

THE LEGISLATIVE SERVICES GROUP'S

Transportation Weekly

MONITORING AND ANALYZING DEVELOPMENTS IN FEDERAL TRANSPORTATION AND PUBLIC WORKS POLICY

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Monday, September 24, 2001

Legislative Schedules

Week of September 24, 2001

House

Monday — meets at 2 p.m. for legislative business — eight measures under suspension of the rules and H.J. Res. ____, a continuing resolution — no votes before 6 p.m.

Tuesday and the balance of the week — meets at 10 a.m. for legislative business — H.R. ____, D.C. appropriations, and complete consideration of H.R. 2586, defense authorization. If the House is unable to complete H.R. 2586 on Tuesday, it will convene at 9 a.m. on Wednesday and have votes no later than 2 p.m. with no votes thereafter that week.

Senate

The Senate will convene at noon on Monday to consider H.R. 2603, the U.S.-Jordan free trade agreement. At 2 p.m. there will be a vote on the nomination of Kirk Van Tine. For the balance of the week the Senate will consider the defense authorization bill and any other items cleared for action.

Inside This Issue

Reorganizing the Assistant Secretaries of Transportation.....	2
What the Airlines Asked For Vs. What The Got.....	3
The Financial State of the Major Airlines.....	4
Section-by-section Summary of the Airline Relief Bill.....	5-6
From the Federal Register.....	7
New and Notable On The Internet.....	7
Transportation Nominations.....	7
Status of Major Transportation Bills.....	8
This Week In Committee.....	8

Congress Passes Airline Support Bill Votes of 96-1 in Senate, 356-54 in House Mask Deep Divisions Over Layoffs, Security, Executive Salaries

President Bush signed into law on Saturday a bill providing \$15 billion in financial assistance for the foundering airline industry and untold sums for compensation for the victims of the terrorist attacks of September 11. The bill had passed both Houses of Congress by large margins the day before after escaping a flurry of last-minute opposition from organized labor.

The bill (H.R. 2926, the Air Transportation Safety and System Stabilization Act, was the product of a week of tense negotiations between the airlines, the White House, and both parties on Capitol Hill. A week before, House leaders attempted

to bring up a preliminary version of the bill that would have provided \$2.5 billion in cash for the airlines and \$12.5 billion in federal loans or loan guarantees, but last-minute objections forced that bill to be withdrawn.

The new bill, which passed the Senate 96-1 and passed the House 356-54, provides \$5 billion in cash and \$10 billion in direct federal loans. It also allows the federal government to insure airlines directly against terrorism and limits the potential legal liability of American and United for damage to persons and property on the ground. (See a detailed section-by-section analysis of the bill on pages 5-6).



Plummeting revenues and high fixed operating costs in an already sluggish economy forced Congress to provide loans and cash payments to the airline industry.

Starting early in the week, airline representatives fanned out on Capitol Hill, telling all who would listen that bankruptcy was inevitable for many air carriers without immediate federal assistance because of drastically lower demand in the wake of September 11.

CONTINUED ON PAGE 3 

Emergency Spurs Action On Key Nominations



The spirit of bipartisan unity and purpose in Congress following the September 11 terrorist attacks was expressed last week by the quick confirmations of several transportation-related nominations with authority over the attacks and

their aftermath.

Last Friday, the Senate confirmed Marion Blakey to chair the National Transportation Safety Board, which is currently investigating the specific circumstances of the four September 11 airline crashes and analyzing the cockpit voice recorders

and flight data recorders that have been retrieved from two of the planes.

The Senate also confirmed Read Van de Water to be Assistant Secretary of Transportation for Aviation and International Affairs. Van de Water will play a key role

CONTINUED ON PAGE 2 

Nominations...

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in the new security measures to be put in place at airports and within airlines.

Also, the Senate confirmed Ellen Engleman to be Administrator of the Research and Special Projects Administration within DOT. RSPA oversees pipelines and hazardous materials transportation, both of which are areas that will receive more security and scrutiny in the coming weeks.

All three nominees were confirmed by unanimous consent, and the Blakey and Van de Water nominations were confirmed without hearings or a vote in committee.

Another key DOT nominee, Kirk Van Tine, who is the Administration's choice for DOT General Counsel, has been pending on the Senate calendar since August 2 and has been subject to a "hold" placed by an anonymous Senator. The Senate is scheduled to hold a roll call vote on the Van Tine nomination at 2 p.m. today.

Also this week, the Senate Environment and Public Works Committee is scheduled to hold a vote on two public works-related nominees tomorrow: Mary Peters to be Administrator of the Federal Highway Administration and Mike Parker to be Assistant Secretary of the Army for Civil Works. Their confirmation by the full Senate is expected shortly thereafter.

The White House last week announced two more DOT nominees. Jeffrey Shane will be nominated to be Associate Deputy Secretary of Transportation, a post that has traditionally overseen the Office of Intermodalism.

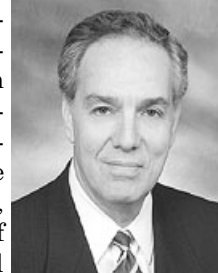
Shane is a partner at the law firm of Hogan and Hartson. He has a lengthy resume of service in transportation posts: from 1979 to 1985, he served as DOT Assistant General Counsel for International Law and then as Deputy Assistant Secretary for Policy and International

Affairs. From 1985 to 1989 he served at the State Department as Deputy Assistant Secretary for Transportation Affairs, then returned to DOT from 1989 to 1993 as Assistant Secretary for Policy and International Affairs.

The White House also announced the President's intention to nominate William Schubert to be Administrator of the Maritime Administration. A graduate of the Merchant Marine Academy, Schubert is the president of International Trade and Transportation, Inc. in Pinehurst, Texas. From 1986 to 1990, he served as Special Advisor to the Maritime Administrator, and from 1990 to 1995, he was MARAD's regional representative from the southwestern United States. Prior to 1996, he had a background in offshore oil drilling.

The Shane nomination also represents a new reorganization of the

top-level positions at DOT. Secretary Norman Mineta last week requested that Congress amend DOT's authorizing statute (49 U.S.C. 102) to change the name of Shane's future position from Associate Deputy Secretary to Under Secretary.

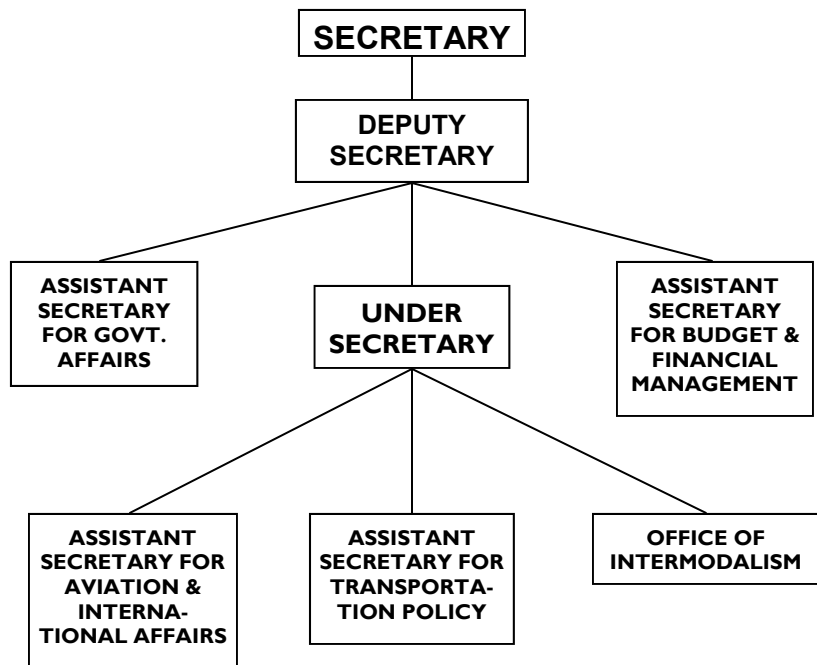


Jeffrey Shane

Mineta also announced that he would administratively restructure the policy-related fiefdoms at DOT. The Assistant Secretary for Transportation Policy, the Assistant Secretary for Aviation and International Affairs and the Office of Intermodalism all will now report to the Under Secretary. The previously unified policy operations were split up in 1993.

Mineta said that the new reorganization would constitute a "true transportation policy 'think tank' that will utilize the most talented people from inside and outside of government."

REORGANIZING THE DOT ASSISTANT SECRETARIES



Secretary Mineta has the authority to reorganize his office as he sees fit but needs a change in law to rename the Associate Deputy Secretary position as Under Secretary. 49 U.S.C. 102 states only that there be a Secretary, a Deputy Secretary, an Associate Deputy Secretary, four Assistant Secretaries, and a General Counsel, all subject to Senate confirmation — the law does not define their specific duties.

Airline Bailout...

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During the week, most carriers reduced their overall flight schedules by about 20 percent and laid off a corresponding number of employees. At hastily called House and Senate hearings, representatives of the industry stated that without an immediate cash infusion and guaranteed credit by September 27, bankruptcy filings would begin.

The Administration, which had not been actively involved in the negotiations leading up to the abortive September 14 bill, took a lead role in negotiating with the airlines, meeting with CEOs early in the week and hosting a pivotal September 20 meeting that settled the broad outlines of a deal.

The airlines began the week asking for help in numerous areas outlined below. On September 20, the airlines modified their request in a letter to President Bush and simpli-

fied it to \$5 billion in cash, \$12.5 billion in loan guarantees and liability protection. They dropped a request for suspension of the airline ticket and jet fuel taxes, after a quiet but determined effort by airports and the construction industry (who just last year won a fight to keep those tax receipts segregated for capital expenditures) to educate Congress and the Administration on the merits of the tax.

Once the outlines of the deal, which did not include protection for furloughed airline employees, became clear last Thursday night, the Transportation Trades Department of the AFL-CIO swung into action. (The head of the Association of Flight Attendants is the Secretary-Treasurer of the TTD). The unions argued that it was unfair to provide public support for the industry without such things as continuation of free health coverage for laid-off workers, restrictions on executive salaries and bonuses (an AFL-CIO

pet peeve), and the need for immediate federalization of airline security screeners (who, once becoming federal workers, would presumably join a union).

“It seems only right to transportation workers – and we suspect to the American people – that any multi-billion dollar aid package include adequate resources for the more than 100,000 airline workers bracing for massive lay-offs,” said Sonny Hall, president of the TTD.

Although the Democratic leadership in the House and Senate had signed onto the deal, determined opposition from labor caused them to distance themselves somewhat from the bill. During Friday’s debate, Democrat after Democrat arose to denounce the bill, led by Peter DeFazio (D-OR), an outspoken critic of the airline industry, who pointedly criticized the bill’s lack of provisions relating to aviation safety, even

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WHAT THE AIRLINES ASKED FOR

- **Cash.** \$5 billion in emergency appropriations for revenue losses and cost increases stemming from the September 11 attacks.
- **Loans.** \$12.5 billion in government loans or loan guarantees. The airlines had originally asked for \$11.2 billion but increased the amount on September 20.
- **Tax relief.** Allow the airlines to keep the proceeds of the ticket and waybill taxes for one year at a cost of \$7 billion and repeal the 4.4 cent-per-gallon tax on jet fuel for one year at a cost of \$800 million.
- **Insurance.** Insurance companies are canceling airline terrorism insurance or raising premiums substantially. Under existing law, the federal government can only insure U.S. carriers on overseas flights or in time of a declared war.
- **Liability protection.** Indemnify United and American from any potential legal liability for damages, injuries and deaths on the ground as a result of the attacks.
- **Security.** The airlines want the federal government to take over airport security from the airlines, who are currently responsible for it.

WHAT WAS ENACTED INTO LAW

- **Cash.** \$5 billion in immediate cash assistance (\$4.5 billion for passenger carriers and \$500 million for cargo carriers), distributed on the basis of available seat-miles and revenue-ton miles.
- **Loans.** \$15 billion in direct federal loans for air carriers for which credit is not “reasonably available” to be administered by a new Air Transportation Stabilization Board.
- **Tax delay.** The due date on the quarterly ticket tax payments to the Treasury is pushed back as far as January 15, 2002.
- **Insurance.** The federal government is now authorized to reimburse air carriers for increases in existing premiums and to insure carriers directly against acts of terrorism, subject to a maximum liability limit of \$100 million per incident.
- **Liability protection.** An open-ended federal compensation fund was established to compensate the families of the victims directly. Those electing to receive compensation cannot sue United and American. All lawsuits against the carriers must be filed in the U.S. District Court in New York City. The total damages awarded against the carriers cannot exceed the amount for which they were covered on their existing insurance.

Airline Bailout...

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though Transportation Secretary Norman Mineta, a Democrat, had asked for Congress to hold off on safety legislation until his safety review panels complete their work on October 1.

Under the rules of debate, only one amendment could be offered, and DeFazio used that opportunity to propose two things: that airlines be required to pay 100 percent of their furloughed employees' health insurance costs for eighteen months, and that, "[a]s soon as practicable after the date of enactment of this subsection, the screening of passengers and property...shall be carried out by employees of the Federal Aviation Administration."

DeFazio's proposal was defeated by a 174-239 vote, with all but 30 Democrats (mostly anti-labor Southern conservatives, but also the ranking Democrats on the Transportation and Infrastructure and Rules Committees) voting in favor of it and with all Republicans voting against it. The bill then passed by a 356-54 vote, with Minority Leader Richard Gephardt (D-MO) and 154 other Democrats supporting the bill all but six of the Republicans present voting in favor as well.

Earlier that afternoon, the Senate had passed its identical version of the bill by a vote of 96-1, with Peter Fitzgerald (R-IL) the lone holdout. President Bush signed the bill into law Saturday at Camp David.

Following the signing of the bill, President Bush also signed a Presidential Determination that authorizes the Secretary of Transportation to provide insurance against terrorism for U.S.-flag air carriers if the carrier cannot reasonably find private insurance.

As a result of the legislation, the airlines will receive checks from the Treasury as early as this week to cover most of their operating losses. The money will be disbursed on the basis of available seat-miles (in the case of the \$4.5 billion set aside for passenger carriers) or cargo revenue-ton miles (for the \$500 million for cargo carriers).

This means that AMR Corporation, which owns American Airlines and TWA, could receive up to \$950 million (that calculation is based on last year's seat-miles and is *very* approximate). United could get over \$830 million, with Delta at about \$750 million. The smallest of the major carriers, Alaska Airlines, would receive just over \$80 million.

The airlines hope that the cash, plus the loan guarantees, will help their stocks rebound on Wall Street after a disastrous slide last week (see table below).

Perhaps the most remarkable feature of the bill was added late in the week: the establishment of an open-ended federal fund to pay compensation for the victims of the attacks. The bill authorizes the Attorney General to appoint a Special Master to adjudicate all claims for compensation from a bottomless fund es-

tablished by the bill. Both economic and non-economic damages (but not punitive damages) can be compensated, and eligibility is limited to those who were physically injured (not emotionally traumatized) or killed (or their survivors) on September 11 at the crash sites.

Anyone filing for compensation would be prohibited from suing anyone in connection with the attacks. The bill states that it "constitutes budget authority in advance of appropriations Acts and represents the obligation of the Federal Government to provide for the payment of amounts for compensation," which gives the Special Master unprecedented, limitless spending authority. Proposals for a cap on the overall size of the compensation fund were rejected (to the dismay of several leading Republicans and a few Democrats).

Gephardt and House Speaker Dennis Hastert (R-IL) appeared late in the debate on the bill to state that the issue of aid to laid-off airline workers would be addressed in the coming weeks as part of a broader economic stimulus and assistance package.

Another last-minute addition to the bill was an authorization for \$120 million for the FAA's Essential Air Service (EAS) program for small communities. That provision also gives DOT the vaguely worded regulatory power to force airlines to continue serving small communities if they served them prior to September 11.

THE FINANCIAL STATE OF THE MAJOR PASSENGER AIRLINES

CARRIER	PRIOR FISCAL SITUATION	ACTIONS TAKEN		AIRLINE STOCK PERFORMANCE				
	2nd QTR 2001 NET PROFIT/LOSS	CAPACITY REDUCTION	NEW LAYOFFS	52-WK. HIGH	CLOSE SEP. 10	CLOSE SEP. 20	DECLINE ON YEAR	DECLINE ON WEEK
America West	\$20.3 million loss	20 percent		14.19	8.60	2.50	82.38%	70.93%
American	\$105 million loss	20 percent	20,000	43.94	29.70	17.90	59.26%	39.73%
Continental	\$42 million profit	20 percent	12,000	57.88	11.97	8.58	85.17%	28.32%
Delta	\$123 million loss			52.94	37.25	22.47	57.55%	39.68%
Northwest	\$55 million loss	20 percent	10,000	33.06	19.62	10.45	68.39%	46.74%
Southwest	\$176 million profit			23.33	17.12	13.60	41.70%	20.56%
United	\$292 million loss	20 percent	20,000	48.13	30.82	17.13	64.41%	44.42%
US Airways	\$24 million loss	23 percent	11,000	48.00	11.62	4.55	90.52%	60.84%

SECTION-BY-SECTION SUMMARY OF H.R. 2926 AIR TRANSPORTATION SAFETY AND SYSTEM STABILIZATION ACT

TITLE I – AIRLINE STABILIZATION

Sec. 101. Aviation disaster relief. Requires the President to compensate air carriers for losses incurred as a result of the September 11, 2001 terrorist attacks, in the form of up to \$10 billion in Federal credit instruments (subject to terms and conditions set by the President) and with a cash sum of \$5 billion for the direct losses incurred by carriers due to the grounding of planes by the FAA since September 11 and for the incremental losses incurred from September 11 through December 31, 2002. The \$15 billion is designated as emergency spending under the Gramm-Rudman-Hollings Act if the President so requests.

Sec. 102. Air Transportation Stabilization Board. Establishes a Board consisting of the Secretary of Transportation, the Chairman of the Federal Reserve Board of Governors, the Secretary of the Treasury, and the Comptroller General, or their designees. The Board shall issue the Federal credit instruments authorized by section 101 if the Board determines that the air carrier cannot reasonably obtain outside credit, that the intended obligation is reasonably incurred, and that the agreement is necessary to maintain safe, efficient and viable commercial aviation. The Board is required to ensure that the government is compensated for the risk assumed in issuing the loans, which may include the air carriers putting up their own warrants, stock options, or stock shares as collateral.

Sec. 103. Special rules for compensation. Requires the air carriers to submit sworn financial statements or other appropriate data to the President to demonstrate their eligibility for the direct cash assistance. Sets a maximum total amount of cash compensation for each air carrier, which is the lesser of their actual losses provable by submission of financial data or, in the case of passenger airlines, the ratio of their available August 2001 seat-miles to all available seat-miles multiplied by \$4.5 billion, and in the case of cargo airlines, the ratio of their latest quarterly audited revenue ton miles to all revenue ton miles multiplied by \$500 million. Allows the President to split up the payment of the cash compensation into multiple payments.

Sec. 104. Limitation on certain employee compensation. Prohibits air carriers from receiving Federal credit instruments under section 101 unless the air carrier signs a legally binding agreement stating that no airline officer or employee whose total (salary plus stock and bonuses) was more than \$300 thousand in 2000 can receive a raise for the next two years and that no such officer or employee may receive a termination package equal to more than twice their total 2000 compensation.

Sec. 105. Continuation of certain air service. Urges the Secretary of Transportation to take “appropriate action” to ensure that all communities who were receiving scheduled air service prior to September 11 continue to receive it without interruption. Authorizes \$120 million, subject to later appropriation, for the essential air service program. Gives the Secretary the authority to require air carriers receiving direct financial assistance under the Act to maintain scheduled air service to any point that the carrier served prior to September 11 and allows the Secretary to require multiple carriers to enter into joint agreements to maintain that level of service.

Sec. 106. Reports. Requires the President to report to Congress by February 1, 2001 (obviously meaning 2002) and every seven months thereafter on the state of the airlines and the compensation given under the Act.

Sec. 107. Definitions. Defines the terms used in title I.

TITLE II – AVIATION INSURANCE

Sec. 201. Domestic insurance and reimbursement of insurance costs. Amends the War Risk Insurance Act (49 U.S.C. 44302 *et seq.*) allowing the Secretary of Transportation to reimburse air carriers for any increase in their aircraft loss/damage insurance premiums above the rates in effect on September 10, effective for policies good through October 1, 2002. The Secretary may impose conditions for insurance as he deems appropriate. This authority to reimburse will expire 180 days after enactment. Allows the Secretary to insure air carriers directly, or reimburse their insurance costs, under the War Risk Insurance Act if the air carrier’s activities are judged to be, “in the interest of air commerce or national security”. If an air carrier so insured is the victim of an act of terrorism within 180 days of the enactment of this Act, the Secretary may determine that the air carrier is not responsible for losses suffered by third parties exceeding \$100 million in the aggregate and prohibits the awarding of punitive damages against an air carrier or the federal government under a cause of action arising from such act of terrorism. The Secretary may make allowances to insurance companies in setting reinsurance premium rates for expenses incurred in maintaining good business practices.

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Sec. 202. Extension of provisions to vendors, agents, and subcontractors of air carriers. Allows the Secretary to extend any provision of the War Risk Insurance Act, as amended, to vendors, agents and subcontractors of air carriers and allows the Secretary to set policies to ensure that such groups are held harmless for any acts of terrorism in the next six months in the same way that air carriers are.

TITLE III – TAX PROVISIONS

Sec. 301. Extension of due date for excise tax deposits; treatment of loss compensation. Allows air carriers to delay any payments to the Treasury stemming from their collection of excise taxes on tickets and waybills that may be due between September 10, 2001 and November 15, 2001. The new due date is November 15, 2001 but it may be extended by the Secretary of the Treasury as far as January 15, 2002. Clarifies that nothing in law shall be construed to exempt the cash compensation received under section 101 from taxation as gross income.

TITLE IV – VICTIM COMPENSATION

Sec. 401. Short title. Title may be cited as the “September 11th Victim Compensation Fund of 2001.”

Sec. 402. Definitions. Defines the terms used in title IV.

Sec. 403. Purpose. States the purpose of the title as being to provide compensation to any individual, or to relatives of deceased individuals, who were physically injured or killed as a result of the terrorist-related aircraft crashes on September 11, 2001.

Sec. 404. Administration. Requires the Attorney General to appoint a Special Master to administer a compensation program and set the rules and appoint staff and hearing officers of the program. All necessary funds for administration are authorized to be appropriated.

Sec. 405. Determination of eligibility for compensation. Requires the Special Master to develop claim forms for the use of those seeking compensation that details the specifics of each claimant’s case and requires the Special Master to review each claim and determine the claimant’s eligibility, the extent of harm to the claimant and the amount of compensation to which the claimant is entitled. Eligible claimants must have been present at the World Trade Center, the Pentagon, or the site of the Pennsylvania crash (or on the airplanes) on September 11 or immediately thereafter and must have been physically injured or killed. Only one claim per deceased individual will be allowed. Survivors of hijackers are not eligible to file claims. Claims must be filed by two years after the date on which regulations implementing the claims program are published. Claimants shall have the right to legal representation and other due process rights. Punitive damages are prohibited in all claims. The Special Master may reduce compensation amounts by the amount of a claimant’s life insurance, death benefits, pension funds and other governmental compensation. If an individual files a claim under this title, they waive the right to sue for damages in any federal or state court.

Sec. 406. Payments to eligible individuals. Requires the Special Master to authorize payment of a claim within 20 days of determining the eligibility and amount of the compensation. Declares that this title is budget authority in advance of appropriations acts and that it represents the obligation of the federal government to pay compensation. Allows the Attorney General to accept outside donations to the fund and provides that those outside amounts be expended before appropriated funds are used.

Sec. 407. Regulations. Requires the Attorney General, in consultation with the Special Master, to promulgate regulations implementing the title within 90 days.

Sec. 408. Limitation on air carrier liability. Limits all claims, whether for compensatory or punitive damages, made against air carriers as a result of the September 11 incidents to the amount of the liability coverage maintained by the airlines. Creates a federal cause of action to be brought in the Southern District of New York that is the exclusive remedy for all damages from the September 11 incidents. The substantive law for decisions of the suits shall be the state law of the state in which the crash occurred unless inconsistent with federal law.

Sec. 409. Right of subrogation. Gives the United States the right of subrogation to all claims paid by the federal government.

TITLE V – AIR TRANSPORTATION SAFETY

Sec. 501. Increased air transportation safety. Declares the approval of Congress of the President’s decision to spend \$3 billion of emergency supplemental funds on airline security and safety.

Sec. 502. Congressional commitment. Declares the commitment of Congress to act quickly, in concert with DOT, to strengthen airport and air travel security.

TITLE VI – SEPARABILITY

Sec. 501. Separability. Provides that if any provision of the Act is held invalid, the remainder of the Act and the application thereof shall not be affected.

FROM THE FEDERAL REGISTER

Monday, September 17, 2001 — *Nothing of general applicability regarding transportation was published in the Federal Register on Monday.*

Tuesday, September 18, 2001 — The FAA extended until October 31, 2001 the temporary policy issued on November 11, 2000, regarding the minimum slot usage requirement for slots and slot exemptions at LaGuardia Airport. Also, the FAA announced that in view of recent events in the New York and Washington, DC areas, a separate policy providing appropriate relief from the slot usage requirement will be issued in the near future.

The FHWA requested comments on a proposed revision to its policy on the design standards which apply to highway construction and reconstruction projects on the National Highway System. Comments are due November 19, 2001.

The FTA withdrew its proposed rulemaking of June 23, 1997 that had proposed to amend its rules on charter bus services.

Wednesday, September 19, 2001 — The FAA extended through September 28, 2001, 4:30 p.m. EST an on-line public forum on the Internet seeking comments and information from the public regarding the government's role in supporting the U.S. commercial satellite launch industry.

Thursday, September 20, 2001 — The FAA requested comments on a proposed policy statement reviewing certification plans to address human factors for certification of Part 23 small airplanes.

Friday, September 21, 2001 — The Corps of Engineers extended the comment period on the reissuance of Nationwide Permits. Comments are now due by October 9, 2001.

STATUS REPORT ON THE NATIONAL AIRSPACE SYSTEM

Last week saw most of the traffic in the national airspace system return to normal. General aviation operating under visual flight rules (VFR), which had been shut down since September 11, were given the green light on September 19, but are banned from class B airspace (the areas around major cities).

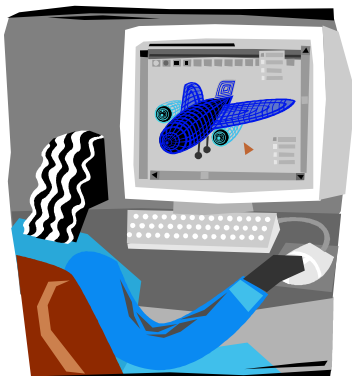
Cropdusting flights, which had been allowed to resume last week, were shut down on the FAA again yesterday for security reasons after a cropdusting manual was reportedly found in the personal belongings of a hijacking suspect.

Reagan National Airport remains closed to all air traffic. Last week, the airport was also shut down to pedestrian traffic as well, signaling that it may be a long time before the airport is reopened.

NEW AND NOTABLE ON THE INTERNET

The text of H.R. 2926, the Air Transportation Safety and System Stabilization Act, may be found online at <http://thomas.loc.gov/cgi-bin/query/z?c107:H.R.2926>.

The Federal Highway Administration has revised the apportionment tables for the federal-aid highway program. The revised tables may be found online at <http://www.fhwa.dot.gov/legregs/directives/notices/n4510456/n4510456.htm>.



TRANSPORTATION NOMINATIONS PENDING IN COMMITTEE

Department of the Army — Michael Parker, to be Assistant Secretary for Civil Works. (Nomination transmitted June 19, 2001 — hearing held September 21, 2001).

Department of Transportation — Jeffrey Shane, to be Associate Deputy Secretary. (Nomination announced September 18, 2001 but not yet transmitted).

Emil Frankel, to be Assistant Secretary for Transportation Policy. (Nomination transmitted September 14, 2001).

Federal Highway Administration — Mary E. Peters, to be Administrator. (Nomination transmitted July 31, 2001 — hearing held September 21, 2001).

Maritime Administration — William Schubert, to be Administrator. (Nomination announced September 21, 2001 but not yet transmitted).

REPORTED FROM COMMITTEE/PENDING IN THE SENATE

Department of Transportation — Kirk Van Tine, to be General Counsel. (Nomination favorably reported August 2, 2001).

Federal Motor Carrier Safety Administration — Joseph M. Clapp, to be Administrator. (Nomination favorably reported September 20, 2001).

CONFIRMED BY THE SENATE LAST WEEK

Department of Transportation — Read Van de Water, to be Assistant Secretary for Aviation and International Affairs. (Confirmed September 21, 2001 after being favorably reported on September 20, 2001).

Research and Special Projects Administration — Ellen Engleman, to be Administrator. (Confirmed September 21, 2001 after being favorably reported July 17, 2001).

National Transportation Safety Board — Marion Blakey, to be a Member for a term expiring December 31, 2005, and to be Chairman for a term of two years. (Confirmed September 21, 2001 after being favorably reported on September 20, 2001).

This issue provided courtesy of:

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Please send comments or
corrections to:
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THIS WEEK IN COMMITTEE

Tuesday, September 25, 2001 — Senate Environment and Public Works — full committee business meeting to consider pending legislation and nominations, including Mike Parker to be Assistant Secretary of the Army for Public Works and Mary Peters to be Federal Highway Administrator — *9:30 a.m., SD-406 Dirksen.*

House Transportation and Infrastructure — Subcommittee on Aviation — subcommittee hearing on airport security and the future of the aviation industry — *10:30 a.m., 2167 Rayburn.*

Wednesday, September 26, 2001 — Senate Commerce, Science and Transportation — Subcommittee on Surface Transportation and Merchant Marine — subcommittee hearing on surface transportation security issues — *9:30 a.m., SR-253 Russell.*

House Transportation and Infrastructure — Subcommittee on Coast Guard and Maritime Transportation — subcommittee hearing on H.R. 2288, Maritime Disaster Family Assistance Act of 2001 — *10:00 a.m., 2253 Rayburn.*

House Transportation and Infrastructure — Subcommittee on Highways and Transit — subcommittee hearing on improving delivery of transit services by easing regulatory burdens — *10:00 a.m., 2167 Rayburn.*

The Jewish holiday of Yom Kippur begins at sundown on Wednesday. The House will not be in session after mid-afternoon on Wednesday and the Senate will not have any recorded votes after that time.

STATUS OF MAJOR TRANSPORTATION BILLS — 107th CONGRESS

BILL	HOUSE ACTION	SENATE ACTION	OUTCOME
FY 2002 Transportation Appropriations	H.R. 2299 passed House 6/26/01 by a vote of 426-1	H.R. 2299 passed Senate 8/1/01 (amended) by voice vote	
FY 2002 Energy and Water Development Appropriations	H.R. 2311 passed House 6/28/01 by a vote of 405-15	H.R. 2311 passed Senate 7/19/01 (amended) by a vote of 97-2	Sent to House-Senate conference 9/20/01
Aviation competition	H.R. 142 introduced 1/3/01 by Representative Oberstar	S. 415 ordered reported 3/15/01 by Senate Commerce Committee	
Airline passenger rights	Numerous bills introduced but no committee action scheduled	S. 319 reported 4/16/01 S. Rept. 107-13	
Airport project streamlining/airline scheduling coordination	H.R. 1407 reported 6/28/01 H. Rept. 107-77, parts I and II	S. 633 ordered reported 8/2/01 by Senate Commerce Committee	
Tax credit bonding authority for Amtrak high-speed rail	H.R. 2329 introduced 6/27/01 by Rep. Houghton, 136 cosponsors	S. 250 introduced 2/6/01 by Senator Biden, 56 cosponsors	
Railroad retirement reform	H.R. 1140 passed House 7/31/01 by a vote of 384-33	S. 697 introduced 4/4/01 by Senator Hatch, 70 cosponsors	
Water Resources Development Act	Hearings expected in 2001 Legislation to move in 2002	Hearings expected in 2001 Legislation to move in 2002	
Coast Guard Authorization (Maritime provisions of last year's bill)	H.R. 1098 passed House 3/21/01 by a vote of 415-3	H.R. 1098 reported 6/27/01 S. Rept. 107-48	
Coast Guard Authorization for fiscal year 2002	H.R. 1699 passed the House 6/7/01 by a vote of 411-3	S. 951 ordered reported 8/2/01 by Senate Commerce Committee	
Passenger Vessel Services Act repeal for cruise ships	No action is planned	S. 127 reported 6/27/01 S. Rept. 107-47	