

FAA Reauthorization Deadline Approaching, Amid Security Concerns; Appropriations Process Stalled

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Legislative Activity

FAA Reauthorization Deadline Approaching, Amid Security Concerns

The current short-term ***Federal Aviation Administration (FAA)*** extension expires on July 15, leaving only 20 legislative days for **Congress** to pass a long-term reauthorization bill or another short-term extension. This also limits the opportunity that House Transportation and Infrastructure Committee Chairman Bill Shuster (R-PA) has to shepherd his ambitious FAA reauthorization bill, the ***Aviation Innovation, Reform, and Reauthorization (AIRR) Act (H.R. 4441)***, through the House. Chairman Shuster's legislation has been met with significant opposition from House and Senate Democrats, as well as several Republican appropriators, due to the Act's sweeping proposal to remove the nation's air traffic control (ATC) system from the federal government.

Many Members of Congress are urging Chairman Shuster to take up the Senate's reauthorization bill, the FAA Reauthorization Act of 2016 (H.R. 636), which overwhelmingly passed the upper chamber by a 95-3 vote in April. The Senate bill leaves the ATC system under federal control and would authorize funds through fiscal year 2017, while the AIRR Act would fund FAA programs through 2022. Senate Commerce Committee Chairman John Thune (R-SD) is applying pressure on Members of the House to pass the Senate's less controversial bill, and recently co-authored a letter with Senate Commerce Committee Ranking Member Bill Nelson (D-FL) to Chairman Shuster and House Transportation Committee Ranking Member Peter DeFazio (D-OR), urging them to take up the Senate's legislation.

Chairman Thune also stressed the importance of passing the Senate's reauthorization bill, including its provisions increasing airport security, citing a recent Government Accountability Office report detailing the Transportation Security Administration's (TSA) failure to update its overall airport security plan to account for a heightened risk of aviation workers exploiting access to secure areas of airports. The Senate's bill would increase random inspections of aviation workers, enhance vetting for those positions, and expand the list of criminal convictions that disqualify applicants from jobs with access to secure areas. Chairman Thune has argued that a short-term extension would be disruptive and fail to address needed aviation safety and security reforms.

House Homeland Security Committee Chairman Michael McCaul (R-TX) has returned the pressure,

arguing that the Senate should take up standalone bills that have already passed the House. Those bills include legislation that would allow TSA to donate screening equipment to foreign airports (H.R. 3584) and legislation to reduce TSA checkpoint wait times (H.R. 2843). Chairman Thune has said it would be difficult to pass the standalone legislation in the Senate, while noting that the Senate's reauthorization bill includes similar provisions.

Despite mounting pressure and a rapidly closing window of legislative opportunity, Chairman Shuster has given no indication he intends to take up the Senate's bill and is reportedly still trying to build support for the AIRR Act. We expect Congress will likely pass a short-term reauthorization before July 15, extending current FAA programs and funding through the upcoming Presidential election or into 2017.

Appropriations Process Stalled

While the Senate has passed its FY 2017 Transportation, Housing and Urban Development, and Related Agencies (THUD) Appropriations Act, the House appropriations process has stalled over controversial amendments related to discrimination protections for LGBT individuals. The House THUD bill was reported out of the Appropriations Committee on May 24 with bipartisan support, after providing significant funding for very popular programs like Transportation Investment Generating Economic Recovery (TIGER) and transit Capital Investment Grants, but it is currently unclear whether the House will consider any additional individual appropriations bills on the Floor.

This Week's Hearings:

- Tuesday, June 7: The Senate Homeland Security and Governmental Affairs Committee will hold a hearing titled "Frustrated Travelers: Rethinking TSA Operations to Improve Passenger Screening and Address Threats to Aviation."
- Tuesday, June 7: The Senate Environment and Public Works Committee Subcommittee on Superfund, Waste Management, and Regulatory Oversight will hold a hearing entitled, "Oversight of EPA Unfunded Mandates on State, Local, and Tribal Governments."
- Wednesday, June 8: The Senate Commerce, Science, and Transportation Committee will hold a hearing titled "Implementation of the FAST Act."
- Wednesday, June 8: The House Science, Space and Technology Committee Subcommittee on Environment will hold a hearing titled "Private Sector Weather Forecasting: Assessing Products and Technologies."
- Friday, June 10: The House Energy and Commerce Committee Subcommittee on Energy and Power will hold a hearing titled "Home Appliance Energy Efficiency Standards Under the Department of Energy: Stakeholder Perspectives."

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