



Senate Update – May 5, 2008

Last Week in the Senate

The Senate agreed to proceed to the consideration of the FAA Reauthorization Act of 2007 (H.R. 2881) on April 28, 2008, by a vote of 88 to 0 ([Record Vote 114](#)). The substitute amendment proposed in the Senate would extend the authorization for the Airport and Airway Trust Fund through 2011. It provides \$290 million in new funding to modernize the Federal Aviation Administration's Air Traffic Control system and restores \$5 billion to the Highway Trust Fund for 2009.

On April 29, 2008, the White House issued a Statement of Administration Policy for H.R. 2881 that outlined several concerns about the legislation and contained a veto threat because "the Administration understands that the Senate substitute may include provisions that are unrelated to FAA modernization and the passenger delay problems. There are also reports that the legislation may contain – or may be amended to include – provisions that would prevent the Administration from allocating resources to expedite air traffic control modernization, or preempt the Department from exercising its authority to manage the national air space, or otherwise reduce FAA's ability to manage its workforce and to ensure the safety of the flying public." ([SAP for H.R. 2881](#), 4/29/08)

The following day Majority Leader Harry Reid (D-NV) "filled the amendment tree" for H.R. 2881, a procedural move that allows him to select which amendments from both sides of the aisle may be brought up for consideration. Republican Leader Mitch McConnell (R-KY) has informed Majority Leader Reid that it will be difficult for him to attain cloture and final passage on H.R. 2881 if a regular amendment process could not be worked out.

Reid filed cloture on the bill on May 1, 2008, and a vote on the cloture motion to limit debate on the legislation will be taken on Tuesday, May 6, 2008. If that motion fails, a vote on final passage of the bill is unlikely.

**Note: The House passed H.R. 2881 by a vote of 267 to 151 on September 20, 2007. ([Roll Call 890](#)) ([Legislative Digest for H.R. 2881](#))*

In addition, the Senate appointed conferees to the Consumer Product Safety Bill (H.R. 4040) on April 29, 2008. The Senate named Senator Daniel Inouye (D-HI), Senator Mark Pryor (D-AR), Senator Barbara Boxer (D-CA), Senator Amy Klobuchar (D-MN), Senator Ted Stevens (R-AK), Senator Kay Bailey Hutchison (R-TX), and Senator John Sununu (R-NH) were appointed as conferees.

This Week in the Senate

The Senate is expected to resume consideration of the FAA Reauthorization Act of 2007 (H.R. 2881) during the week of May 5, 2008. Following the consideration of H.R. 2881, the Senate is expected to proceed to the Flood Insurance Reform and Modernization Act (S. 2284).