

# The FAA restructuring bill already looks like it's on life support

Jazz Shaw, HotAir.com | February 22, 2016

We've been tracking the new FAA restructuring bill, formally known as the Aviation Innovation, Reform, and Reauthorization (AIRR) Act [since the story originally broke](#) and it's almost uniformly bad news. All you really need to know about it for a snapshot is that the unions are in favor of it and it removes oversight of their budget from Congress. (Not that Congress is exactly on the ball in terms of government oversight these days, but it's better than nothing.) But before we hit the panic button over this scheme, some combined forces in the People's House might actually be on the path to strangling AIRR before it makes it out of the cradle. [Politico has a morning rundown](#) of the current options they're looking at to try to get something through, but it's probably not what the bill's original authors (or the airline industry) intended.

Option No. 1: Commerce Committee members will consider letting the House proceed with the FAA bill (H.R. 4441) without interference from the Senate, even if it means the bill might fall flat on its face. Ouch.

Option No. 2: They'll also weigh the idea of pushing a bill that's less ambitious than Shuster's but has "enough bipartisan backing that it could actually be enacted into law before the end of the year."

Neither option is attractive to T&I Republicans, who have hung their hats on their ability to push through this legislation. "Whether the Senate pushes a scaled-down version of the House bill or simply decides to shelve an air traffic control overhaul until 2017, either will no doubt be unappetizing to Shuster, ... who worked for more than two years on his 'transformative' proposal."

They're facing opposition from both parties for very different reasons, but nobody seems to have an appetite for it. Privatization runs into all sorts of problems whenever it's brought up and this time seems to be no exception. On top of that, this represents a major change requiring protracted debate and compromise. This is an election season where the two sides are already squaring off over a Supreme Court vacancy, so good will and mutual admiration societies in both chambers are hard to come by.

The National Law Review [has a good rundown](#) of the various headwinds the bill has hit.

The Republican opposition is mostly to the ATC reform provisions, which would reduce the Congressional oversight role by taking the ATC system outside of the FAA, insulating it from the federal appropriations process, and removing some of the House Ways and Means Committee's taxing authorities. Congressional Democrats also oppose the bill, and House Transportation and Infrastructure Committee Ranking Member Peter DeFazio's (D-OR) amendment, which would have removed ATC funding from the appropriations process but left ATC within the federal government, failed during the Committee's markup of the bill on February 11.

This entire proposal is a bad idea with a lot of lobbying money behind it. This is yet another case where a dysfunctional Congress may actually turn out to be a good thing. Gridlock works in your favor when the powers that be are trying to slide something like this through under the cover of darkness.

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