

# POLITICO

## Lott, Dorgan rally behind independent ATC

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**LOTT, DORGAN RALLY BEHIND INDEPENDENT ATC:** The proposal to spin off air traffic control from the FAA is getting a boost from former senators Byron L. Dorgan and Trent Lott, along with three former secretaries of transportation, a former FAA administrator, three past FAA COOs, and a White House National Economic Council special assistant. Later today, they're expected to send a letter to T&I Chairman Bill Shuster: "We urge Congress to take action to preserve the FAA's safety oversight of air traffic control while moving the operation and funding of air traffic control to a federally chartered, non-profit organization," they write, "that would be governed and funded by the stakeholders and users of our nation's aviation system."

Story Continued Below

**'Regulated at arms-length':** "There was a time when the United States was the gold standard in every aspect of air traffic control. Those days of global leadership, regrettably, are gone ... The accumulated effects of budget unpredictability and a bureaucratic organizational structure have slowed progress on implementing next-generation technologies and inhibited our ability to properly staff facilities and procure the best equipment ... The ATC service provider should be regulated at arms-length by the FAA, just as air carriers, aircraft and engine manufacturers, and all other components of the aviation system are regulated by the FAA."

**Gathering evidence:** As T&I Republicans rally to successfully push through a plan that would dramatically alter the air traffic control system, expect similar emphatic letters of support from high places to arrive in coming weeks.

**IT'S MONDAY:** Good morning and thanks for tuning into POLITICO's Morning Transportation, your daily tipsheet on all things trains, planes, automobiles and ports.

One minute, you're chasing senators onto the subway cars of Congress; the next — literally, hours later — you're bringing new life into the world. A big Team Transpo congratulations to Jennifer Scholtes and her husband, Liam, who welcomed their first child, Janie Jordan, early Friday morning. Pass along congratulations: [mpowers@politico.com](mailto:mpowers@politico.com) or [@martinepowers](https://twitter.com/martinepowers).

“Oh, no red lights or stop signs around for miles/Just swaying trees, your hair in the breeze, and that smile.” (h/t MT reader Estee Sepulveda of AC Transit)

**THIS WEEK:** It's going to be an action-packed week on the Hill, with both the Senate and the House in session, and more details expected to emerge on the FAA reauthorization bill ... as well as a scheduled Hill appearance from Jeff Skiles, first officer from "the Miracle on the Hudson." Additionally, look out for congressional hearings on TSA's Screening Partnership Program, the Promoting Automotive Repair, Trade, and Sales Act of 2015, oversight of aviation credentials, and the Coast Guard's cutter acquisition programs.

**Today:** The Pipeline and Hazardous Materials Safety Administration holds a meeting of the Liquid Pipeline Advisory Committee to consider and vote on the proposed rule, "Pipeline Safety: Safety of Hazardous Liquid Pipelines." The FAA holds RTCA Special Committee meetings throughout the week.

**Tuesday:** The House Homeland Security Committee holds a hearing on TSA's Screening Partnership Program. The House Judiciary subcommittee on Courts, Intellectual Property and the Internet holds a hearing on H.R.1057, the "Promoting Automotive Repair, Trade, and Sales Act of 2015." Jeff Skiles, first officer of the 'Miracle on the Hudson,' speaks alongside members of the Western New York congressional delegation on the FAA Reauthorization Bill. NHTSA meets to develop guidelines for fatigue risk management for emergency medical services professionals. The FAA holds its two-day Commercial Space Transportation Conference. The House Transportation and Infrastructure's Water Resources and Environment Subcommittee holds a roundtable discussion on for the Water Resources Development Act.

**Wednesday:** TSA Administrator Peter Neffenger speaks at the Aero Club of Washington's February luncheon. The FAA's Commercial Space Transportation Conference continues for its second day, with remarks from deputy NASA Administrator Dava Newman and SpaceX president and COO Gwynne Shotwell. The House Oversight and Government Reform Committee holds a hearing on "Securing Our Skies: Oversight of Aviation Credentials." The House Transportation and Infrastructure's Coast Guard and Maritime Transportation Subcommittee holds a hearing on "The Status of Coast Guard Cutter Acquisition Programs."

**Thursday:** Forum Global holds the Connected Cars USA 2016 conference. The Cato Institute holds a discussion on "Air Traffic Control: Bipartisan Reform in 2016?" The National Academy of Sciences holds a discussion on "Domestic Transportation of Petroleum, Natural Gas and Ethanol."

**Friday:** Meetings continue with the FAA's RTCA Special Committee and the National Academy of Sciences' discussion on "Domestic Transportation of Petroleum, Natural Gas and Ethanol."

**THE AMA GOES TO WASHINGTON:** When it comes to organizations lobbying on the FAA reauthorization bill, there may be no group more unlikely than the Academy of Model Aeronautics — an 80-year-old collection of hobbyists and weekend tinkerers that has suddenly found itself in the middle of a legislative maelstrom. This past week, the organization's top dogs met in D.C. to push their legislative wish list: clarified procedures for notifying airports, protection of the personal and educational use of model aircrafts, and recognition of "community-based organizations" like the AMA that would allow members to bypass the official UAS registry process. They've sat down with Rep. Shuster: "We certainly have talked to him, and we offered suggested revisions. They have been receptive to the information," said Rich Hanson, AMA's government and regulatory affairs representative. But, he added, there's been no indication of whether the suggestions were taken to heart: "The House side has been very closed"

**The debate over geofencing:** One of the ideas that the AMA opposes: Mandatory geofencing, technology that could potentially prevent drones or model airplanes from entering a restricted area (for example, the no-fly-zone around an airport) — or, at least, send an automatic notification to the machine's operator. But that's exactly one of the ideas that Sen. Bill Nelson may push once the FAA bill arrives at the Commerce Committee's doorstep. Speaking to MT on Thursday, he was still fuming about a drone that appeared dangerously close to Miami International Airport last week. "I'm going to insist that we address this issue, because ... if you suddenly have a drone get sucked into one of the jet engines ... it could cause an explosion of the engine," Nelson said. "We just simply can't take the risk. So there's got to be something that will make the public understand how serious this is ... and likewise to maybe require software in the drone that will keep them away from airports."

**IT'S NOT ALL NAYSAYERS:** Though many of the merger-related letters streaming into the inbox of the Surface Transportation Board hail from people opposed to a Norfolk Southern-Canadian Pacific unification, letters from cheerleaders for the potential takeover have started appearing on the STB's merger correspondence page. From Dakota Plains: "We believe the proposal ... would improve overall service while creating meaningful competition amongst the Class 1s ... alleviating the long-standing issue of congestion in Chicago." From APPS Transport Group: "We support this application as the combined network will create a rail network that offers significant opportunities for service improvements and efficiencies — not the least of which is the relief for Chicago and other congested gateways."

**Copy-paste much?** And then there are two letters, from Atlantic Pacific Lines and SGR Energy, which happen to be nearly carbon copies of one another. One shared (read: identical) sentiment: "CP's proposal is a timely one that introduces a number of positive, future-focused ideas to vastly improve North America's transportation network."

**SEEKING ANSWERS:** Expect new details today on the Amtrak Train 188 derailment, as the National Transportation Safety Board plans to release documents, data, and interviews from the crash investigation. Brandon Bostian, the train's engineer, has not yet been charged with any

wrongdoing and has said he does not remember the crash or know why it happened — the subject of [last week's New York Times Magazine deep-dive](#). One theory that continues to attract attention: the idea that Bostian might have become startled or incapacitated after a “rocking,” when bystanders throw objects at passing trains. It’s a problem that continues: On Sunday night, an Amtrak train heading from Washington to New York was delayed in Philadelphia after hurled objects fractured a window, [according to the Washington Post](#).

**PHONING IN KUMBAYA:** It's been three years [since the DOT stepped in front](#) of the FCC's attempt to lift the ban on making voice cell phone calls on planes, but you'll be happy to know, dear readers, that late last week they agreed to work together on the issue. Specifically, they're creating a new working group to ["harmonize policy and regulatory activities,"](#) according to a public notice sent out late Friday. It's basically a procedural change — there are no imminent rulemakings or new policies, an FCC official told Morning Tech.

**A BAD WEEK FOR PORT AUTHORITY TRUCKING:** The strike at the Port Authority of New York and New Jersey [may only have lasted one day](#), but one thing’s clear: For the trucking industry, the surprise walkout was bad for business — especially in a week when a blizzard had already interrupted shipping operations, adding to existing challenges that truckers have had with congestion at the port and hours-long waits to pick up shipments. “Anytime there’s a disruption like this, it’s disappointing from a transportation point of view,” [said Curtis Whalen, executive director of the American Trucking Associations’ Intermodal Conference](#). “All of a sudden, you get this 1-2 punch of a snowstorm and then a strike when things are just getting back to normal.”

**GOING GLOBAL WITH AVIATION EMISSIONS STANDARDS:** The ICAO Committee on Aviation Environmental Protection begins its two-week meeting today in Montreal. Chief on the agenda: finalize recommendations for new aircraft CO2 and non-volatile particulate matter standards, and also propose a process to support global market-based measures such as emissions trading, offsetting, and levies. Check out more details on the meeting [here](#).

**BOWING OUT:** Rep. Reid Ribble of Wisconsin announced this weekend that he won’t be seeking a fourth term in office. Ribble, a member of the House Transportation & Infrastructure committee, was a force behind some of the language in the FAST Act [that reduced regulations on](#) construction trucks, emergency vehicles, and Wisconsin logging trucks. “I’ve always said elected office shouldn’t be a career,” [Ribble said in a statement](#). “I come from the private sector and am anxious to return to it and to a more private life.”

**CHUCKING THE CHOPPERS:** Reps. Jerrold Nadler and Nydia Velázquez have chimed in with approval on a deal made by New York City Mayor Bill de Blasio that [would restrict the number of nonessential tourist helicopters](#) hovering over Manhattan and potentially cut the amount of helicopter traffic in half by 2017. The deal would also ban the helicopters from flying over Manhattan on Sundays, and would prevent them from making any flights over Governors Island or Staten Island. “The Mayor's deal with the helicopter industry is a positive step in our

years-long battle to eliminate this nuisance,” Nadler and Velázquez wrote, along with a slew of state and local legislators. “The near constant drone heard in parks, homes and neighborhoods has long been unacceptable.”

**THE AUTOBAHN (SPEED READ):**

— "FAA Makes it Easier for Transgender Pilots to Get Certified." [ABC News](#).

— This one’s a doozy: Downpour in Oregon causes epic roadway landslide and monster sinkhole. [The Oregonian](#).

— United tasks pilots with extra training day after spate of serious safety incidents. [The Wall Street Journal](#).

— "Takata Denies Reports Its Chief Executive Will Resign." [The New York Times](#).

— Boeing nabs \$25.8 billion contract for new-and-improved Air Force One. [Reuters](#).

— MIT wins design competition for Elon Musk's Hyperloop. [The Associated Press](#).

— “Things Will Get Messy if We Don’t Start Wrangling Drones Now.” [Wired](#).

**THE COUNTDOWN:** DOT appropriations run out in 241 days. FAA reauthorization expires in 60 days. The 2016 presidential election is in 280 days.