancement Act of 1999 — 10 a.m., 2167 RHOB.

Thursday, Oct. 7 — Senate Environment and Public Works — full committee hearing on several water infrastructure bills — 10 a.m., SD-406.

House Transportation and Infrastructure — Subcommittee on Coast Guard and Maritime Transportation — hearing on cruise ship safety — 10 a.m., 2167 RHOB.

House Transportation and Infrastructure — Subcommittee on Oversight, Investigations, and Emergency Management — hearing on GSA's Federal Building Security Program — 2 p.m., 2167 RHOB.

STATUS OF MAJOR TRANSPORTATION BILLS

BILL	HOUSE ACTION	SENATE ACTION	OUTCOME
FAA Reauthorization H.R. 1000 / S. 82	Passed House 6/15/99 by a vote of 316-110	Reported 3/8/99. S. Rept. 106-9	
Short-term AIP extension – S. 1637	Passed House 9/27/99 by voice vote	Passed Senate 9/24/99 by voice vote	Public Law 106-59 9/29/99
Motor Carrier reform HR 2679/S 1501	Reported 9/24/99 H. Rept. 106-333	Introduced 8/5/99 Hearing held 9/29/99	
NTSB Reauthorization H.R. 2910	Passed House 9/30/99 by a vote of 420-4	Hearing held 7/15/99	
FMC Reauthorization H.R. 819/S. 920	Passed House 3/16/99 by a vote of 403-3	Passed Senate 7/29/99 by unanimous consent	
Coast Guard Reauthorization H.R. 820/S. 1089	Passed House 3/17/99 by a vote of 424-7	S. 1089 introduced on 5/20/99	
Superfund reform H.R. 1300/S. 1537	Reported 9/30/99 H. Rept. 106-353, pt. I	S. 1537 introduced on 8/5/99	
WRDA 1999 H.R. 1480/S. 507	Conference report passed House 8/5/99	Conference report passed Senate 8/5/99	Public Law 106-53 8/17/99
Stafford Act reform H.R. 707/S. 583	Passed House 3/4/99 by a vote of 415-2	S. 583 introduced on 3/10/99	