

Shutdown: Dems Walk Back Decision to Relent on FAA

By [Todd Zwillich](#) | August 2, 2011 – 3:11 pm

UPDATED WITH RAY LAHOOD: A senior Senate Democratic aide now tells Transportation Nation that the deal is off. Democrats will NOT accept the House GOP's version of a bill temporarily extending the Federal Aviation Administration. The decision means the two-week-old shutdown caused by the standoff is likely to continue.

The statement comes as a surprise when you consider what Senate Majority Leader Harry Reid (D-NV) [said earlier today](#). Reid said he was prepared to accept the House GOP's bill on the Senate floor today. The move would have sent the bill to the president, and if signed, reopened the FAA.

"Sometimes you have to be reasonable," Reid said.

His position was backed by Transportation Secretary Ray LaHood, who has been waging a [p.r. blitz](#) to get Congress to get the FAA fully back in business. LaHood told reporters on an afternoon conference call that he'd talked with Reid "three or four times" today and that Reid had said he "really wanted" the Senate to vote for the House bill. "I have no doubt from talking with him he really wants this to happen," LaHood said of Reid.

But the bill wasn't reasonable to other Democrats, who've railed against the House GOP's tactics in the shutdown fight. The only difference between the House and Senate bills is about \$13 million worth of subsidies for some small airports, one of which happens to be in Reid's home state. The Senate has demanded a "clean" extension of the FAA's funding.

Meanwhile, the House members have left town, leaving the Senate to decide: accept the GOP's terms or allow the FAA shutdown and thousands of temporary layoffs to continue.

While decrying the loss of those jobs and the suspension of improvements to the U.S. aviation system, Secretary LaHood insisted flying safety would not be compromised—even if a bill wasn't passed. "Flying is safe," he said. "Air traffic controllers are guiding planes. Our inspectors are on duty, doing their jobs."

FAA inspectors who check planes for air-worthiness are still on the job because they're paid from the operational side of the agency's budget and not the side furnished by airport fees and taxes, which the FAA stopped collecting when it was partially shut down. However, 40 airport safety inspectors are being required to work without pay because their jobs have been deemed critical to "life and property."

In the background there's a larger fight over union organizing rules at airlines and rail companies on a separate, longer-term FAA bill.

“Not over till it’s over,” said a spokesman for Senate Commerce, Science and Transportation Committee Chairman Sen Jay Rockefeller (D-W.Va.), moments after Reid said he’d acquiesce to the House’s demands.

4:14pm... Moments ago, Rockefeller released a statement blaming the FAA shutdown on Republicans’ intransigence on the union issue. Rockefeller says: “Today, Republicans once again objected to a simple, fair request—a ‘clean’ extension of funding that would maintain operations into the fall, allow the FAA to function, and restart bipartisan negotiations, which Senator Kay Bailey Hutchison and I have made clear we are ready to do. From day 1, House GOP leaders admitted openly—almost proudly—that they were doing this to gain ‘leverage’ toward a larger goal—undermining worker rights.”

A statement from Reid’s office blames the GOP’s move for “laying off thousands of air travel workers just because they are not getting their way.”

Senate Dems note that the House could conceivably reconvene and pass a “clean” FAA extension if Senate Republicans would only relent and let one through.

The bottom line is this: Two hours after Senate Majority Leader Harry Reid said he was ready to break the impasse and reopen the FAA, we’re right back where we started: shutdown.

Senate Dems Relent: FAA Likely to Re-open

By Todd Zwillich | August 2, 2011 – 1:25 pm

(Washington, DC) UPDATED WITH TRANSCRIPT Senate Majority Leader Harry Reid (D-Nev.) says Democrats are prepared to give in to House Republicans in the two-week old standoff over the Federal Aviation Administration. But other Democrats appear less willing to give in and could put a kink in Reid's plan.

Reid told reporters he's prepared to accept the House's version of a bill temporarily reauthorizing the FAA. If no other senator objects that means the stare-down will end and the FAA can soon reopen.

"Sometimes you have to step back and find out what's best for the country," Reid said Tuesday.

Minutes later, a spokesman for Commerce, Science and Transportation Committee Chairman Sen. Jay Rockefeller (D-Va.), emailed to say: "Not over til it's over."

Reid would need the agreement of all senators to go ahead with his plan to accept the House GOP bill, send it to the president, and re-open the FAA. That statement from the Rockefeller aide suggests that agreement may not be easy to get.

Todd Zwillich: If Republicans don't accept a clean temporary extension to the FAA after you're on the floor by the end of the day will you accept the House version and re-open the FAA?

Senator Reid: Yes. I have said we have 80,000 jobs at least on the line. In Nevada, as an example, we have a new airport tower there that they started the construction about two weeks ago, all those people have been laid off. That's a huge project, nearly a \$100 million project.

Barbara Boxer just told me they have problem with the control tower in Palm Springs and as I understood it they've shut down the construction on that and they only have one there so that's difficult.

The Essential Air Services is a program I believe in but I also believe that \$3500 per passenger is a little extreme, that's what Ely Neva is and I do my best to protect the state but sometimes you have to be reasonable, I think, as we learned with this big deal we've just done. Sometimes you have to step back and do what's best by the country and not be bound by some of your own personal issues. I'm willing to give that up I hope the other Senators would do the same.

Reid Says FAA Shutdown Will Continue; Blames House, Delta Airlines

Construction equipment sits idle in front of the half-completed new control tower at Oakland International Airport. Thousands of construction workers on aviation projects have stopped work, as a standoff over funding of the FAA continues.

The Federal Aviation Administration has been in a partial shutdown mode since July 22. And Senate Majority Leader Harry Reid says the shutdown will continue, with some 4,000 federal workers remaining on furlough.

"It'll be closed until... maybe not September, maybe more than that," he tells *All Things Considered* co-host Michele Norris.

The FAA shutdown continues despite the end of weeks of debate over raising the federal debt ceiling — the House approved that legislation Monday, and the Senate followed suit Tuesday. President Obama signed the bill Tuesday afternoon.

An AP story reports that the "Senate continues to object to legislation approved by the House to fully fund the FAA. The bill includes cuts to certain subsidies for rural air service."

But Reid says the problem actually lies with one airline: Delta.

"The House has tried to make this a battle over essential air service," he says. "It's not a battle over essential air service. It's a battle over Delta Airlines, who refuses to allow votes under the new rules that have been passed by the NLRB [National Labor Relations Board]."

The issue, Reid says, is Delta's "non-union" stance. The bill to fund the FAA, as crafted by House Republicans, includes language that sets new rules for aviation workers' votes on labor representation.

As Eyder reported earlier today, the FAA shutdown has already cost the government more money than the disputed \$16.5 million in cuts approved by the House. In fact, he wrote, the federal government stands to miss out on "more than \$1 billion in revenue from uncollected airfare taxes."

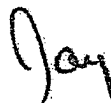
Tuesday, the Senate tried but failed to "end a partial shutdown of U.S. federal aviation programs that have halted airport construction projects employing thousands of people," the AP says. But the effort failed, and now it will have to wait until September — at the earliest — as Congress will spend the rest of August on vacation.

As I told you on numerous occasions, EAS is critical to West Virginia. Specifically, I discussed how Morgantown and Clarksburg depend on the EAS program. Air service has been a critical factor in the economies of these communities, and drives economic growth across my state. Our every conversation had me convinced that you appreciated the reasons I am so dedicated to supporting this program. I believed you when you indicated you wanted to work with me on reaching language acceptable to both chambers. The language in the FAA extension you introduced with Congressmen Camp and Petri makes it harder to find a path forward on this issue.

Over the last twenty-four hours, it is my understanding that you have asserted to others that you had no role in developing this extension, claiming that it was a leadership decision. If this is true, I am unclear as to why you sponsored it, and issued such a searing press release along with it. If you truly have no authority to make final decisions on the FAA bill, I urge the House to formally appoint conferees and allow me to negotiate directly with your colleagues who can make decisions.

I strongly urge you to reconsider your position and send over a clean FAA extension and appoint conferees for the FAA reauthorization bill, as the Senate did on April 7, 2011, to move this important legislation forward. Further efforts to add policy components to FAA extensions that have not been negotiated with the Senate will likely shut the FAA down. You need to think about this very, very carefully. Any consequences resulting from such an action will fall squarely on your shoulders. Right now you are in control of the agency's immediate future.

Sincerely,



John D. Rockefeller IV