



Senate Consideration of FY 2016 DOT/FAA Appropriations Bill Halted

November 19, 2015

The Senate has been considering the FY 2016 DOT/FAA appropriations bill over the past two days, but work on the measure was set aside - and likely derailed - this afternoon after Sen. Rand Paul (R-KY) blocked consideration of amendments to the bill until he is promised a vote on a proposal dealing with Syrian refugees.

With the Senate scheduled to be in recess next week for the Thanksgiving break and with only a handful of legislative days between now and December 11 when federal funding is currently set to expire, it looks unlikely that the Senate will return to consideration of the bill in early December, leaving DOT and FAA funding to be addressed as part of an omnibus bill rather than as a stand-alone measure.

In terms of program funding, the distinction between a stand-alone DOT/FAA funding measure and an omnibus is not likely to make a material difference on AIP, contract towers and other airport priorities. If the Senate does, in fact, fail to take up the DOT bill following the Thanksgiving holiday, the fate of a few amendments to the bill adopted over the past day would be in limbo.

Most notable on the amendment front was a provision from Arizona's two Republican senators, Sens. John McCain (R-AZ) and Jeff Flake (R-AZ), regarding flight paths over Phoenix Sky Harbor International Airport. The amendment, which was unanimously approved yesterday, "creates a long-awaited opportunity for residents around Phoenix Sky Harbor International Airport negatively impacted by flight noise to have their voices heard by the FAA," according to McCain and Flake. The Senators added that the amendment "establishes a process to have recent flight

path changes reviewed by the FAA in an effort to identify ways to mitigate noise impacts on the community. It also ensures that airports and local communities will be involved in future flight path decisions. There's no doubt that implementing new flight path changes as part of FAA's NextGen program is important for enhancing passenger safety and increasing travel efficiency, but these changes shouldn't be made without fully engaging the communities that will ultimately be affected."

Also of note, Senators Flake and McCain also offered a separate amendment to establish an Airspace Management Advisory Committee that would allow airports and others to review and comment on proposed changes in regulations, policies, or guidance from FAA relating to airspace that affects airport operations, capacity, the environment, or communities in the vicinity of airports. The amendment did not receive consideration or a vote.

Sen. John Cornyn (R-TX), the Senate's No. 2 Republican leader, introduced an amendment along with Senate Minority Leader Harry Reid (D-NV) that would force the FAA to conduct cost-benefit analysis on non-federal air traffic control towers that have applied to participate in the federal Contract Tower Program. This amendment also failed to receive consideration or a vote.
