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MEMORANDUM FOR LEON PANETTA, THE WHITE HOUSE February 22, 1996

FROM: Secretary Peña

SUBJECT: DOT Weekly Report -- Week of February 26, 1996

KEY DEPARTMENT NEWS

Amtrak Passenger & MARC Commuter Train Collision.

On February 16, an Amtrak passenger train, operating at a speed of 30 mph, was struck by a MARC commuter passenger train operating at a speed of 40 mph in Silver Spring, MD. The Amtrak train was crossing over from Track No. 2 to Track No. 1 to pass a standing CSX freight train. The MARC train was to stop at the signal at Georgetown Junction to allow the Amtrak train, which was traveling on the same track, to cross over and continue westward. This did not happen and the MARC train collided with the trailing end of the lead locomotive of the Amtrak train. The impact

ruptured the left diesel fuel tank of the Amtrak lead locomotive, discharging an undetermined amount of diesel fuel into the MARC cab car, which then ignited. The accident resulted in 11 fatalities, consisting of 3 MARC crew members and 8 passengers, all of whom were located in the MARC cab car. Twenty-six passengers and three firefighters were treated at local hospitals after the collision; of the five admitted to hospitals for treatment, only one remains hospitalized. The Federal Railroad Administration, the National Transportation Safety Board, Amtrak, CSX, and MARC are investigating the cause of the accident. Preliminary reports indicate the engineer of the MARC train may have missed a restrictive signal governing the movement of his train if the signal was functioning as intended. The results from the drug and alcohol tests conducted on train and engine crew members were negative. On Saturday, Feb. 17, I made two visits to the site of the Amtrak/Marc commuter train crash, expressing my sympathy for the families and victims and promising Federal Railroad Administration assistance and cooperation in the National Transportation Safety Board investigation.

On February 20, at a White House press conference, Federal Railroad Administrator Molitoris and I announced immediate actions taken to enhance the safety of passenger rail service in the United States. This was in response to the recent commuter rail accidents in New Jersey and Maryland. Although definitive conclusions have not been reached, preliminary indications are that both collisions could have been prevented had wayside signal indications been followed, and the death tolls might have been reduced significantly had occupied cab cars not been the lead cars. Additionally, the Silver Spring, MD, accident indicates a need to

ensure that emergency windows are clearly marked and operable. The FRA believes that certain immediate measures are necessary to prevent recurrence of these problems. The emergency order requires commuter, intercity passenger railroads and public authorities providing passenger service through contracts with railroads to take immediate measures concerning train signals, communications and emergency egress. Additionally, the order requires operators to submit within 45 days a system safety plan reviewing current operational practices. FRA Emergency Order No. 20 became effective February 21, at 12:01 a.m. (EST).

Southern Pacific Transportation Company (SP) Freight Train Derailment. On February 21, a SP freight train derailed near Leadville, CO. The freight train consisted of 2 locomotives and 82 cars (40 loads and 42 empties) of mixed freight; all equipment derailed except the second locomotive. Seven of the derailed cars were carrying hazardous materials; six contained sulfuric acid and one contained Naphtha (a flammable liquid). A loss of product from two of the sulfuric acid cars was reported. The spill flowed over Highway 24 and into the Eagle River. Access to the accident site has become more difficult because Interstate 70 and Highway 24 were closed. These closings have been caused by heavy snow and avalanche warnings, not because of the derailment. FRA's Associate Administrator for Safety is enroute; four inspectors, two specialists, and the Regional Administrator are at the scene of the accident.

Grade Crossing Safety Task Force. The Blue Ribbon Working Group will present its report to me on March 1. I created this group in the aftermath of the collision between the Northeast Illinois Commuter Rail

train and a school bus in Fox River Grove, IL, that occurred on October 25, 1995. This group, headed by Associate Deputy Secretary Huerta, was tasked with conducting a comprehensive national review of highway-rail crossing design and construction safety measures.

Cruise Ship Grounds in Tampa. On February 18, the Cruise Ship TROPICALE of Cayman Island registry grounded 200 yards outside Cut F Channel in Tampa, Florida. There were no injuries or pollution. The vessel sustained a 2" long by 1/2" wide crack in the double bottom shell near the fathometer transducer. Flooding was contained within the transducer compartment. Following an underwater survey, the vessel was permitted to depart. The Coast Guard is continuing its investigation of the grounding. The vessel's pilot, Thomas Baggett, was operating under his Florida State pilot's license. The State of Florida has instituted emergency suspension procedures against Mr. Baggett's license. Previously, Mr. Baggett was the pilot aboard the M/V BALSA 37, a freight ship that collided with two tugs and tank barges on August 10, 1993 in Tampa Bay, which caused pollution and a fire that closed the channel for two days. During the investigation of that incident, considerable national attention was drawn to pilot Baggett's frequent involvement in vessel casualties and his drunk driving convictions ashore. The Coast Guard does not have jurisdiction to take action against his Federal license for acts committed while operating under the authority of his State license. The Coast Guard is seeking statutory "fixes" for this problem, including a "point system" approach to violations of laws and regulations and regulatory changes under OPA 90 to revoke a license for criminal and other serious driving-related convictions.

Secretarial Travel to Northern California. As part of my northern California trip,

Feb. 21-23, I met with area business leaders, made a tour of light rail facilities, met with the editorial board of the Oakland Tribune, participated in the opening of a new BART line in Colma, California, and met with Mayor Brown.

International Aviation.

U.S.-Germany. Talks continue with Germany in Washington on February 22 to implement the agreed framework for negotiating an open skies bilateral aviation agreement.

U.S.-Japan. Talks will continue with Japan on a more liberal aviation cargo regime, in Washington on February 27.

U.S.-Canada. February 24 marks the one-year anniversary of the U.S.-Canada agreement. A release is being prepared on the resulting economic benefits of the agreement.

U.S. - Italy. The Department has issued an order that tentatively selects USAir for the last available route opportunity under the existing U.S. - Italy aviation agreement. USAir proposes to serve from Philadelphia. USAir was chosen over Delta, an Italy incumbent, which proposed service from Atlanta, and Northwest, a new entrant, which proposed service from Detroit. The draft order tentatively selects Northwest for backup

authority.

U.S. Assessment to ICAO. The Department of State has informed the Federal Aviation Administration that there has been a proposal to cut U.S. payments to all United Nations agencies across the board by 27 percent. The FAA believes that the International Civil Aviation Organizations direct impact on U.S. interests and value to American taxpayers are very significant, and is proposing senior level discussions with the Department of State to discuss this issue.

International Conference on Transit Security and Terrorism. I will attend the Volpe Transportation Systems Center-sponsored international conference entitled "Transit Security in the 90's" going on February 27-28 in Atlanta, GA. The purpose of the conference is to discuss the experiences of other countries in transit security and to identify what resources are available to assist domestic transit operators in making their systems more secure. The issue of transit security will be heightened by the upcoming Olympics. The conference will include speakers from Great Britain, Israel, France, and Japan.

Transportation Infrastructure Boosts Delta Region Economy. During a tour of the Lower Mississippi Delta region Feb. 16, Federal Highway Administrator Slater released a report showing that investment in transportation improvements in the seven-state Lower Mississippi Delta Region was an important factor in faster job growth than the rest of the country in the 1990s. Job growth in the 219 counties and parishes that make up the region was 16 percent greater than the rest of the United

States, according to the report, titled Linking the Delta Region With the Nation and the World. The report notes that most of the 55 transportation-related recommendations by the Lower Mississippi Delta Development Commission in 1990, chaired by then-Governor Bill Clinton, have been followed and calls the relationship between those improvements and the regions economic growth direct, fundamental and unambiguous. An estimated 250,000 jobs were created in the region from April 1990 to April 1995. Federal Highway Administrator Slater was joined by senior transportation officials of the seven-state Delta Region and Ray Bryant, Executive Director of the Lower Mississippi Delta Development Center during the tour. The tour went from Memphis TN, through Tunica, MS, and on to Helena and Dumas, AR.

DOT Gives \$158.5 Million to Portland, Oregon for Tri-Met Light Rail Project. On February 21, Deputy Secretary Mort Downey announced that the Department of Transportation will provide \$158.5 million to Portland's Tri-County Metropolitan Transportation (TRI-MET) District for the 17.7-mile Westside Hillsboro Light Rail Project. This grant will help extend the popular Portland MAX from downtown Portland to downtown Hillsboro via a three-mile tunnel. The Federal Transit Administration grant will bring federal funding for the project to \$466 million to date. A multi-year funding grant agreement will bring total federal funding to \$664 million by the time the extension opens in September 1998. Following this, on February 23, Deputy Secretary Downey will be in Seattle, Washington, to participate in the American Public Transit Association's Innovative Finance meeting.

1996 Ad Council Safety Belt Education Campaign. On February 27-29, in Los Angeles, CA, three National Highway Traffic Safety Administration-sponsored television Public Service Announcements (PSAs) are scheduled for production. They will center around this year's theme of air bags and kids, young adults, and drivers of pickup trucks. The PSAs, along with accompanying radio PSAs, are scheduled to be released to the media the first week in April.

International Atomic Energy Agency's (IAEA) Transportation Safety Series Advisory Group Meeting. On February 26-March 1, the Research and Special Programs Administration will represent the United States at the inaugural meeting of the International Atomic Energy Agency's Transport Safety Standards Advisory Committee in Vienna, Austria. The purpose of the meeting is to define the roles, responsibilities, and administrative framework of the committee and to discuss technical issues facing the nuclear transport industry. Issues will include the package certification process, communication with applicants, shipping approvals for disposal of large reactor components, adoption of the 1996 edition of the IAEA regulations for the safe transport of radioactive materials, provisions for uniform and complete emergency response guidance, and concerns related to illicit trafficking in radioactive materials.

Transportation Design Awards. On February 29, I will recognize transportation facilities around the country for "exemplifying the highest standards of design."

AGENCY WORK ON PRESIDENTIAL INITIATIVES

Outreach to Rail Labor and Management. Late last week, Federal Railroad Administrator Molitoris and the Associate Administrator for Safety Fine traveled to Miami, FL, to meet with Chief Executive Officers of rail labor as well as their national legislative coordinators. The officers were convened for their annual AFL-CIO convention and made themselves available to the Administrator. The Administrator discussed the recent spate of accidents and their overall impact on the industry, what actions FRA was initiating--both short and long-term--the Congressional hearings that will focus on the accidents that are tentatively scheduled for March, and her scheduled meeting with the Chief Operating Officers (COOs) of Class I railroads upon her return to Washington covering similar subject matter. This was done as part of our commitment to have a continuing dialogue with rail labor and management on topical issues within the industry.

Outreach to Commuter Authorities. On February 26, Federal Railroad Administrator Molitoris and Federal Transit Administrator Linton will meet with representatives from 17 rail commuter authorities here in Washington. The Administrators and staff will discuss recent accidents and their overall impact on the industry, what actions FRA and FTA are initiating--both short- and long-term--and the implementation of Emergency Order No. 20, issued on February 21. Additionally, discussions will focus on possible alternatives that will provide an equivalent level of safety throughout the Nation for those railroads affected by the emergency order.

Post-Adarand Litigation Update. A new case has been filed challenging the constitutionality of the Department of Transportation's DBE Program: Sherbrooke Sodding Co. v. Minnesota Department of Transportation, United States Department of Transportation. At issue in the case are two federal-aid projects in Minnesota: the Wilken Project and the Airport Project, with DBE goals of 12% and 10% respectively. Plaintiffs seek to enjoin the Defendants from using the DBE program in Minnesota federal-aid projects. This is one of only two post-Adarand cases that has named the federal government as a defendant.

CONGRESS

Maritime Security Program. Senator Lott (R-MS) has indicated that he plans to take maritime security program legislation to the Senate floor sometime within the next forty-five days and possibly as early as next week. Senator Lott plans to pass the House version of the bill, H.R. 1350, without amendments. The bill has bi-partisan support, including support of Great Lakes Senators who favor the bill's Great Lakes cargo preference language. In anticipation of immediate floor consideration, DOT has prepared a draft views letter and is working with OMB and USTR to reach agreement on language in the letter dealing with OECD shipbuilding preferences.

Federal Aviation Administration (FAA) Reform. Assistant Secretary for Governmental Affairs Palmer, along with Deputy Chief of Staff Archuleta and FAA staff, met with House and Senate Aviation Subcommittee staff to discuss the status of FAA reform legislation.

Transportation Appropriations. The House Appropriations Subcommittee on Transportation will begin this year's hearings on the FY97 budget on February 27 when it will hear Congressional and outside witnesses.

Hearings with the Inspector General and the General Accounting Office are scheduled for March 6 and 7. A hearing on National Transportation Safety Board safety recommendations is scheduled for March 7. Departmental hearings are scheduled to proceed as follows:

March 12	Coast Guard
March 13	Federal Railroad Administration
March 14	Office of the Secretary
March 20	Federal Highway Administration
March 21	National Highway Traffic Safety Administration
March 27	Research and Special Programs Administration
March 28	Federal Transit Administration
April 16	Federal Aviation Administration
April 18	Department of Transportation (I will testify)

Proposal for Infrastructure/ISTEA Joint Hearing. The majority on the House Transportation and Infrastructure Committee has proposed to the Senate Environment and Public Works Committee that a joint full committee hearing be held in late March on infrastructure needs and ISTEA reauthorization. If the Senate agrees, I and at least one governor, would be among the witnesses asked to testify.

Congressional Hearings.

February 27. The Senate Commerce Committee will hold a hearing that will likely include such issues as grade crossing safety, technology, the status of pending Federal Railroad Administration rulemakings, and human factors affecting rail safety. It is expected to be a general oversight hearing on the issue of rail safety and efforts that the Department and industry are taking to improve safety in light of recent rail accidents. Administrator Molitoris will testify.

February 29. The House Transportation and Infrastructure Subcommittee on Aviation will hold a hearing on airport privatization. DOT has not been asked to testify.

March 5. The Senate Commerce, Science and Transportation Subcommittee on Aviation will hold a hearing on the status of bilateral aviation negotiations between the United States and the U.K.

March 7. The House Transportation and Infrastructure Subcommittee on Aviation will hold a hearing on airport revenue diversion.

March 20. The House Subcommittee on Aviation will hold a hearing on Reauthorization of the Airport Improvement Program. Federal Aviation Administrator Hinson will testify.

April 16. The Senate Appropriations Subcommittee on Transportation will hold a hearing on the Federal Aviation Administration's FY 1997 Budget request. Administrator Hinson will testify.

REGULATORY ACTION

General Motors Pickup Truck Recall. On February 15, General Motors notified the National Highway Traffic Safety Administration that it will recall 24,906 1996 Chevrolet and GMC S10 pickup trucks with 2-wheel drive, 4-cylinder 2.2L engines, and 5-speed manual transmissions. Some of these trucks have transmission parts that do not meet manufacturers specifications, causing the transmission to lock suddenly and without warning. Owners of trucks with less than 3,200 miles will be asked to take their vehicles to their dealers immediately for an inspection. Dealers will replace any transmissions found to be defective.

PRESS

Media Inquiries

(New listings in bold)

Inside Edition, Feb. 14 and 20, asked for information about fatalities involving pedestrians and school buses.

The Washington Post, Feb. 20, asked about trends involving fatalities among young occupants of light trucks.

The Washington Post, Feb. 20, asked for information about crash tests and recalls involving 1970-96 Honda light vehicles.

The Federal Aviation Administration is working with USA Today for an article on Denver International Airport.

USA Today, Feb. 16, asked for information about recalls involving defective seat backs and investigations of complaints about seat backs. National Highway Traffic Safety Associate Administrator Felrice responded.

USA Today, Feb. 15, asked for information about the effect of Corporate Average Fuel Economy standards on traffic fatalities. National Highway Traffic Safety Deputy Administrator Recht responded.

CBS will interview Federal Aviation Administrator Hinson next week on cockpit resource management. The resulting segment should air later next week. CBS has also expressed an interest in a background briefing for a piece on foreign assessment.

The Discovery Channel and Esquire magazine are both gathering information on cabin evacuation research at the Civil Aeromedical Institute (CAMI). The latter plans to film four segments on research testing at CAMI. Dates have not been set.

NBC, Feb. 21, called concerning the Inspector General's report on the Federal Aviation Administration familiarization trips. The story aired Feb. 21.

CNN, Feb. 14, called with questions about the Intermodal Surface

Transportation Efficiency Act (ISTEA).

WNET, PBS New York, Feb. 16, asked for information on public transit services operated in the largest U.S. cities, for a PBS special called "America on Wheels."

On February 21, CNN will film Federal Air Marshal activities at the training facility at the Federal Aviation Administration Technical Center, Atlantic City. CNN will also interview the Associate Administrator for Civil Aviation Security Flynn. CNNs coverage has been arranged in order to publicize the Federal Air Marshal program and thereby increase its deterrent value. DOD and the FBI have been notified of CNNs coverage which is expected to air on February 22.

The Federal Aviation Administration expects to release air traffic control (ATC) tapes of the November 12, 1995, American Airlines flight 1572 accident at Bradley International Airport, Connecticut, within the next 1-2 weeks.

Conde Nast Traveler, Feb. 6, is preparing an article on detection of plastic explosives at airports. It has spoken to Associate Administrator for Civil Aviation Security Flynn at the Federal Aviation Administration and has a request in to speak to Director of the Office of Intelligence and Security, Admiral Busick. The article is expected to appear in early April.

The New York Times, Feb. 6, interviewed Federal Aviation Associate

Administrator Tony Broderick for a story on the FAA's background checks for pilot certification. The article should appear Sunday, Feb. 25.

The New York Times and USA Today, are interested in writing stories on the findings of the Cruise Ship Safety Review Task Force, and what this means to the maritime industry. The Coast Guard anticipates a late February/early March release of the report.

FOIA REQUESTS

The Boston Globe requested copies of correspondence between the Federal Aviation Administration and air carriers regarding complaints about Logan Airport. Documents dealing with radar or computer outages at the Boston TRACON, the Boston tower, or the Boston center are included.

WEEK IN REVIEW

B-757 Accident in the Dominican Republic. The Federal Aviation Administration (FAA) is participating in the international effort to recover the cockpit voice and flight data recorders from a Birgenair B-757 charter flight which crashed into the ocean after departure from Puerto Plata Airport in the Dominican Republic on February 6. The recorders are believed to be located at a depth of approximately 7,200 feet, and recovery operations are expected to begin this week as equipment arrives on the scene. The efforts involve, to a varying degree, the United

States, Dominican Republic, Turkey, and Germany along with Boeing, Rolls Royce, and Birgenair. U.S. agencies involved include the National Transportation Safety Board, FAA, and the U.S. Navy.

Continental Airlines B-737. On February 20 a B-737 operated by Continental Airlines as Flight 1156 ran 300 feet off the end of the runway at Washington National Airport. The Federal Aviation Administration and the National Transportation Safety Board (NTSB) participated on-scene. There were no injuries and there was no damage to the aircraft.

American Airlines Airbus. The Federal Aviation Administration is investigating the February 20 American Airlines A300-600 Airbus passenger evacuation onto the ramp at JFK International Airport, New York. The aircraft was pushing back for departure when the crew received a fire/smoke warning from the cabin. There were approximately 35 minor injuries and four serious injuries. The FAA and the National Transportation Safety Board participated on-scene.

Continental Airline DC-9. The Federal Aviation Administration (FAA) is investigating the Continental Airlines DC-9 gear-up landing at Houston International Airport on February 18. The aircraft touched down 3,363 feet from the beginning of runway 28 and slid 6,915 feet. There was one minor injury and the aircraft ended up off the left side of runway 28. The FAA and the National Transportation Safety Board participated on-scene.

Migrant Interdiction. There have been four migrant events since last

report:

The Coast Guard Cutter ATTU interdicted 146 Dominican migrants in a 60-foot yola 24 miles southwest of Mona Island, PR. Because the yola was taking on water and in danger of sinking, ATTU transferred the migrants aboard. After 90 migrants were taken aboard ATTU, a Dominican Naval vessel arrived on scene and off-loaded the remaining migrants. The migrants on board ATTU were transferred to the Dominican vessel and all 146 were returned to the Dominican Republic.

On February 16, a Coast Guard HU-25 aircraft located a 30-foot yola 30 miles north of the Dominican Republic. A Dominican Naval vessel arrived on scene, and removed all 62 Dominican migrants.

On February 18, the Coast Guard cutters NUNIVAK and HARRIET LANE interdicted 25 Dominican and 38 Chinese migrants in a dangerously overloaded open boat. The migrants were all taken aboard Coast Guard Cutter HARRIET LANE for safety reasons and transferred to a Dominican Naval vessel for return to the Dominican Republic.

On February 20, a north-bound merchant vessel recovered 4 Cuban migrants in the Straits of Florida 40 miles east of Islamorada, FL. The migrants were transferred to the Coast Guard for interviews by an INS officer. One migrant was medevaced to Key West. A second has been flown to Guantanamo Bay, Cuba. Two others will be repatriated to Cuba.

Drug Interdiction. On February 12, representatives of the U.S. Coast

Guard and Department of State participated in negotiations in Jamaica to discuss a bilateral maritime counter drug agreement. Government of Jamaica negotiators stopped the discussion after only 6.5 hours due to disagreement over U.S. Government law enforcement authority within the Jamaican Exclusive Economic Zone (outside territorial sea). A date for a future meeting has not been set.

Northeast Corridor Electrification National Environmental Policy Act (NEPA) Litigation. The plaintiffs, who are challenging the Federal Railroad Administration's environmental impact statement (EIS) addressing Amtraks Northeast Corridor electrification project in the case of Jason Becker et al. v. FRA and Amtrak, have filed their motions for summary judgment and preliminary and permanent injunctions in accordance with a schedule previously established by the District Court in Connecticut. The plaintiffs' challenge is based on five alleged inadequacies in FRAs environmental review process: a failure to adequately analyze alternatives to electrification; a predisposition to electrification; a failure to consider several real and substantial environmental effects; an improper division or segmentation of the project; and a failure to prepare an adequate mitigation plan. FRAs and Amtraks response to these allegations, and our own motions to dismiss the case because FRAs preparation of the EIS was in full compliance with the NEPA, are due at the end of March.

Summit on Tren Urbano Rail Project. On February 21, Federal Transit Administrator Linton participated in a day-long summit in San Juan, Puerto Rico, to share a progress report on the Tren Urbano project with community

and business leaders. Phase one of the rail project is a 10.7-mile rail link with 14 stations between major activity centers in the San Juan region. Approximately 250-300 people attended the summit. The light rail line is expected to open in August 2001.

NHTSA Featured at International Injury Prevention and Control Conference.

On February 19-21, the National Highway Traffic Safety Administration's (NHTSA) injury prevention vision and accomplishments were presented to an international audience of over 1,000 at the Third International Conference on Injury Prevention and Control in Melbourne, Australia. NHTSA Administrator Ricardo Martinez, M.D., greeted the conference in absentia, by video. He discussed how NHTSA has taken a key leadership role in bringing together public and private organizations as partners to advance traffic safety and injury prevention initiatives.

Public Meeting With School Bus Industry. On February 14, the National Highway Traffic Safety Administration (NHTSA) held a successful public meeting in McLean, Virginia with school bus manufacturers and providers of school transportation on issues related to the transportation of school children. The purpose of this meeting was to allow the people on the front line of transporting school children safely to tell NHTSA what they need from the Federal government to do their job even better. Head injury and vans purchased for school transportation were two key issues discussed.

NHTSA Safety Belt Meeting. On February 23, the National Highway Traffic Safety Administration will conduct a public meeting concerning the initial

decision that 1995 Chrysler Cirrus and Dodge Stratus cars do not meet the agency's safety standard for safety belt strength.

Reduced Tolls on Dulles Greenway Toll Road. Owners of the Dulles Greenway will ask the Virginia State Corporation Commission to reduce the toll to drive the 14-mile long, privately owned highway from \$1.75 to \$1.00.

Traffic on the Greenway, running between the Washington Dulles International Airport and Leesburg, is averaging 10,000 to 12,000 vehicles a day, compared to a predicted 34,000 vehicles a day. The lowered tolls are to be in effect initially for 60 days.

Cypress Freeway Replacement. Bids were opened on February 14 for the last major construction project to replace the earthquake-demolished Cypress Freeway in West Oakland. C.C. Meyers was the apparent low bidder at \$32+ million. The engineer's estimate was for over \$40 Million. Meyers has committed to achieving the 35% DBE goal.

Nevada Designates þExtraterrestrial Highway.þ The Nevada Transportation Board (NDOT) designated State Route 375 as the þExtraterrestrial Highway.þ SR 375 is a desolate 100-mile route through the desert, about 140 miles northeast of Las Vegas. It passes near a top-secret Air Force range where stealth bombers and experimental aircraft may have been tested. There are tales of spaceship sightings and the area has become a mecca for UFO seekers. NDOT, in cooperation with the Commission on Tourism, expects it to promote tourism. It is similar to their calling US 50 the þLoneliest Highway in America.þ Signs will be installed and unveiled at an April 1 media event. NDOT has received inquiries from the national and international media.

Secretary Travel

February 27-28. Atlanta, Georgia. I will be involved in a number of events in Atlanta: Terminal Doppler Weather Radar dedication at Hartsfield; CNN editorial board; speech to Georgians for Better Transportation; and a closed conference on transit security in the '90's.

March 20-22. Southern California--Open LAX International Airport.

March 25. New York City--DNC event.

April 10-12. We continue our preparations for a South America-Mexico trip centered around the Chilean-hosted Hemispheric Transportation Initiative Ministerial.

May 1. We are considering participating in Northwest Airlines' inaugural non-stop flight to Beijing. The trip might also include a stop in Seoul.

Modal Administrators/Assistant Secretaries

February 26

National Highway Traffic and Safety Administrator Martinez will speak at the Safe Kids of Georgia Conference in Atlanta, GA.

Federal Transit Deputy Administrator Crunican to chair the Federal Transit Administration Construction Roundtable in Boston, MA.

Office of Intermodalism Associate Deputy Secretary Huerta will address a Conference on Distribution and Logistics as Approaching the 21st Century in Baltimore, MD.

February 27

Federal Transit Administrator Linton to give the keynote address at the FTA "Transit Security in the 90's" Conference in Atlanta, GA.

Federal Transit Deputy Administrator Crunican to chair the Federal Transit Administration Construction Roundtable in Boston, MA.

February 28

Maritime Administrator Admiral Herberger will make a presentation at the U.S. Transportation Command Meeting at Scott AFB. IL.

Research and Special Programs Administrator Sharma to address a workshop to help the LA community prepare for the introduction and use of electric vehicles in Los Angeles, CA.

Federal Highway Administrator Slater to speak for the Department of Justices Black History Month in Atlanta, GA.

February 29

Federal Railroad Administrator Molitoris will address the Norfolk Southern

executive in Charleston, SC and will travel to New York to attend the Traffic Club of New York's 86th Annual Reception and Dinner.

Federal Transit Deputy Administrator Crunican to address the Regional II DOT/HHS Coordination Meeting on human service and transportation in New York, N.Y.

Coast Guard Vice Admiral Henn will meet with the Norwegian Chamber of Shipping in New York, N.Y.

March 1

Federal Transit Deputy Administrator Crunican to address the "Building a Livable Community" symposium on transportation and land use in Orlando, FL.

March 4

Federal Transit Administrator Linton to participate in the Institute of Transportation Engineers (ITE) Conference in Dana Point, CA.

Federal Aviation Deputy Administrator Daschle to speak to the North Dakota Aviation Council in Bismarck, ND.

March 5

National Highway Traffic and Safety Administrator Martinez will speak at the International Association of Captains of Policy Annual Mid-year Conference of the Division of State and Provincial Police in Lansdowne, VA.

Federal Aviation Deputy Administrator Daschle to speak to the North Dakota Aviation Council in Bismarck, ND.

March 6-8

Saint Lawrence Seaway Development Corporation Administrator McDonald will meet with officials of Ogdensburg (N.Y.) Bridge & Port Authority in Massena, N.Y.

March 8

Federal Transit Deputy Administrator Crunican to address the Regional X DOT/HHS Coordination Meeting on human service and transportation in Seattle, WA.

Federal Aviation Deputy Administrator Daschle to visit Delta facilities in Atlanta, GA.

March 8-12

Federal Aviation Administrator Hinson to meet with international aviation officials and to speak at FIDAE '96 in Santiago, Chile.

March 13

Federal Transit Administrator Linton to speak at a roundtable discussion on long term strategies for mass transit, sponsored by the state House Appropriations Committee in Harrisburg, PA.

Office of Intermodalism Associate Deputy Secretary Huerta will address the

Delaware Valley Goods Movement Task Force in Philadelphia, PA.

March 14

Federal Transit Administrator Linton to participate in a town meeting on the local FTA Livable Communities Initiative project in Louisville, KY.

National Highway Traffic and Safety Deputy Administrator Recht will give a keynote address at the 1996 Annual meeting of the Automotive Occupant Restraint Council in Orlando, FL.

March 15-25

Saint Lawrence Seaway Development Corporation Administrator McDonald will lead a delegation of Great Lakes Maritime industry executives on a trade mission to: Oslo, Norway; Copenhagen, Denmark; and The Hague, Netherlands.

March 18

Coast Guard Commandant Admiral Kramek will attend the Coast Guard Foundation Dinner in New Orleans, LA.

Office of Intermodalism Associate Deputy Secretary Huerta will participate in the AASHTO meeting regard Grade Crossing Safety Task Force in Ft. Worth, TX.

March 19-20

Office of Intermodalism Associate Deputy Secretary Huerta will participate in the AASHTO meeting regard Grade Crossing Safety Task Force in Ft. Worth, TX.

March 23

Federal Transit Administrator Linton to speak on opportunities in transit-related development at an American Institute of Architects symposium on "Everyday Communities, Everyday Neighborhoods" in San Diego, CA.

March 24

National Highway Traffic and Safety Administrator Martinez will speak at the American College of Preventive Medicine 1996 Annual Meeting in Dallas, TX.

March 27-28

Federal Aviation Administrator Hinson to participate in the FAA Forecaster Conference in Tampa, FL.

Federal Aviation Deputy Administrator Daschle to participate in the Federal Aviation Administration Forecaster Conference in Tampa, FL.

April 13-16

National Highway Traffic and Safety Administrator Martinez will give a keynote address at the Lifesavers 14 Coalition Meeting in Albuquerque, NM.

April 14

National Highway Traffic and Safety Deputy Administrator Recht will speak before the ITS America Annual Meeting and Exposition, in Houston, TX.

April 24

National Highway Traffic and Safety Deputy Administrator Recht will be the keynote speaker at the 25th Annual Safety Conference in Manchester, NH.

April 30

Federal Aviation Deputy Administrator Daschle to speak at the Professional Women Controllers' 18th Annual Training Conference in Kennebunkport, ME.

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MEMORANDUM FOR LEON PANETTA, THE WHITE HOUSE February 29, 1996

FROM: Secretary Pe a

SUBJECT: DOT Weekly Report -- Week of March 04, 1996

KEY DEPARTMENT NEWS

Brothers to the Rescue Aircraft Shot Down.

On February 24, Coast Guard cutters and aircraft responded to the downing of two civilian aircraft operated by the Cuban-American group Brothers to the Rescue (BTTR). For two days, the Coast Guard conducted searches in the area. The Coast Guard boarded the fishing vessel TRILINER, which witnessed the shoot-down of the small aircraft by military aircraft in international waters north of Cuba. During questioning of the TRILINER's crew, the Coast Guard discovered that the cruise ship MAJESTY OF THE SEAS had also witnessed the shoot-down. Coast Guard personnel assisted FBI

agents in the questioning of persons aboard the TRILINER and MAJESTY OF THE SEAS. On February 26, after consultations with the victims' families, the Coast Guard suspended the search.

Following the February 24 shoot-down of two U.S. Cessna aircraft near Cuba, officials from the Federal Aviation Administration and Office of the Secretary of Transportation have been working closely with the other agencies and the White House to gather information about the incident and develop options in response. We are working closely with the U.S. representative to the International Civil Aviation Organization to develop an appropriate resolution in that U.N. body.

Since 1993, the Federal Aviation Administration (FAA) has met several times with pilots for BTTR to ensure the safety of their flight operations. In July 1995, FAA representatives met with the president of BTTR to reiterate their interest in and concern over the safety of BTTR operations. In June 1994, FAA initiated an enforcement case against a BTTR pilot who struck a ship's mast during a BTTR operation. That case is on appeal. In August 1995, FAA initiated an enforcement action against the president of BTTR for violation of federal regulations. That case is still pending.

On February 26, 1996, President Clinton ordered certain unilateral actions against the Cuban government. These include the immediate suspension of charter air travel from the United States to Cuba. DOT is working with the Treasury Department's Office of Foreign Assets Control to implement the President's order. The Department has also been working with tour

operators and charter carriers concerning these new restrictions. There are approximately 4,000 passengers now stranded in Cuba, having been brought there by U.S. operators. U.S. operators are also concerned about the cost of using foreign carriers to bring these passengers to a third country for pick up by U.S. carriers.

On March 2, Cuban-Americans plan a flotilla and a flyover near Cuban waters to commemorate the loss of the BTTR pilots. The Coast Guard and the Federal Aviation Administration have been tasked to plan and coordinate this monitoring of this weekend's activities.

Travel to Atlanta, GA.

On February 27, as part of the Department of Transportation's effort to modernize air traffic control technology across the country, I dedicated the state-of-the-art, \$8 million Terminal Doppler Weather Radar (TDWR) at Atlanta's Hartsfield International Airport. The radar is used by air traffic controllers to warn pilots of wind shear and other severe weather conditions. The Atlanta TDWR is the third we have dedicated since early 1995; eight others also are fully operational. The TDWRs soon will be in use at 45 of the largest airports. I also announced a \$4.8 million Airport Improvement Program grant for a new cargo apron and taxiway at Hartsfield. The \$10 million project is scheduled for completion before the start of the Olympics.

While in Atlanta, I also attended the Federal Transit Administration-sponsored international conference entitled "Transit

Security in the "90's". The purpose of the conference was to discuss the experiences of other countries in transit security and to identify what resources are available to assist domestic transit operators in making their systems more secure. The issue of transit security will be heightened by the upcoming Olympics. The conference included speakers from Great Britain, Israel, France, and Japan.

Additionally, I met with the CNN Editorial Board and used the opportunity to promote the Administration's record of transportation safety.

Grade Crossing Safety Task Force. The Task Force will present its report to me on March 1. I created this group in the aftermath of the collision between the Northeast Illinois Commuter Rail train and a school bus in Fox River Grove, IL, that occurred on October 25, 1995. This group, headed by Associate Deputy Secretary Huerta, was tasked with conducting a comprehensive national review of highway-rail crossing design and construction safety measures. The initiative included a survey of all locations where highway signal systems are interconnected with highway-rail crossing warning devices; the survey also included a review of the physical installations vis-a-vis current traffic and geometric conditions and needs, the appropriateness of in-place markings, signs and signals, and circuitry timing checks. The suitability of highway-rail grade crossing safety modules within commercial and bus driver training and licensing procedures and materials was also reviewed.

'Operation Timesaver' Initiative. On February 26, I announced that the Department is seeking applications from metropolitan-area public and

private sector partnerships to demonstrate a fully functional Intelligent Transportation Infrastructure project. Two or three model sites will be selected as showcases where the traveling public and local officials can see and experience the benefits of a high tech transportation system in a real-life setting. Funding allocated for the initial model sites is \$20 million in FY 1996 with additional funding proposed in FY 1997.

International Aviation.

U.S. - Germany. On February 29, I announced that U.S. and German negotiators have reached an agreement on a new "open skies" aviation relationship between our two countries. The open skies agreement with Germany will more than double the level of passenger traffic between the United States and open skies markets in Europe, increasing from just under 20 percent currently to nearly 40 percent of the total European market. The agreement would allow U.S. and German carriers to fly to each other's countries, and to third countries, without restrictions on the number of flights, their routings, or the prices they charge. Germany has the second-largest European market for U.S. carriers. This may be an opportunity for the President and Minister Kohl for a signing ceremony in July.

U.S. Japan. Informal meetings with Japanese government representatives took place this week in Washington, in advance of the fourth round of formal aviation talks on cargo issues scheduled for today. The United States advised the Japanese that none of the approaches suggested by the Japanese side in the last round could be accepted as a basis for an

agreement since they all required the U.S. side to "pay" to exercise existing rights to operate cargo services beyond Japan. The Japanese maintained their position that expansion of beyond services by the United States incumbent carriers (United, Northwest and Federal Express) would have to be negotiated.

U.S. - Canada. In a show-cause order, the Department of Transportation, Feb. 23, tentatively awarded new authority to USAir for service from Washington's National Airport to Toronto and to TWA for service from St. Louis

to Toronto. Both will operate twice daily. Continental tentatively received backup authority from Newark, NJ to Toronto.

21st Annual FAA Commercial Aviation Forecast Conference. On March 5, the Federal Aviation Administration (FAA) will host the annual Forecast Conference in Washington, DC. I will lead off the conference with the keynote address, extolling the benefits of the U.S.-Canada agreement. My speech will be followed by a presentation of the latest FAA 12-year aviation forecasts. Ronald Allen, CEO and President of Delta Airlines, will present the luncheon address. We anticipate approximately 450-500 attendees.

East Coast Noise Issues. Federal Aviation Administration officials met with the New York and New Jersey Port Authority on February 26, to discuss the East Coast noise issues and new facilities at the three major New York and New Jersey airports. Final comments on the Environmental Assessment

are being received regarding a change in air traffic procedures at Newark Airport. It is anticipated that the change, a 2.3-mile turn, will be implemented in late March.

Emergency Relief Fund Status. The Federal Highway Administration (FHWA) has depleted its FY 96 Emergency Relief (ER) fund, which is statutorily set at \$100 million. In addition to the \$100 million, FHWA has expended \$75 million INof funds, which it transferred from its Interstate Discretionary (ID) account for ER purposes. All ER requests now received will have to be held by FHWA until supplemental funding is secured to provide additional funds, as well as to repay the ID account. A request for supplemental funding in the amount of \$275 million is pending at OMB.

Opening of 1996 Navigation Season on the St. Lawrence Seaway. The Canadian St. Lawrence Seaway Authority and the U.S. Saint Lawrence Seaway Development Corporation announced February 21 that the 38th navigation season on the Montreal-Lake Ontario and Welland Canal sections of the St. Lawrence Seaway will begin on April 2.

Presentation of the Gold Lifesaving Medal. On March 5, Coast Guard Commandant Admiral Kramek will present the Gold Lifesaving Medal posthumously to the crew of the Pea Island, North Carolina, Lifesaving Station. During the hurricane in 1896, the seven crewman, all African-Americans, swam out to a shipwrecked schooner and saved all nine crewmen onboard. The crew were never recognized for their Herculean efforts. Descendants of the seven surfmen will attend the ceremony at the Navy Memorial.

1995 Transportation Design Awards. On February 29, I recognized 37 transportation projects around the country for "exemplifying the highest standards of design." I was joined in the ceremony at the National Building Museum by Scott Sanders, Deputy Chairman for grants and partnership of the National Endowment for the Arts, DOT's partner in the transportation design program. I reestablished these awards, which were last held in the early 1980's, to promote attractive, functional and customer-friendly design in transportation.

National Association of Counties. On March 4, I will address the National Association of Counties discussing ISTEA and infrastructure.

The Deputy Secretary. On March 4, Deputy Secretary Downey will participate in the National Research Council Steering Committee meeting on setting an intermodal transportation research framework. He will participate in the Partnership for a New Generation of Vehicles Operational Steering Group Meeting March 8.

AGENCY WORK ON PRESIDENTIAL INITIATIVES

White House Leadership Conference. On March 7, I will participate in the White House Leadership Conference on Youth, Drug Use, and Violence, at Eleanor Roosevelt High School in Greenbelt, Maryland. Along with National

Highway Traffic Safety Administrator Martinez, I will lead a break-out session on underage drinking and drunk driving. NHTSA Deputy Administrator Phil Recht will host the San Francisco Regional site. NHTSA Regional Administrators will be participating at the sites in Takoma, WA; Atlanta, GA; Newark, NJ; Denver, CO; Dallas, TX; Riverside, IL, and San Francisco, CA.

Summer Olympic Preparations. On March 4, the Research and Special Programs Administration will meet with Atlantas Operation Respond steering committee, comprised of emergency response agencies, police, firefighters, and rail and motor carrier industry officials, to discuss the implementation of a pilot program designed to provide first responders with hazardous material information maintained by CSXT and Norfolk Southern railroads and by Chemical Leaman and Yellow Freight motor carriers. This effort will assist Atlanta Olympic Committee organizers as they prepare for security for the 1996 Summer Olympics.

CONGRESS

FAA Reauthorization Proposal. The Department and OMB are completing clearance of a proposal to extend funding for the FY 1997-99 period for most Federal Aviation Administration programs. This will provide a stable basis for continued air traffic safety operational and capital improvements. The airport grant program would be continued for a 2-year period, while a panel of experts analyzes future options for airport development funding in a time of constrained resources. This proposal is

intended to be attached to the acceptable portions of S. 1239, the McCain
FAA reform proposal already pending in Congress and endorsed by the
Department. This proposal should go to Congress shortly.

Transportation Appropriations. The House Appropriations Subcommittee on
Transportation will begin this year's hearings on the FY 97 budget on
February 27, when it will hear Congressional and outside witnesses.
Hearings with the Inspector General and the General Accounting Office are
scheduled for March 6 and 7. A hearing on

National Transportation Safety Board safety recommendations is scheduled
for March 7. Departmental hearings are scheduled to proceed as follows:

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| March 12 | Coast Guard |
| March 13 | Federal Railroad Administration |
| March 14 | Office of the Secretary |
| March 20 | Federal Highway Administration |
| March 21 | National Highway Traffic Safety Administration |
| March 27 | Research and Special Programs Administration |
| March 28 | Federal Transit Administration |
| April 16 | Federal Aviation Administration |
| April 18 | Department of Transportation (I will testify). |

Proposed Joint Hearing on ISTEA. Discussions continue among staff of
House Transportation and Infrastructure and Senate Environment and Public
Works committee regarding a proposal to hold a joint kick-off hearing on
ISTEA reauthorization. The witness list suggested by House majority

staff, in addition to myself, would be: Commerce Secretary Ron Brown; Chairman of the Federal Reserve System Alan Greenspan; Chairwoman of the National Economic Council Laura D'Andrea Tyson; and the chairman of a Fortune 500 company. The full committee hearing would be either March 27 or 28.

Congressional Hearings.

February 27. The Senate Committee on Science, Commerce and Transportation held a hearing on the issue of rail safety. Federal Railroad Administrator Molitoris and Federal Transit Deputy Administrator Crunican testified on behalf of the Department. Other witnesses included representatives from the National Transportation Safety Board, American Association of Railroads, Amtrak, the American Public Transit Association and the Brotherhood of Locomotive Engineers. The hearing focused on the recent rail accidents, National Transportation Safety Board recommendations to Federal Railroad Administration, the status of FRA rulemakings, and grade crossing safety. Senator Breaux (D-LA) raised several concerns about the liability caps in the House Amtrak bill and their potential effect on the safety actions of the railroads.

February 29. The House Transportation and Infrastructure Subcommittee on Aviation held a hearing on airport privatization. DOT was not asked to testify.

March 5. Admiral Herberger will testify before the Merchant Marine Panel of the House National Security Committee on MARAD's FY 97 Authorization.

March 5. Federal Railroad Administrator will testify before the House Subcommittee on Railroads. It is expected to be an oversight hearing on the issue of rail safety and efforts that the Department and industry are taking to improve safety in light of recent rail accidents. The hearing will likely include such issues as rail safety, specifically human factors and grade crossing issues.

March 7. The House Transportation and Infrastructure Subcommittee on Aviation will hold a hearing on airport revenue diversion. Federal Aviation Administration Chief Counsel Nick Garaufis will testify along with Jim Washington from FAA's Airports Office.

March 7. The Senate Commerce, Science and Transportation Committee is expected to hold a full committee hearing to review the airbag motor vehicle safety standard, especially focused on young children and infants. The Department will be asked to provide a witness.

March 13. The House Transportation and Infrastructure Subcommittee on Aviation will hold a hearing on airport needs. This is one of a series of hearings related to the Reauthorization of the Airport Improvement Program.

March 14. The House Aviation Subcommittee will hold a hearing on a state block grant program for airport funding.

March 20. The House Subcommittee on Aviation will hold a hearing on

Reauthorization of the Airport Improvement Program. Federal Aviation Administrator Hinson will testify.

Meeting on I-95. Rep. Robert A. Borski (D-PA) has asked Federal Highway Administrator Slater to meet with him on funding needs for reconstruction of I-95 through Philadelphia. Rep. James Oberstar (D-MN), ranking minority member on Transportation and Infrastructure, will also attend the meeting, which will be held on February 29.

Briefing on Commercial Driver's License Requirements. A briefing will be held on Commercial Driver's License requirements and drug testing rules for House Transportation and Infrastructure staff on March 1. Jim Scapellato from FHWA's Office of Motor Carriers will lead the briefing. Majority and minority staff have been invited. It looks as though some Members may want to sponsor legislation to exempt farmers and local government employees from drug testing requirements.

Dredging. On February 27 and 28, the Water Resources Subcommittee of the House Transportation and Infrastructure Committee held hearings on the Water Resources Development Act of 1996. In part, WRDA authorizes navigation projects and prescribes dredging procedures. Additional hearings are scheduled for this spring.

Essential Air Service. Appropriate members of the Wisconsin and Michigan congressional delegations were notified of the discontinuance of essential air service by Great Lakes Aviation effective March 1. A copy of the order was faxed to each office.

REGULATORY ACTION

Amendments to Emergency Order No. 20. Last week, Federal Railroad and Federal Transit Administrators, Deputy Administrators and staff met with representatives from 17 rail commuter authorities here in Washington. The Administrators and staff discussed the recent rail accidents and their overall impact on the industry, what actions FRA and FTA are initiating both short- and long-term, and the implementation of Emergency Order No. 20, issued on February 21. Based on fruitful discussions and the efforts of the working group tasked with exploring certain issues germane to the emergency order, FRAs Administrator will amend Emergency Order No. 20, effective 12:01 a.m., March 2, 1996. The amendments will focus on issues regarding: delayed in block rule, crew communication, and emergency egress, and will be published in the Federal Register this week.

Locomotive Visibility Final Rule. On February 26, the Federal Railroad Administrator signed the Final Rule on Locomotive Visibility. The rule requires that locomotives operated over public highway-rail crossings at speeds of greater than 20 miles per hour be equipped with auxiliary lights to enhance the visibility of the train. The Final Rule will be published in the Federal Register this week.

Model Year 1998 Fuel Economy Standards for Light Trucks. On February 20, the docket closed for public comments on the National Highway Traffic Safety Administration's (NHTSA) proposed fuel economy standard for 1998 model year light trucks. NHTSA proposed a standard of 20.7 miles per gallon, the same level established for these vehicles for model year 1997. Federal law requires a final decision on this proposal to be issued no later than April 1, 1996.

Hazardous Materials Safety: Extension of Use of Fiber Drums for Liquid Hazardous Materials. On February 27, the Research and Special Programs Administration (RSPA) published a final rule in the Federal Register to extend the use of open-head fiber drums for the transportation of certain liquid hazardous materials. This action meets the provisions outlined in the Interstate Commerce Commission Sunset Act (Pub. L. 104-88) requiring RSPA to extend the authority for the use of these fiber drums through September 30, 1997, or until the hazardous materials program is reauthorized, whichever is later.

Proposed Policy on Airport Revenue Diversion Announced. The Federal Aviation Administration, Feb. 23, issued a proposed policy on the uses of airport revenue. The document proposes a comprehensive policy statement on airport revenue use and describes the procedures for FAA enforcement in cases of unlawful revenue diversion. While federal law generally prohibits airports from diverting revenue to non-airport uses, the new policy contains guidelines to help ensure that airports comply with this requirement. It was published in the Federal Register on February 26 and

public comments are due April 26, 1996.

PRESS

Media Inquiries

(New listings in bold)

The Chicago Tribune plans to run an article on the City's plans to close Meigs Field, the airport in downtown Chicago. The Tribune has asked for the Federal Aviation Administration's position on the closing, particularly regarding the City's financial liability due to grants that have funded airport improvements. FAA has briefed the Tribune on its process for evaluating such a change, and the need for a study of its impact. The City of Chicago is preparing such a study.

The Federal Aviation Administration plans to release air traffic control tapes of the November 12, 1995, American Airlines Flight 1572 accident at Bradley International Airport, Connecticut, to be released within the next 4 days.

The Federal Railroad Administration (FRA) continues to receive a substantial number of calls from international, national and regional media concerning rail safety. FRA safety staff, Feb. 28, met with reporters from the New York Times, Washington Post, AP and Traffic World concerning the commuter/rail Emergency Order.

On February 22, the Federal Aviation Administration announced intentions to hire 100 controllers in 1996, and as many as 500 controllers in 1997.

Many of the new hires will be experienced controllers, as well as former members of the Professional Air Traffic Controllers Organization (PATCO).

On February 21, Federal Aviation Administration officials accompanied a CNN reporter who was working on a piece about the Federal Air Marshal Program to the Technical Center. The crew filmed the marshals' training at the facility, giving viewers a better understanding of the profession.

The piece aired Feb. 22.

The New York Times contacted the National Highway Traffic Safety Administration (NHTSA) about school bus safety, the risk of student clothing being snagged by school bus handrails, recalls conducted to remedy the problem and what NHTSA has done to prevent the problem from recurring. Article is expected to run in about two weeks.

NBC Dateline, Feb. 27, aired a segment about risks associated with lift kits installed, especially on light trucks. The National Highway Traffic Safety Administration earlier provided video of research tests involving vehicles fitted with lift kits.

NBC Today Show, Feb. 28, aired a segment about recalls, including child safety seats.

The Washington Post, Feb. 27, talked to Maritime Deputy Administrator Graykowski, regarding the lifting of the Alaskan oil export ban and the Jones Act tanker fleet.

The National Transportation Safety Board will hold a press availability in Seattle, Washington, Feb. 29, in conjunction with special rudder system tests that have been begun by NTSB in connection with its ongoing investigation into the crash of USAir flight 427 outside of Pittsburgh Sept. 8, 1994.

The New York Times, and USA Today, are interested in writing stories on the findings of the Cruise Ship Safety Review Task Force, and what this means to the maritime industry. The Coast Guard expects to release the finding of this report within the next two weeks.

The New York Times Magazine freelancer is finishing a 7,000-to 10,000-word article on air traffic controllers. The article's focus will be on New York controllers.

FOIA REQUESTS

In the wake of recent rail accidents, the Federal Railroad Administration has received FOIA requests from a number of major news organizations, including the Baltimore Sun, Washington Post, Las Vegas Review-Journal, Rocky Mountain News, American Journal, and National Public Radio for

copies of records related to maintenance and inspection or accident investigation documents connected to the rail lines on which the accidents occurred (Colorado, Maryland and California). We are moving expeditiously to provide the requested records.

WEEK IN REVIEW

Dominican Republic B-757 Accident Recovery Efforts. The flight data and cockpit voice recorders of the Alas Nacionales (Birgenair) B-757 have been recovered from the wreckage in the ocean. The Federal Aviation Administration sent an airplane to the Dominican Republic on Feb. 28 to bring them back to the National Transportation Safety Board lab for readout.

U.S. Aerobatic Team Fatality. The Federal Aviation Administration is participating in the investigation of a fatal accident in Florida involving a Russian-built aerobatic aircraft, the Sukhoi SU-31. This aircraft, used by the U.S. Aerobatic Team, suffered structural failure and the loss of its right wing during a practice session on February 20.

Passenger Rail Safety. Federal Railroad Administrator Molitoris, after meeting with senior operating officials from the U.S. freight railroads, Feb. 22, obtained commitments from the nation's largest railroad companies to install, by Dec. 15, two-way end-of-train devices on all trains

operating on mountain grade territory--over one year ahead of the Congressional deadline of Dec. 31, 1997. The devices provide emergency braking applications.

Public Meeting on Chrysler Seat Belt Anchorage Failure. On February 23, the National Highway Traffic Safety Administration held a public meeting at DOT headquarters to solicit comment on its initial decision that more than 91,000 model year 1995 Chrysler Cirrus and Dodge Stratus passenger cars manufactured before May 15, 1995, do not meet its safety standard for rear seat belt anchorage strength. This is an important standard ensuring that seat belts perform effectively in a crash to save lives. Over 75 people attended the meeting, which was video taped by 5 media organizations. Presentations were made by Chrysler, Advocates for Highway and Auto Safety, and the Center for Auto Safety. Information collected at the meeting will be used by NHTSAs Administrator when considering a final decision about whether to order Chrysler to recall these vehicles.

Operation Deep Freeze. On February 19, the Coast Guard Cutter POLAR STAR departed Antarctica after completing its mission for Operation Deep Freeze. The Cutter POLAR STAR accomplished the following: cut through the ice surrounding McMurdo Station to allow access to resupply and research vessels; refueled the remote fuel depot at Marble Point and the Italian research station at Terra Nova Bay; cleaned up and removed hazardous materials left at the Cape Hallett station when it was closed over 25 years ago; refueled the research vessel N.B. PALMER; conducted a light diffusiveness project and repaired six automatic weather stations. The Coast Guard Cutter POLAR STAR is expected back in Seattle, WA, on

April 7.

International Ice Patrol. This week Coast Guard aircraft commenced this year's International Ice Patrol. International Ice Patrol tracks icebergs and provides warnings to vessels using the trans-Atlantic shipping lanes over the Grand Banks of Newfoundland. International Ice Patrol operates from February to August each year, and has been in operation since 1914, following the sinking of the TITANIC.

Migrant Summary. The Coast Guard seized 193 Dominicans and 10 Cubans last week.

Detained Romanian Vessel. On February 22, the Coast Guard detained the M/V GIURGIU, a Romanian flagged-freight ship, in the Port of Los Angeles. The Coast Guard marine inspector identified serious fire fighting and mechanical deficiencies. Two of the ship's four service generators were inoperable risking loss of shipboard electrical service during high load periods. Additionally, ventilation duct closures were inoperable, rendering them ineffective in preventing the spread of an engine room fire. The crew has not been paid in 55 days. Local relief organizations and clergy have been donating food and supplies for the crew. As of February 26, the vessel remains under detention until the classification society verifies the repairs to the vessel. The detention is the subject of a Journal of Commerce article.

Transit Service to End in Hamilton, Ohio. On March 1, public transit service will end in Hamilton, Ohio. Hamilton is located north of

Cincinnati and has a population of approximately 61,000. The Hamilton City Council recently voted to replace the public service and turn to the private sector. The new service will cause fares to increase from \$1 to \$3 per trip. Cuts in Federal operating assistance would have increased the city's share from \$300,000 to \$400,000 annually to support the public transit service. The city stated that the primary factor to privatize the transit service was the city's inability to pay the increased local subsidy needed.

Devils Lake Basin, North Dakota Flooding. The National Weather Service has released predictions that the current snowpack in the Devils Lake Basin will raise the elevation of Devils Lake to 1,438 feet, an increase of approximately 3 feet, by early summer. The lake, which reached a 120-year high last summer at elevation 1,435 feet+, is the site of several million dollars in emergency relief (ER) projects. Two large ER contracts had to be suspended for winter and four more are currently scheduled for spring bid openings. The rising water will continue to threaten roads, sewage treatment, businesses, homes, agriculture, and recreation in the area.

Pacesetter Awards to Seaway Ports. The Saint Lawrence Seaway Development Corporation presented Seaway port pacesetter awards to four U.S. Great Lakes/Seaway ports. The four ports to receive this year's award are: Seaway Port Authority of Duluth; Brown County-Port of Green Bay; Port of Milwaukee; and the Toledo-Lucas County Port Authority. The ports of Toledo and Duluth have earned the award every year since its establishment in 1993. This award is presented to ports that registered increases in

overseas cargo tonnage via the Seaway during the 1995 navigation season vs. the 1994 season.

Issues for Presidential Travel

The following are "hot issues" involving Detroit, Michigan. Two issues which were submitted to you on November 2, 1995, have been updated and an asterisk in the sub-title identifies them. Please contact me or Barbara Leach at 366-5680 if you have any questions.

Detroit-Rome Air Service. Northwest Airlines proposal to serve Detroit-Rome, was tentatively selected as a back-up to USAirs Philadelphia-Rome proposal by a "show-cause issued by the Department on February 21. According to the order, Northwest would receive this authority only if USAir chose at a later date to leave the Philadelphia-Rome market. Northwest's application was strongly supported by state, local, and Congressional representatives. A final decision will not be made before mid to late-March. The Michigan Congressional delegation has expressed concern about false rumors that the Department's initial recommendation was for Northwest but that the White House intervened because the Northwest CEO is a political fundraiser for Dole.

A December 23 U.S.-China agreement, however, did clear the way for Northwest to begin Detroit-Beijing flights; and they have proposed to commence services on May 1, 1996. This would represent the first nonstop passenger flights to China by a U.S. carrier.

MI Safety Belt Law. The Michigan legislature is in the middle of passing a primary safety belt law. There were media reports last week of

accusations against some police officers for harrassing drivers in Detroit. Some Detroit citizens are now seeking assurance that passing a primary law will not result in police harrassment. Activity on the legislation was postponed until next week.

AIP Grant Request for Detroit Metro Expected from Senator Levin. Senator Levin is expected to request from the President a commitment to help fund the construction of a mid-field terminal at Detroit Metropolitan Airport. The request will be for about \$150 million (over 3 years) in AIP funding with a total project cost of approximately \$900 million. (The Levin request for \$150 million is disproportionately large for the amount of DOT discretionary funding available nationwide.) The terminal would be for Northwest Airlines and touted for its potential to create jobs and improve the economy of the area. The Airport Authority has not approached the FAA, and the project has not been publicized to date. The Senators staff is meeting with the Airport Authority this afternoon to discuss this issue.

Detroit Metro Airport Access Road.* A major expansion of the Detroit Metropolitan Wayne County Airport has been underway to improve access to terminal facilities. The south access road will provide access from I-275 to the new midfield terminal (expected ground breaking in the spring of 1996) and the existing north terminal. This project is an Urban Airport Access Demonstration Project with an estimated cost of \$172 million. To date, \$62.7 million has been appropriated for this project. Since the project is a specifically funded Demonstration project, completion of the project is dependent on further Congressional action. The Michigan DOT

does not have the funds to complete this project.

Gas Tax.* A major transportation issue facing Michigan is the need to address inadequate state transportation revenues. Governor John Engler's (R) proposal to increase the gas tax has not passed the state legislature. On October 18, 1995, Governor Engler announced a plan for funding the continuation of several critical, gap-closing "Build Michigan projects by redirecting existing funds. Media outlets in Michigan characterized this initiative as a "diversion of Federal funds from local projects. Nine projects are featured in this proposal costing about \$240 million over a three-year period. There has been continuing controversy between the Governor and the legislature about how to share new gas tax revenues between the state and local governments; and Democratic Members of Congress have been concerned that Engler's plan would divert money committed to local governments.

Federal Highway Administrator Rodney Slater has met with Michigan decision-makers regarding the controversy; and DOT's Office of Governmental Affairs has worked closely with the Members to assure that the ISTEA planning process is followed. There appear to be a few signs that some local areas may be willing to reevaluate local project priorities; and it is expected that all of the rural task forces and all but one or two of the Metropolitan Planning Organizations will reach a consensus on an amended Transportation Improvement Program/State Transportation Improvement Program by early March.

Secretary Travel

March 6. Montreal, Canada. To address the International Civil Aviation Organization

March 20-22. Las Vegas, NV- Southern California-- I may travel to Las Vegas to dedicate the federally funded Desert Inn Super-arterial, which is a model for Federal/state/local cooperation. On March 21, I will address the Clean Air Coalition luncheon in Los Angeles. On March 22, I will participate in the dedication ceremony at the newly built Los Angeles tower. The tower features state-of-the-art equipment for use at the Nations fourth busiest airport. (T)

March 25. New York City--DNC event.

Deputy Secretary

No travel planned next week.

Modal Administrators/Assistant Secretaries

March 4

Federal Transit Administrator Linton to participate in the Institute of Transportation Engineers (ITE) Conference in Dana Point, CA.

Federal Aviation Deputy Administrator Daschle to speak to the North Dakota

Aviation Council in Bismarck, ND.

March 5

National Highway Traffic and Safety Administrator Martinez will speak at the International Association of Captains of Policy Annual Mid-year Conference of the Division of State and Provincial Police in Lansdowne, VA.

Federal Aviation Deputy Administrator Daschle to speak to the North Dakota Aviation Council in Bismarck, ND.

March 6-8

Saint Lawrence Seaway Development Corporation Administrator McDonald will meet with officials of Ogdensburg (N.Y.) Bridge & Port Authority in Massena, N.Y.

March 7

Assistant Secretary for Budget Stoll will participate in a Seminar entitled "The Federal Transportation Budget and Opportunities for Innovative Financing By Private Investors," in Boston, MA.

National Highway Traffic and Safety Deputy Administrator Recht will host the San Francisco Regional White House Leadership Conference on Youth, Drug Use, and Violence, in San Francisco, CA.

March 8

Federal Transit Deputy Administrator Crunican to address the Regional X

DOT/HHS Coordination Meeting on human service and transportation in
Seattle, WA.

Federal Aviation Deputy Administrator Daschle to visit Delta facilities in
Atlanta, GA.

Federal Aviation Administrator Hinson to accompany the President to GPS
announcement in Los Angeles, CA.

March 9-12

Federal Aviation Administrator Hinson to meet with international aviation
officials and to speak at FIDAE '96 in Santiago, Chile.

March 13

Federal Transit Administrator Linton to speak at a roundtable discussion
on long term strategies for mass transit, sponsored by the state House
Appropriations Committee in Harrisburg, PA.

Office of Intermodalism Associate Deputy Secretary Huerta will address the
Delaware Valley Goods Movement Task Force in Philadelphia, PA.

March 14

Federal Transit Administrator Linton to participate in a town meeting on
the local FTA Livable Communities Initiative project in Louisville, KY.

Research and Special Programs Administrator Sharma will participate in a
press event during the hazardous materials first-responder training

session, to be delivered by Operation Respond Institute, Inc., for police, firefighters and other state emergency response officials supporting the 1996 Summer Olympic Games in Atlanta, GA.

National Highway Traffic and Safety Deputy Administrator Recht will give a keynote address at the 1996 Annual meeting of the Automotive Occupant Restraint Council in Orlando, FL.

March 15-25

Saint Lawrence Seaway Development Corporation Administrator McDonald will lead a delegation of Great Lakes Maritime industry executives on a trade mission to: Oslo, Norway; Copenhagen, Denmark; and The Hague, Netherlands.

March 18

Coast Guard Commandant Admiral Kramek will attend the Coast Guard Foundation Dinner in New Orleans, LA.

Office of Intermodalism Associate Deputy Secretary Huerta will participate in the AASHTO meeting regard Grade Crossing Safety Task Force in Ft. Worth, TX.

March 19

Office of Intermodalism Associate Deputy Secretary Huerta will participate in the AASHTO meeting regard Grade Crossing Safety Task Force in Ft. Worth, TX.

Coast Guard Commandant Admiral Kramek will hold a town hall meeting with Coast Guard personnel including civilian employees who are affected by the

shutdown of the Coast Guard District office in St. Louis.

March 20

Office of Intermodalism Associate Deputy Secretary Huerta will participate in the AASHTO meeting regard Grade Crossing Safety Task Force in Ft. Worth, TX.

March 23

Federal Transit Administrator Linton to speak on opportunities in transit-related development at an American Institute of Architects symposium on "Everyday Communities, Everyday Neighborhoods" in San Diego, CA.

March 24

National Highway Traffic and Safety Administrator Martinez will speak at the American College of Preventive Medicine 1996 Annual Meeting in Dallas, TX.

March 26

National Highway Traffic and Safety Administrator Martinez will participate in a signing ceremony with the Deputy Minister of Transport Canada on joint vehicle research between the two countries, Ottawa, Ontario, CN.

March 27-28

Federal Aviation Administrator Hinson to participate in the FAA Forecaster Conference in Tampa, FL.

Federal Aviation Deputy Administrator Daschle to participate in the
Federal Aviation Administration Forecaster Conference in Tampa, FL.

March 28

Research and Special Programs Administrator Sharma will address the
American Society of Civil Engineers National Workshop on pipeline safety
research needs, including the rehabilitation of aging distribution
pipelines in Leesburg, VA.

April 13-16

National Highway Traffic and Safety Administrator Martinez will give a
keynote address at the Lifesavers 14 Coalition Meeting in Albuquerque, NM.

April 14

National Highway Traffic and Safety Deputy Administrator Recht will speak
before the ITS America Annual Meeting and Exposition, in Houston, TX.

April 24

National Highway Traffic and Safety Deputy Administrator Recht will be the
keynote speaker at the 25th Annual Safety Conference in Manchester, NH.

April 30

Federal Aviation Deputy Administrator Daschle to speak at the Professional
Women Controllers' 18th Annual Training Conference in Kennebunkport, ME.

MAY 5

National Highway Traffic and Safety Administrator Martinez will be the keynote speaker at the Society for Academic Emergency Medicine Annual Meeting, Denver, CO.

May 9

National Highway Traffic and Safety Deputy Administrator Recht will be the keynote speaker at the Commonwealth of Virginia statewide transportation safety conference, Richmond, VA.

May 10

National Highway Traffic and Safety Administrator Martinez will participate in the Great America Theme Park Science Day, Santa Clara, CA.

May 31

National Highway Traffic and Safety Administrator Martinez will give the keynote address at the Brain Injury Association Annual Membership and Board of Directors Meeting, Alexandria, VA.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Cynthia Coogan (CN=Cynthia Coogan/OU=DOT/O=GOV [UNKNOWN])

CREATION DATE/TIME:14-NOV-1996 12:04:48.00

SUBJECT: White House Weekly Report, for November 18, 1996

TO: Cabinet Affairs (Cabinet Affairs [UNKNOWN])

READ:UNKNOWN

TEXT:

MEMORANDUM FOR LEON PANETTA, THE WHITE HOUSE November 14, 1996

FROM: Secretary Peña

SUBJECT: DOT Weekly Report -- Week of November 18, 1996

The following is the Department of Transportation Weekly Report:

KEY DEPARTMENT NEWS

Secretary to Travel to Toledo, Spain. Secretary Peña, November 15-20, leads a U.S. delegation of government, business and academic leaders to the Second U.S.-Spain Forum in Madrid and Toledo, Spain. Meeting participants will discuss joint economic, foreign policy and cultural issues. The Secretary will also travel to Paris for a meeting with his counterparts on aviation issues.

Airport Revenue Diversion - Los Angeles. The Department and the FAA are

preparing a letter to the City of Los Angeles (City) informing the City that it must return the \$31.1 million it recently received from the Los Angeles Department of Airports (Airports Department). The letter is based on a legal conclusion that actions by the Los Angeles City Council and the Airports Department between 1975 and 1977 effectively nullified the City's current claims for reimbursement of past contributions it made to the Airports Department. There is significant congressional interest in this issue.

ValueJet Flight 592 NTSB Hearing. The NTSB will hold a public hearing into the crash of ValuJet Flight 592, which occurred in the Florida Everglades on May 11. The hearing will be held in Miami beginning on November 18 and is expected to last the entire week. FAA & RSPA have been asked to testify. NTSB is planning to release graphic voice data recorder and videos which will heighten media interest.

Alameda Corridor. In light of the California Court of Appeals ruling in favor of the existing governance structure of the Alameda Corridor Transportation Authority (ACTA), the ports of Los Angeles and Long Beach will release \$5.5 million this week to ACTA. This action will relieve the cash flow problems that had threatened to delay significant portions of the project.

Drug Interdiction. Operation FRONTIER SHIELD, the Coast Guard's special operation in the Eastern Caribbean, continues to yield success in halting the flow of drugs to that high trafficking area.

On November 7, an apparent airdrop of drugs occurred near the British Virgin Islands. The Cutter JEFFERSON ISLAND assisted local authorities in searching for a recovery boat. The joint search yielded 330 lbs of cocaine found on an abandoned fast boat near Mosquito Island in the British Virgin Islands.

On November 10, a Coast Guard C-130 aircraft detected a fast boat Southeast of Puerto Rico. After being sighted, the fast boat crew jettisoned bales into the water and departed the scene at a high speed. The Cutter CUSHING arrived on scene and recovered 1,140 lbs of cocaine.

CARIBE VENTURE 5-96 began on November 8 as a supporting operation for FRONTIER SHIELD. This operation expands the scope and geographical coverage of FRONTIER SHIELD by including Dutch, British, French, and other Caribbean military and police forces.

Mid-Air Collision in India. On November 12, two commercial jet aircraft collided 40 miles northwest of New Delhi, India. A Saudi Airways Boeing 747 had just taken off from New Delhi and collided with a Russian-made TU-154 airliner from Kazekhstan which was inbound to New Delhi. The United States has been in contact with the Indian government and is awaiting an invitation to participate in the investigation.

Oregon Voters Defeat Finance Plan For Light Rail. November 5, Oregon voters rejected a measure to provide \$375 million of State lottery funds for a proposed light rail line between Clackamas Town Center and Vancouver, Washington. The measure also would have provided another \$375

million for a variety of transportation improvements around the state.

The measure does not affect the local (metropolitan) share of the project, which relies on a \$475 million property tax package overwhelmingly approved by Portland-area voters in 1994.

Seattle-Tacoma Transit Referendum Passed. On November 5, a referendum to fund

\$3.9 billion of regional transit system improvements over the next 10 years passed by a substantial margin (58%). Funding would come from increases in sales and motor vehicle excise taxes in the metropolitan area. Improvements would include a 23-mile Light Rail line from the vicinity of the University of Washington in Seattle south through downtown and the Rainier Valley to the vicinity of Sea-Tac Airport, a 2-mile Light Rail line from the Tacoma Dome to downtown Tacoma, Eighty One (81) miles of Commuter Rail services from Everett south through Seattle and Tacoma to Lakewood, Express Bus improvements on 20 corridors, High Occupancy Vehicle (HOV) freeway ramp improvements and transit centers and stations.

Grounding of Vessel off Florida Keys. On November 6, the IGLOO MOON, a 9623 ton carrier with a double hull, ran hard aground 3.5 miles southeast of Key BISCAYNE, FL, within a Prohibited Area surrounding the Florida Keys National Marine Sanctuary. The vessel reported no damage to its cargo tanks, which contain butadiene, a potentially flammable and toxic chemical, but three of its fuel tanks were punctured with no pollution thus far. The U.S. Coast Guard is coordinating the response effort. Most of the ship's fuel oil was off loaded by November 11 to lighten it for refloating and also preclude pollution. A special chemical ship will

start off loading the butadiene on November 14 and salvage crews will attempt to refloat the ship on November 16. The Coast Guard is conducting an investigation of the casualty under the authority of the Ports and Waterways Safety Act.

DOT Gives Pennsylvania \$10 Million to Repair Roads Damaged in July Flooding.

On November 6, FHWA awarded \$10 million in emergency relief funds to Pennsylvania to help repair federal-aid highways damaged by heavy rains and flooding in July. FHWA Administrator Slater said the award was based on preliminary damage estimates and will help reimburse the state for emergency work already performed.

International Aviation Issues:

U.S.-U.K. Aviation Talks. Intergovernmental talks, without industry representatives, were held in Washington November 6-7 on finding a basis to negotiate an open skies bilateral aviation agreement. Further talks may proceed at a later date.

France. The Department has accepted the French proposal for talks on December 16-17, in Paris to negotiate an open-skies aviation agreement.

Air France says that it has now signed separate transatlantic alliance agreements with Continental and Delta. Reportedly, the agreements provide for code sharing on each others flights, combining frequent-flier programs and joint marketing of their transatlantic services.

Pacific Basin Open Skies. A delegation consisting of two officials from the Department of Transportation and one from the Department of State visited Korea, Taiwan, Malaysia, Singapore and Brunei October 22-30, 1996, to explain the elements of an open-skies regime. Officials representing Korea, Taiwan and Malaysia indicated interest in having an open-skies agreement, although a final decision on the matter must await completion of their respective internal reviews. Singapore and Brunei indicated a willingness to go forward with open skies. The United States has said it would need a critical mass of countries interested in going forward with open skies before it would agree to finalize agreement with any Asian aviation partner.

Security Assessment Port-au-Prince, Haiti: The FAA security assessment for the international airport in Port-au-Prince, Haiti, is scheduled for November 11-15. Security personnel assigned to the airport have recently undergone aviation security training conducted by FAA Civil Aviation Security training specialists. The Miami civil security liaison officer has made numerous visits to the airport since August and reports that significant progress has been made regarding aviation security concerns at the airport.

Nassif Building Update. The Government continues to meet with David Nassif Associates (DNA) to attempt to come to agreement about the future cleaning and repair for the remainder of the Nassif Building. If DNA does not agree to the Departments requirements for effective cleanup, the Department intends to take over the job. The General Services Administration is presently reviewing bids from contractors who are

interested in performing the work.

CONGRESS

Hearing on Conrail/CSX Proposed Merger. The House Transportation and Infrastructure Committee will hold a hearing November 19 on the proposed merger. The hearing is on the procedure that the Surface Transportation Board will follow in making a decision, and the only witness will be a representative from the Board.

Deputy Secretary

November 21 Deputy Secretary to participate in the Partnership for a New Generation of Vehicles Operational Steering Group Meeting.

December 9 Deputy Secretary to give remarks at the UCLA Conference on Changing Terrain and ISTEA Reauthorization.

December 11 Deputy Secretary to give remarks at the Rail Station Development Conference in Wilmington, DE.

Modal Administrators/Assistant Secretaries

November 13 - 15

Bureau of Transportation Statistics staff were invited to meet with four transportation reporters at USA TODAY to brief them on BTS in general and specifically on the Office of Airline Information's on-time statistics and how BTS can better display the data for users on the Internet.

NHTSA Administrator Dr. Ricardo Martinez will speak at the Greater Dallas Injury Prevention Center Workshop on Safe Communities in Dallas, TX.

RSPA Administrator Dr. D. K. Sharma is scheduled to present a University Transportation Research grant to Northwestern University in Chicago, IL.

November 18

USCG Admiral Kramek will address faculty and students at the Naval War College in Newport, RI.

November 18 - 19

Federal Transit Administrator Linton will visit Salt Lake City to discuss transportation plans for the 2002 Olympics with local officials.

November 19

FRA Administrator Jolene M. Molitoris will travel to Boston, MA, to be the keynote dinner speaker to address the New England Railroad Club Executive

Dinner. The Administrator will discuss safety partnerships as well as next generation high-speed rail.

RSPA Administrator Dr. D. K. Sharma to visit the Volpe National Transportation Systems Center in Cambridge, MA.

November 19

SLSDC Administrator Gail McDonald will serve on an inland waterways seminar panel at the annual conference of the National Industrial Transportation League in Atlanta, Georgia.

November 19 - 22

The acting IG will visit the regional San Francisco, CA.

November 20

FTA Deputy Administrator Sadik-Khan in Albany, New York to participate in a panel discussion on ISTEA reauthorization at a meeting of the New York Public Transportation Association.

November 20

NHTSA Administrator Dr. Ricardo Martinez will speak at the American Public Health Associations Annual Meeting on Bringing Injury Control to the Local Community in New York, NY.

November 21

FTA Deputy Administrator Sadik-Khan in New York City to give the keynote address on "Transit in the Year 2000" at a meeting of the Greater New York Chapter of the Womens Transportation Seminar (WTS).

November 24 - 26

The SLSDC Administrator will meet with Seaway corporation employees in
Messena, New York.

November 25-28. Admiral Kramek will inspect units participating in the
Coast Guards Puerto Rican-based OPERATION FRONTIER SHIELD, meet with the
Governor of Puerto Rico, and hold discussions with US and respective
government officials in Haiti and the Dominican Republic.

December 8-10

Associate Deputy Secretary Michael Huerta will participate in the 1996
Lake Arrowhead Symposium being held through UCLAs Public Policy Program in
California.

Media Inquiries

(New listings in bold)

The impact of air bags on children and small people, and
speculation about NHTSA rulemaking have prompted inquiries by numerous
reporters from throughout the nation, including Matt Wald, New York Times;

Cindy Skrzycki, Washington Post; Rochelle Jones, People; Lisa Stark, ABC-TV; Catherine O'Brien, AP; Steve Kaye, U.S. News and World Report; Peter Kaplan, Washington Times. All can be expected to publish or air stories soon. USA Today and the Detroit newspapers lead the interest in this issue. A brief item about children and air bags produced by Diana Kloorfain, NBC Dateline, will air Nov. 15.

Josh Mankowitz and Yaro Valdex have produced a segment about aggressive driving for NBC Dateline. It is likely to include an interview of NHTSA Administrator Martinez that was videotaped in June. The segment is expected to air Nov. 17.

Dick Witkin, New York Times, Nov. 1, is collecting background information on wiring related to the fuel tanks on 747's. Publication date unknown.

Donna Rosato, USA Today, November 8, visited the Aviation Consumer Protection Division and asked for copies of letters from consumers concerning Tower Air. She plans to interview consumers as well as the NTSB. Publication date not known.

Tim Ito, US News and World Report, November 7, interviewed Jim New regarding developments in gambling aboard aircraft. Publication before the end of the year.

Andy Rivkin, New York Times, is doing a story on small leaks forming in older Boeing 747 fuel tanks. Publication date is unknown.

Linda Jackson, AP science writer, Trenton, New Jersey, November 12, will interview Don Trilling, Director of the Office of Environment, Energy and Safety, concerning fatigue and stress detectors for pilots, engineers and drivers.

Susan Carey, Wall Street Journal, is looking into the trend by government agencies to do more for families of victims of accidents. She wants to know what the FAA currently requires, what the agency intends to require, and if airlines are currently required to submit emergency plans. Publication date not known.

CBS Evening News "Eye on America" is expected to air a segment about the Coast Guard's National Motorboat School during the week of Nov. 25.

Liza Mundy Washington Post magazine, is researching a piece on air bags and short drivers. Soonest article should appear is in three weeks.

Serge Kovaleski, Washington Post, has requested service bulletin relating to 747's fuel tanks. The FAA's Northwest Mountain Region is pulling together the information. Publication date not known.

Harry Phillips, "Prime Time Live," was provided FAA information about a May 11, 1990 incident of wing failure on an Iranian Air Force 747-131, a "sister ship" to the TWA 800 aircraft. Air date not known.

Victor Arango, NBC "Dateline", plans a segment to examine companies that provide aviation security services, their hiring practices, employees, effectiveness of measures to prevent unescorted access to security areas, current state of security and proposed changes. Air date is scheduled for the weekend of Nov. 22.

Andy Blum, Journal of Commerce, is working on a story on unsolved airline accidents. Blum has received information on FAA's response to NTSB recommendations regarding Boeing 737 aircraft. Publication date is not known.

Bob Davis, USA Today, is working on a piece on difficult airport runway approaches. The story is generated from a LaGuardia Airport incident. The reporter received background briefing from Dave Harrington, Office of Flight Standards, regarding approaches designated as "special" by the agency that required enhanced pilot training. Publication date not known. Newspaper's graphics department has been provided statistics on runway lengths throughout the nation.

Melanie Kirkpatrick, Wall Street Journal editorial, Oct. 25, has expressed interest in a possible editorial board with Coast Guard Admiral Kramek. Nothing scheduled at this time.

Lynda Sly, "20th Century", has completed report focusing on unsolved aircraft accidents, including US Air 427. Awaiting air date on Arts & Entertainment Network. This was previously expected to appear on CBS 60 Minutes.

FOIA

Regulatory Impact Analyses for rulemakings involving Mode C Transponder, Traffic Alert and Collision Avoidance System, Explosive Detection System for Checked Baggage, and Flight Crew Duty Period Limitation -- Chicago Tribune.

Service difficulty reports, accidents, and incidents related to the center fuel tank of Boeing 747 and 737 airplanes over the past 20 years -- CNN, New York.

Information on any past accidents, violations, and investigations involving a hot air balloon pilot -- Dateline NBC.

POINT OF CONTACT: For the Weekend of November 16-17, 1996, Nancy McFadden will be the contact. She can be reached at (703) 537-0266 (Home) or through the FAA Operation Center at 202-267-3333.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: robert.knisely (robert.knisely@bts.gov@INET@LNGTWY [UNKNOWN])

CREATION DATE/TIME: 3-DEC-1996 12:05:00.00

SUBJECT: Why not a recess appointment for Dr. Lakshmanan, the BTS

TO: Elizabeth A. Montoya (Elizabeth A. Montoya@eop [UNKNOWN])

READ:UNKNOWN

TEXT:

Director?

I just asked Carole Zok this question, and she suggested I call you directly [and email is a good starter].

As you recall, since the Coast Guard bill did NOT solve the problem of Dr. Lakshmanan's continuing as Director of the Bureau of Transportation Statistics, we had a new nomination package before the Commerce Committee when the Senate adjourned. Carole tells me that there were NO objections on the committee to Dr. Lakshmanan's (routine) reappointment to his Level V position at that time.

I would like to urge you to consider a recess appointment for Dr. Lakshmanan as the BTS Director. There are three compelling reasons for this:

1. As noted, there were no objections from the committee. A recess appointment would cause no waves.
2. Dr. Lakshmanan has informed the Department (and BTS) that he intends to return to Boston University either in January of 1998 (for

the spring semester) or in September of 1997 (for the fall semester), depending on the progress of the ISTEA-II legislation. It seems fruitless to go through an entire confirmation process for less than 12 months of his time. Wouldn't a recess appointment cover him until late next year?

I'd prefer to begin the nomination of his successor this spring; that makes more sense to me than asking you'all to run two nominations for this one position in one year!

NB: A recess appointment for Lakshmanan would allow the President to make another nomination this spring, by the way.

3. Dr. Lakshmanan was, to say the least, not at all pleased when he found out that the Coast Guard bill had not resolved his situation.

As I write this he is just a non-career SES, although we continue to refer to him as the Director.

I am very concerned that he might now leave THIS December to return to Boston University for the spring semester of 1997, leaving BTS without a political appointee during ISTEA reauthorization, which could be disastrous for us.

Please let me know if a recess appointment for Dr. Lakshmanan would be impossible or merely difficult. I'd be happy to work with some of my other contacts within the Administration to encourage this easy resolution to several problems, if that would be helpful.

Bob Knisely

366-9777===== ATTACHMENT 1 =====

ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

RFC-822-headers:

Received: from storm.eop.gov (storm.eop.gov)

by PMDF.EOP.GOV (PMDf V5.0-4 #6879) id <01ICKKETYC6800086Y@PMDf.EOP.GOV> for
montoya_e@al.eop.gov; Tue, 03 Dec 1996 11:00:34 -0400 (EDT)

Received: from info.bts.gov (info.bts.gov) by STORM.EOP.GOV (PMDf V5.0-7 #6879)

id <01ICKKEQ3S84000043@STORM.EOP.GOV> for montoya_e@al.eop.gov; Tue,
03 Dec 1996 11:00:32 -0700 (MST)

Received: from inet.bts.gov (inet.bts.gov [152.120.123.181])

by info.bts.gov (8.8.3/8.7.3) with SMTP id LAA15301 for
<montoya_e@al.eop.gov>; Tue, 03 Dec 1996 11:01:17 -0500 (EST)

Received: from BTS-Message_Server by inet.bts.gov with Novell_GroupWise; Tue,
03 Dec 1996 11:53:56 -0500

X-Mailer: Novell GroupWise 4.1

===== END ATTACHMENT 1 =====

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Cynthia Coogan (CN=Cynthia Coogan/OU=DOT/O=GOV [UNKNOWN])

CREATION DATE/TIME:12-DEC-1996 18:38:27.00

SUBJECT: White House Weekly Report for December 16, 1996

TO: Cabinet Affairs (Cabinet Affairs [UNKNOWN])

READ:UNKNOWN

TEXT:

MEMORANDUM FOR LEON PANETTA, THE WHITE HOUSE DECEMBER 12, 1996

FROM: Secretary Peña

SUBJECT: DOT Weekly Report -- Week of December 16, 1996

The following is the Department of Transportation Weekly Report:

KEY DEPARTMENT NEWS

Secretary to Meet With Los Angeles Transit Officials: On December 16, Secretary Peña, Deputy Secretary Downey, and Federal Transit Administrator Linton will meet with several Los Angeles County Metropolitan Transportation Authority board members in Washington. Members of the Board have been invited to discuss management and oversight, and scheduling and financing issues concerning the Red Line subway and other projects. There has been significant local media coverage on this transit issue.

Cargo Hold Safety Measures Announced: On December 12 at the White House,

Secretary Peña joined you and the Vice President, and several industry leaders in the announcement of plans to install fire detectors in the cargo holds of jetliners that do not currently have them. The voluntary actions outlined come as the FAA moves forward with mandatory rules it proposed in November.

Secretary announces Federal Pre-emption on Drug Propositions 200 and 215:
On December 12, Secretary Peña and National Drug Control Policy Director, General McCaffrey issued a strong national warning from the Administration that the Federal transportation drug testing laws will continue to be fully enforced without effect from the recent passage of California Proposition 200 and Arizona Proposition 215. According to the formal national advisory, safety-sensitive transportation workers who test positive under the Federally required drug testing program may not under any circumstances use the new laws as a legitimate medical explanation for the presence of prohibited drugs.

Airport Revenue Diversion - Los Angeles: The City of Los Angeles Department of Airports transferred \$31.1 million to the City's General Fund at the City's request. The FAA has requested that the money be returned to the Airports Department and the City has refused. On December 2, the City stated that they were entitled to transfer the funds to the General Fund. Federal law and policy require that revenues generated by an airport be spent only for airport and airport-related purposes. In the City's December 2, response to the FAA regarding this transfer, the City did not supply the Department with a legal or factual basis which would support a finding that this transfer of funds does not violate federal law. On

December 16, the Department will initiate a formal investigation into the matter, coupled with an invitation to the City to concurrently resolve this matter outside a formal administrative process.

Alameda Corridor: On December 5, representatives from DOT and the Alameda Corridor Transportation Authority concluded negotiations for DOT's \$400 million loan to the Project. Final loan documents will be drafted and revised during the next several weeks. The Department has agreed to execute the agreement no later than January 15.

CNN report on 747 aircraft: On December 12, CNN aired a story that addressed recent FAA actions regarding 3 Boeing 747 airworthiness issues: 1) fuel tank bars; 2) electrical switches; and 3) corrosion in the stretch-upper deck. None of these actions relate to the on-going investigation of the crash of TWA flight 800.

Air Bag Hearing: On December 19, House Transportation Appropriations Subcommittee Chairman Frank Wolf has scheduled a hearing to discuss issues regarding air bags and children. Chairman Wolf is interested in the status of rulemaking, history of the air bag and other related issues.

NHTSA Administrator Ricardo Martinez will testify for the Department.

Other invited witnesses include representatives from the auto manufacturers, a parents coalition of children killed by airbags, a trauma physician, Joan Claybrook from Public Citizen, and Jim Hall, Chairman of the NTSB. The Department expects significant press interest.

Meigs Field Takeover Attempt: On December 3, the IL House and Senate

approved a bill through which the state of IL would take over Meigs Field, a small airport in downtown Chicago. Governor Edgar has not yet signed the bill. The General Assembly is now talking about passing another bill that would allow the state to take over Meigs Field immediately. The current bill allows for takeover as of July 1, 1997. If another bill is passed it will be during the January 6-7 session.

FAA Passenger Safety Campaign: On December 17, Acting Administrator Linda Daschle will kick off a nationwide public education campaign designed to inform the American public about passenger safety onboard commercial aircraft. This campaign will consist of a media program to raise public awareness about the importance of using seat belts and child restraint systems. The association of Flight Attendants, Air Transport Association, National Safety Belt Coalition, and National SAFE KIDS Campaign will also participate in the event.

NTSB Sunshine Meeting on ValuJet Flight 558: On December 11, the NTSB met to finalize the report on an accident involving ValuJet Flight 558, which occurred at Nashville, TN on January 7. The DC-9 struck the ground short of the runway on final approach, damaging the nose gear. The NTSB determined that the probable cause of the accident was the flight crews improper procedures and actions in response to an in-flight abnormality. The report contains 18 conclusions and 8 safety recommendations, 6 to the FAA and 2 to ValuJet.

Boeing Roll Out of the 737-700: On December 8, the Boeing Company rolled out the inaugural 737-700 airplane in Renton, WA. Southwest Airlines,

which is an all 737 air carrier, is scheduled to take delivery of this jet next October. Southwest Airlines is the launch customer and the largest 737 operator in the world.

Security Assessment:

Bogota, Colombia: On December 6, the security assessment of Eldorado International Airport was concluded. The assessment team reports that the deficiencies have been corrected. Briefings for DOT and DOS officials began December 11.

Mumbai and New Delhi, India: From December 4 through December 13, the FAA is conducting U.S. air carrier station inspections at Mumbai and New Delhi airports. FAAs civil aviation security liaison officer is conferring with U.S. Embassy and Indian officials to obtain permission to conduct low-key airport security assessments of both airports concurrently with the air carrier inspections.

Baseline Working Groups (BWG) Final Report to the Aviation Security Advisory Committee (ASAC): On December 12, Deputy Secretary Downey addressed the FAAs Aviation Security Advisory Committee and received for consideration the BWGs final report. The BWGs report and recommendations cover security measures for passengers, baggage, cargo, mail, aircraft, airports, and personnel. There are also recommendations for additional research and development, full Federal funding, and more effective administration of aviation security programs. The report includes dissenting opinions on the recommendations for funding, NCIC checks, and

passenger-baggage match. The final report has been provided to the White House Commissions staff. The Department expects significant press interest.

Quincy Shipyards: Two of the three conditions to make the letter commitment to Quincy Shipyard have become effective. The applicant, Massachusetts Heavy Industries, has submitted \$105,000 to MARAD, and the Commonwealth of Massachusetts has appropriated \$6.6 million as the States share of the project. The final agreement with the State to detail the terms and conditions for the States contribution , which is expected to be in the form of a letter of credit, is still being worked on.

NTSB Hearing on Cajon Pass Rail Accident: On December 11, the NTSB held a hearing to review the probable cause of a February 1 train derailment in Cajon Pass, CA. The cause was a blockage in the train line which prevented the crew from adequately braking the train and a lack of oversight by FRA, the industry, and the Sante Fe Railroad on requiring the proper use of end of train devices. In addition, the NTSB recommended that the FRA require the use of two-way end of train devices and revise the FRA rule on event recorders. FRAs final rule on two-way end of train devices is currently under review at OMB. In the aftermath of the February accident, the major railroads agreed to install two-way end of train devices on trains operating on mountain grade territory by December 31, and on all trains by July, 1997. On December 10, FRA announced that the railroads had completed end of train device installation on all mountain grade trains.

Operation FRONTIER SHIELD: Since October 1, the Coast Guards operation to shut down Puerto Rico and the Eastern Caribbean to drug traffickers has been extremely successful. With inter-agency cooperation and international participation, the Coast Guard has seized 34,927 pounds of cocaine, over 8 times the amount seized during the same time last year.

Airport Revenue Diversion - State of Hawaii: Hawaii's Attorney General has assured FAA/DOT that an upcoming sale of general obligation bonds will result in the year end 1996 return to the State's airports account of the \$64.4 million that was unlawfully diverted in November 1991 to purchase non-airport related property. The State will supply FAA/DOT with more information relative to the calculation of the repayment of interest.

Federal Highway Trust Fund: GAO issued an opinion on December 5, stating that the Department of Treasury may correct a \$1.59 billion over reporting error in its FY 1995 Highway Trust Fund (HTF) Income Statement by crediting that amount to its FY 1994 HTF Income Statements. GAO also concurred with DOT's position that it does not have authority to administratively correct Treasury HTF Income Statements and that it must effectuate the statutory apportionment formula based on the data provided by Treasury. A large number of House members have written the White House and the two Departments stating that the Administration should not act to address the problem since Congress had previously failed to enact legislation that would have corrected the reporting error.

International Aviation Issues:

United Kingdom: On December 4-6, in London, U.S. and U.K. delegations held negotiations on replacing the Bermuda 2 Air Services Agreement with an open-skies accord. The U.S. side was disappointed with the lack of progress that was achieved during this round of talks. No date was set for a next round of negotiations.

France: On December 16-17, aviation negotiations with France are scheduled in Paris. The U.S. objective is to negotiate a transition to an open-skies aviation agreement. The French will be seeking to obtain sufficient rights to implement Air France's separate transatlantic alliance agreements with Continental and Delta.

DOT Awards \$1 Million to Cambria County, PA Transit Authority:

On December 5, Secretary Peña announced a FTA grant of \$1 million to the Cambria County Transit Authority, in Johnstown, PA, for storm water collection system renovations, fuel system rehabilitation and for the purchase of five replacement buses.

DOT Awards \$1.2 Million to IL for Transit: On December 5, Secretary Peña announced a FTA award of \$1.2 million to the IL Department of Transportation for transit improvements in New Baden and Decatur and for the purchase of paratransit vehicles for the city of Galesburg and Coles and Warren Counties.

DOT Announces \$6.9 Million Transit Grant to MO: On December 5, Secretary Peña announced a FTA grant of \$6.9 million to the MO Highway and

Transportation Department to assist 21 transit providers in buying land, 106 transit vehicles and other transit equipment.

Nassif Building Update: On December 9, David Nassif Associates resumed the cleaning and repair program of the Nassif Building, according to the Governments prepared specification.

Secretary Peña Launches Outreach on Air Bags: On December 5, Secretary Peña launched a joint outreach effort among all DOT modes concerning the preservation of the important safety benefits of air bags, while minimizing their danger to children and others at risk.

PRESIDENTIAL INITIATIVES

Deliveries of Vessels Built with Title XI Loan Financing Guarantees:

Global Industries Ltd., of Lafayette, LA. took delivery of a 300' ocean barge on December 6. The barge is the second vessel of a commitment for two liftboats, a launch barge, and a deck barge. One liftboat has already been delivered and the second is expected to be delivered by the end of December. The total actual cost of the project is \$25,003,000 and the guarantees are \$20,328,000. Also, Martin Gas Marine, Inc. (MGM), of Kilgor, TX. took delivery of a tug on December 6. This tug is one of two vessels for which MGM has received Title XI (a Title XI financed barge was delivered to MGM on February 27). Both vessels are intended for operation between the Gulf Coast and Tampa, FL. The Letter of Commitment issued to

MGM on July 27, 1995, provided for a total guarantee of \$14,526,000.

Secretary

December 18

Secretary Peña will address the ISTEA Fifth Anniversary Luncheon in Washington, D.C.

Deputy Secretary

December 13

Deputy Secretary Downey will address the Coalition of Northeastern Governors 1996 Annual Conference in Manchester, Vermont.

January 15

Deputy Secretary Downey will chair a panel at the Transportation Research Board (TRB) Annual Meeting on Transportation Security.

Modal Administrators/Assistant Secretaries

December 13

BTS Director will speak on Social Economic Change and Sustainable Transportation at the Visiting Scholars Seminar Innovations in Transportation Investments, sponsored by the University Transportation Research Center in New York.

December 15

The FHWA Administrator travels to Ypsilanti, MI to give commencement address at Eastern Michigan University.

December 17

The Maritime Administrator will be a panel member for the World Business Review in Washington, D.C.

December 18-19

Assistant Secretary Frank Kruesi, as a member of the U.S. delegation headed by the Department of State, will participate in broad-gauged discussions with government officials in Moscow concerning international use of GPS and related augmentation systems.

December 19

The Maritime Administrator will participate in a briefing for the Joint Chiefs of Staff at the U.S. Transportation Command at Scott AFB, IL.

January 8

The Maritime Administrator will speak at the International Cargo Handling Coordination Association in New York, NY.

January 10

The Assistant Secretary for Aviation and International Affairs will join high-level exploratory aviation discussions scheduled to take place in Tokyo to discuss proposed services of Federal Express, and a framework for possible future talks aimed at negotiating expanded opportunities for combination services.

January 17

The Saint Lawrence Seaway Development Corp. Administrator will represent the Seaway at the 58th Annual Marine Club dinner in Toronto, Ontario.

Press/Media Inquiries

NHTSA continues to receive requests for an on-camera interview by CBS 48 Hours on the subject of GM door latches. NHTSA is denying these requests on the basis of having provided a great deal of on-the-record documentation. NHTSA has prepared written responses to 48 Hours questions, which was mailed December 9.

The Los Angeles Times inquired about age 21 drinking laws and what happens when states lower the age to 18. NHTSA Associate Administrator Hedlund will respond.

The Wall Street Journal is working on a story about speed limits. NHTSA is sending the reporter a publicly-available CD-ROM containing fatal crash data, and the National Center for Statistics and Analysis will help interpret the data on background.

USA Today is working on a story about heavy trucks and their safety record. NHTSA provided statistical information and referred the reporter to FHWA about ISTEA reauthorization.

Newsday plans a comprehensive six-part series on aviation security beginning December 22.

Gannett is preparing a comprehensive story as early as December 14 on rail grade crossing safety. The story, expected to appear in USA Today, as well, will most likely appear in Gannett newspapers the following week. Gannett expects to prepare a graphic on the ten worst grade crossing sites in the U.S. The article, which is expected to include negative commentary from tort attorneys, will focus on progress made since the 1994 DOT action plan. The reporter has spoken to a representative of the FHWA Office of Highway Safety, FRA's National Highway Grade Crossing Manager and Associate Deputy Secretary Michael Huerta.

FHWA Administrator Slater, December 10, will be interviewed by members of the editorial board at the Atlanta Journal and Constitution while he is in Atlanta for Georgia's 40th Interstate anniversary celebration.

The New York Times has obtained the enforcement agreement the FAA entered into with US Air. Reporter is looking for any background materials that describe the violations. Publication date not known.

The Philadelphia Inquirer, December 4, called FHWA about Pennsylvania's support of the Route 202 bypass project and whether it would receive approval under the federal-aid program.

McClatchey Newspapers, December 3, called FHWA about the federal aid

program and penalty provisions relating to the Clean Air Act.

The New York Times is doing a story on small leaks forming in older Boeing 747 fuel tanks. Publication date is unknown.

Air Bags: Interest by all media and the public remains high in the question of air bag safety for children and shorter stature people. The Office of Public and Consumer Affairs has answered dozens of inquiries from all parts of the country concerning the issue. Stories have appeared in all major papers and news programs, and reporters ask for the latest updates on possible action.

Washington Post. NHTSA supplied the Washington Post Health Magazine writer Chris Russell with information on proper use of safety belts and child safety seats. She plans a story for Tuesday, Dec. 10, to advise readers on safe use of occupant protection.

DATeline. An on-camera interview was conducted September 12 for Lea Thompsons story on vehicle glazing and ejections. They are not sure when the story will run. Questions have also been asked by Dateline researchers about veiling glare on windshields and the problem of drowsy drivers. Reporter Jamie Hazen, who is himself trained as an emergency medical technician, called October 18 and following for a possible story on EMS performance.

ABC News. A crew from ABC World New Tonight attended the first portion of NHTSAs safety seat workshop on October 17, and taped testimony and

closeups of child seat designs under consideration for possible use in a future program.

New York Daily News called for information on the implications of deficiencies found during a recent FTA/FHWA recertification of the New York Metropolitan Transportation Council December 6.

NBC Nightly News interviewed FTA staff on the FTA-funded bus testing programs at Altoona and State College, PA. NBC News will be using information on the deficiencies of this program for a December 17 Fleecing of America segment on December 9.

Boat U.S. Magazine. Inquired about the FY97 Budget and a section which addresses establishment of a Coast Guard rescue diver program.

Ceremony marking the acceptance of two vessels into MARADs Ready Reserve Fleet produced positive press in New Orleans, LA., including the Times-Picayune.

Reporters continue to inquire daily about the status of the Maritime Security Program. Included are the Journal of Commerce, Traffic World, Seatrade and Lloyds List.

Received several calls on the status of a ship financing application filed by COSCO, the China Overseas Shipping Company.

Prime Time Live was provided FAA information about a May 11, 1990

incident of wing failure on an Iranian Air Force 747-131, a "sister ship" to the TWA 800 aircraft. Air date January.

Conde Nast Traveler interviewed the FAA Air Certification Services Director regarding update on what is being done with 737's and rudders. Article expected to appear in January.

20th Century, has completed report focusing on unsolved aircraft accidents, including US Air 427. Awaiting air date on Arts & Entertainment Network.

Good Housekeeping is conducting research on air tours, regulations on life preservers and floatation devices. Scheduled for publication in February.

FOIA REQUESTS

Inspections of Boeing 737s conducted November 1-3; and any findings, recommendations, or criticisms of rudder anomalies on Boeing 737s from 1990 to present -- Consumers Digest

Enforcement Investigative Reports pertaining to alleged violations by US Air covered by November 8 consent agreement between US Air and FAA, and documented questions by the FAA about carriers qualifications to its operating certificate -- The New York Times

Documents or records on radio interference caused by electronic

toll equipment at the Dulles Greenway toll plaza and its effect on
equipment at Dulles Airport -- Toll Roads, Frederick, MD

Incident, accident, and service difficulty reports since September
30 involving ValuJet Airlines -- The Wall Street Journal

Incident reports from January 1990 to December 1996 concerning
runway incursions, pilots who didnt follow proper instructions, and near
mid-air collisions at Outland Airport-- Mt. Vernon Register-News, Mt.
Vernon, IL

Fines or violations involving Priester Aviation during the last 3
years -- WBBM-TV, Chicago

Feasibility study dealing with location of drag strip at the
Greater Rockford Airport -- Rockford Register Star,
Rockford, IL

Investigative results of April 29 crash of a Cessna 421 at
Dubuque, Iowa -- The Gazette, Cedar Rapids

NASIP reports for United, United Express, Southwest, Delta,
Northwest, American, Harbor, and Mountain West airlines -- KOMO TV 4,
Seattle

Records of Violations from 1994 to present for Horizon, Alaska,
United, United Express, Southwest, Delta, Northwest, American, Harbor, and

Mountain West airlines -- KOMO TV 4

Letters of complaint alleging the spraying of herbicides or pesticides during the weekend of November 2, in the Wahhuke area north of the Columbia River -- Seattle Post-Intelligencer

Information relating to shorts, arcing, arc tracking, fires, flash over, or potential unsafe conditions involving specific aircraft wires or wire bundles on large commercial air carriers -- The News Tribune, Tacoma, WA.

Point of Contact: For the weekend of December 14-15, 1996, Jackie Lowey will be the contact. She can be reached at (703) 671-2529 (home) or through the FAA Operations Center at (202) 267-3333.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Cynthia Coogan (CN=Cynthia Coogan/OU=DOT/O=GOV [UNKNOWN])

CREATION DATE/TIME:18-DEC-1996 17:34:02.00

SUBJECT: White House Weekly Report for the Weeks of December 23 & 30, 1996

TO: Cabinet Affairs (Cabinet Affairs [UNKNOWN])

READ:UNKNOWN

TEXT:

MEMORANDUM FOR LEON PANETTA, THE WHITE HOUSE DECEMBER 18, 1996

FROM: Secretary Peña

SUBJECT: DOT Weekly Report -- Weeks of December 23 and 30,
1996

The following is the Department of Transportation Weekly Report:

Key Department News

Secretary's Meeting With Los Angeles Transit Officials: On December 16, Secretary Peña, Deputy Secretary Downey, and FTA Administrator Linton met with several Los Angeles County Metropolitan Transportation Authority board members in Washington, to discuss the Secretary's concern regarding management, oversight, scheduling, and financing issues concerning the Red Line subway. Mayor Riordan joined the meeting by phone. The meeting received extensive media coverage both before and after it occurred. Next steps include development of a code of conduct for Board members, recovery plans and a 20 year financial plan.

National 3D Prevention Month: On December 19, at DOT, Secretaries Peña, Shalala, Riley and Director McCaffrey will release the annual "Monitoring the Future" survey of drug, alcohol and tobacco use by high school students. They will lead a satellite forum, linking communities around the country and reminding the public not to drink and drive during the holiday season. This is also a part of the annual National Drunk and Drugged Driving (3D) Prevention Month.

Secretary attends ISTEA Event: On December 18, Secretary Peña addressed the 5th Anniversary Celebration of ISTEA Enactment. This event kicked-off the ISTEA reauthorization by the Alliance for ISTEA Renewal. The Secretary announced the preliminary printing of a DOT report on its national outreach ISTEA reauthorization, How to Keep America Moving, ISTEA, Transportation for the 21st Century, the final version to be ready to distribute in January.

Secretary attends meeting with U.S. Mayors: On December 18, Secretary Peña joined you, the Vice President and other Cabinet Officials in a meeting with U.S. Mayors to discuss possible urban initiatives over the next 4 years.

Congressional Air Bag Hearing: On December 19, House Transportation Appropriations Subcommittee Chairman Wolf will hold a hearing to discuss issues regarding air bags. Chairman Wolf is interested in the status of rulemaking, history of the air bag, and other related issues. NHTSA Administrator Ricardo Martinez will testify for the Department. Others

expected to testify are NTSB, the American Automobile Manufacturers Association, and representatives from the insurance industry, the medical community, and safety advocates. Heavy media coverage is expected.

Secretary to announce MSP awards: On December 20, Secretary Peña will hold a press conference to announce Maritime Security program awards. DOT has entered into agreements with ten shipping lines to subsidize \$2.1 million per ship for a combined annual award of \$100 million. On December 13, MARAD extended offers to eligible companies that had submitted MSP applications. Written notifications of acceptances were due at close of business on December 16, and contract signings are scheduled for December 20.

FAA Passenger Safety Campaign: On December 18, at National Airport, the FAA kicked off its nationwide safety campaign to promote the use of seat belts and child restraint systems on commercial airliners. The efforts include print and video PSA's reminding travelers of the potential dangers of turbulence and the importance of remaining buckled up while in flight.

Freighter Rams Wharf Area in New Orleans: On December 14, the 735 ft Liberian Freighter BRIGHT FIELD lost power and struck the populated waterfront shopping area, Riverwalk, in New Orleans, LA. A system of traffic lights operated by the Coast Guard in that section of the river was in operation and may have minimized the accident by preventing other vessels from heading up the river at that time. The collision and panic caused injuries to 116 people, but there have been no reported fatalities or pollution. The Coast Guard was the lead agency for the recovery effort

and used infrared equipment to search for survivors. Drug and alcohol tests were performed on the crewmembers and pilot. The case has received national media attention. The Coast Guard convened a Marine Board of Investigation on December 17. House and Senate member staffs were briefed.

Report of the Baseline Working Group to the Aviation Security Advisory Committee: On December 12, the Aviation Security Advisory Committee received the Baseline Working Groups recommendations. 18 of 21 recommendations were accepted unanimously. There were dissenting views on 3 recommendations: (1) the Association of Flight Attendants and Families of Pan Am 103, Lockerbie, strongly insisted that Positive Passenger Bag Match (PPBM) should be implemented, regardless of the outcome of the PPBM pilot test directed by the White House Commission; (2) the Department of Justice opposed authorizing airports to use National Crime Information Center checks to supplement employment histories; and (3) the Office of Management and Budget opposed Federal funding of the costs of strengthening security. All other U.S. Government representatives abstained from voting on this Federal funding recommendation. The ASACs recommendations will now be presented to the FAA Administrator.

Boeing 747 Actions: On December 13, the NTSB issued 4 safety recommendations to the FAA which addressed the issues of the flammability of fuel-air mixtures in fuel tanks and methods to monitor and detect temperature rises. The recommendations come from the Board's investigation of TWA Flight 800, but were described as issues that have been developed rather than related to any causal factors. Unrelated to

these recommendations, FAA is drafting an Immediate Adopted Rule Airworthiness Directive to require inspections of certain Boeing Model 747 main fuel tank boost pump wiring for evidence of chafing or electrical arcing. This Airworthiness Directive is not tied to any current NTSB recommendation but is a precautionary action towards eliminating a potential ignition source.

Adarand Constructors, Inc. v. Peña, (D. Colo., No. 90-K-1413: On December 20, the United States will argue a motion for summary judgment in the Adarand case, which is before the federal district court in Colorado on remand from the Supreme Court. The Supreme Courts decision announced that all federal programs using racial classifications must be reviewed under a new standard of strict scrutiny. Adarand has challenged the Subcontracting Compensation Clause (SCC), which issued by the FHWA to encourage participation of minority and women-owned subcontractors in federal highway construction. The governments motion argues that Congress had a compelling interest in remedying discrimination in highway construction and governmental contracting, and that the SCC is a merely-tailored program that furthers this interest. As the lead case challenging the constitutionality of DOTs minority preference program, the ultimate decision in this case will likely have a profound effect, and doubtless will be the subject of further appeal.

Federal Highway Trust Fund: The Secretaries of Transportation and Treasury and senior officials in each agency and the Office of Management and Budget met last week with the White House Chief of Staff to discuss the opposition of certain members of Congress to Treasury's legal opinion that

it should (1) correct a \$1.59 billion over-reporting error in the Highway Trust Fund (HTF) in FY 1995 by crediting that amount to the HTF in FY 1994 and (2) revise its income statements accordingly. Several alternative courses of action have been identified. Transportation must make apportionments of Federal-aid highway funds based on income statements provided by Treasury or by the end of the calendar year, affected States may raise impoundment concerns. A briefing paper from the Secretaries of Transportation and Treasury was presented to the White House Chief of Staff concerning these issues.

Los Angeles Airport Revenue Diversion: With the Secretary's approval, the FAA issued a Notice of Investigation into the September transfer of \$31.1 million from the airport account of the City of Los Angeles to the City general account. The Notice, which implemented FAA's new and expedited procedures for resolving federal grant compliance issues, gave the City 30 days to respond as to why all or part of that transfer does not constitute unlawful airport revenue diversion under federal grant assurances, and to make good faith efforts to resolve the matter informally. The Secretary spoke with Mayor Riordan and has sent explanatory letters to Senator McCain and to Congressman Wolf, who have expressed concern about this and other revenue diversions by the City of Los Angeles. On December 16, Senators Boxer and Feinstein, House members representing the Los Angeles area, and other key House and Senate aviation staff were provided copies of the FAA Notice of Investigation and other information regarding the revenue diversion by the city of Los Angeles at Los Angeles International Airport.

Major Airlines Third Quarter Financial Results: Major U.S. passenger and cargo airlines, reported strong operating and net profits for the third quarter 1996. Operating revenues advanced 6.6 percent while operating expenses grew slightly faster, up 7.4 percent, causing operating profit to dip \$2.8 million to \$2.42 billion. The passenger majors reported an operating profit of \$2.27 billion and the all-cargo majors had an operating profit of \$149 million. Net income improved \$59.5 million to \$1.23 billion, an all-time third quarter high. For the 12-months ended September 1996, operating profit increased \$1.24 billion to \$6.24 billion. Net income jumped \$1.79 billion to \$2.91 billion, a new all-time high for the group.

U.S.--France Aviation Talks: On December 16, aviation negotiations with France began in Paris. The U.S. objective is to negotiate a transition to an open-skies aviation agreement. The French will be seeking to obtain sufficient rights to implement Air France's separate transatlantic alliance agreements with Continental and Delta. Reportedly, the agreements provide for codesharing on each other's flights, combining frequent-flier programs and joint marketing of their transatlantic services. Air France says that the two agreements could provide \$100 million a year in operating profits.

Miami International Airport Rates Proceeding: The Department has agreed to the request of Dade County (owner and operator of Miami International Airport (MIA)) to institute a proceeding to determine whether MIA's landing fees and terminal rents are reasonable. Dade County claimed it increased these fees to pay for its planned renovation and expansion of a

\$975 million concourse to be used by American Airlines as its hub operation. Dade County also plans to spend \$1.8 billion on reconstruction of the a large part of the rest of the airport's terminal, for the operations of other carriers. Six airlines--Air Canada, Delta, Lufthansa, TWA, United and USAir--opposed the request as unfair because MIA plans to include the cost of American's new (and allegedly better) facilities in the costs used in calculating the terminal and landing fees paid by all airlines using MIA. The Department will issue a final decision by March 19, 1997.

Western Pacific Airlines Unauthorized and Deceptive Advertising: The Department has settled an enforcement case involving Western Pacific Airlines (WestPac) and its affiliate, Mountain Air Express (MAX). WestPac advertised MAX service before the latter airline was licensed and authorized to do so. The consent order reflecting the settlement assesses a \$340,000 civil penalty; however, up to \$290,000 of that amount may be offset by the carriers by providing passengers substitute air transportation on other carriers or discount coupons for future WestPac/MAX flights. Consumers will also be provided refunds if they request.

Cubans Turn Over Cocaine, Assist U.S. In Drug Case: Cuba turned over 6.6 tons of cocaine to U.S. authorities which they located on the vessel LIMERICK. The LIMERICK was originally boarded by a U.S. Coast Guard boarding team in October but the vessels crew scuttled the ship, (unsuccessfully), and the Cubans later salvaged it. The crew of the LIMERICK will be tried in Miami. The Government of Cuba has also turned

over an evidence package to support the U.S. prosecution, and agreed to provide witnesses if needed. The case received significant regional media interest.

Secretary

December 18

Secretary Peña will address the ISTEA Fifth Anniversary Luncheon in Washington, D.C.

December 19

Secretary Peña and NHTSA Administrator Martinez will hold a news conference to announce Drunk and Drugged Driving Prevention (3D) Month.

Deputy Secretary

January 10

Deputy Secretary Downey will speak at WMATAs Regional Mobility Investment Conference.

January 15

Deputy Secretary Downey will chair a panel at the Transportation Research Board (TRB) Annual Meeting on Transportation Security.

February 4-5

Deputy Secretary Downey will participate in AMTRAK meetings in

Philadelphia, PA.

Modal Administrators/Assistant Secretaries

December 17

Admiral Kramek held an editorial board with the Wall Street Journal focusing on the Presidents National Drug Control Strategy and United States Interdiction Coordinator issues.

Marad Administrator Herberger was a panelist on televised broadcast for World Business Review in Washington, D.C.

December 18

Admiral Kramek will attend the monthly ONDCP Law Enforcement Breakfast with General McCaffrey.

December 18-19

Assistant Secretary Kruesi, as a member of the U.S. delegation headed by the Department of State, will participate in broad-gauged discussions with government officials in Moscow concerning international use of GPS and related augmentation systems.

December 19

National Highway Traffic Safety Administrator Ricardo Martinez will speak at the Annual 3-D Drunk Driving Prevention Month Press Event in Washington, D.C.

On December 19 the Maritime Administrator will participate in a briefing for the Joint Chiefs of Staff at the U.S. Transportation Command at Scott AFB, IL.

December 20

Admiral Kramek will attend the Change of Command ceremony for the Commander in Chief, U.S. Atlantic Fleet in Norfolk, VA.

BTS Director T.R. Lakshmanan will meet with Lillian Borrone, of the Port Authority of New York and New Jersey and Chair of BTSs Advisory Council on Transportation Statistics regarding ISTEA/BTS reauthorization.

January 6-9

The Administrator for the Saint Lawrence Seaway Development Corporation (SLSDC) will meet with SLSDC employees in Massena, New York to continue labor negotiations and to consider operations for reorganizing operations.

January 8

The Maritime Administrator will speak at the International Cargo Handling Coordination Association in New York, NY.

January 9

Admiral Kramek will visit the Royal Navy First Sea Lord, Admiral Sir Jock Slater.

January 10

Assistant Secretary Charles A. Hunnicutt will join high-level exploratory

aviation discussions scheduled to take place in Tokyo to discuss proposed services of Federal Express (FedEx), and a framework for possible future talks aimed at negotiating expanding opportunities for combination services.

January 15-17

The SLSDC Administrator will participate in a meeting of the Oberstar Task Force and attend the bi-annual meeting of the International Association of Great Lakes Ports; and will represent the Seaway at the 58th Annual Marine Club dinner in Toronto, Ontario.

January 17-19

Admiral Kramek will visit Coast Guard units and participate in events in Elizabeth City, NC.

January 22

National Highway Safety Traffic Administrator Ricardo Martinez will participate in the Ride Like a Pro Bicycle Event in conjunction with the Super Bowl in New Orleans, LA.

January 24

National Highway Safety Traffic Administrator Ricardo Martinez will speak at the Products Liability Seminar in San Diego, CA.

January 27

Admiral Kramek will visit Textron Marine and Systems in New Orleans, LA, for the roll-out

of the first production 47 ft. Motor Lifeboat.

January 29-30

Admiral Kramek will attend the CINCs Conference at the Pentagon.

January 29

The SLSDC Administrator will be a keynote speaker at the U.S. Coast Guards (Ninth District) Annual Marine Community Day luncheon in Cleveland, OH; and meet with local port officials.

February 1

The SLSDC Administrator will be the banquet speaker at the Save The River groups annual Winter Environmental Weekend in Alexandria Bay, NY.

February 9-11

The SLSDC Administrator will attend the joint Lake Carriers Association & Canadian Shipowners Associations 60th International Joint Conference in Phoenix, AZ.

February 26

Admiral Kramek will speak at the National Defense University.

PRESS/MEDIA INQUIRIES

Air Bag Issue: Interest by all media and the public remains high on the question of air bag safety for children and shorter stature people. The

Office of Public and Consumer Affairs has answered dozens of inquiries from all parts of the country concerning the issue. Stories have appeared in all major papers and news programs, and reporters ask for the latest updates on possible action.

Wall Street Journal. On December 16, the Wall Street Journal asked for information on the number of lives saved by air bags. He has requested an interview with Dr. Martinez on the number of lives saved on the passenger side versus the number of lives lost.

Los Angeles Times called several times on December 13, for information on the Secretarys December 16 meeting with Los Angeles County Metropolitan Transportation Authority (LACMTA) board members on the Red Line subway and other projects.

Los Angeles Daily News, ABC News and Associated Press called on December 13, for information on the Secretarys meeting with LACMTA officials.

Capital News Service called for information on federal safety requirements for transit and on the status of the Washington Area Metropolitan Transportation Authority (WMATA) proposed platform edge detection device. December 12-13.

Traffic World Interview: On December 16, FRA Administrator Jolene M. Molitoris was interviewed by a reporter from Traffic World. The Administrator discussed 1996 accomplishments as well as goals for 1997.

Railway Age Interview: On December 17, FRA Administrator Jolene M. Molitoris was interviewed by a reporter from Railway Age. The Administrator discussed 1996 accomplishments as well as goals for 1997.

U.S. Coast Guard Commandant Admiral Kramek will have an editorial board meeting with the Wall Street Journal, December 17, regarding drug interdiction issues.

CNN, December 12, requested information for a story on the 40th anniversary of the interstate and reauthorization.

USA Today has been given extensive background material for an article on the age 60 rule. Publication date not known.

CBS Weekend News will feature a segment on medical emergencies aboard aircraft. The piece should air before Christmas.

NBC Dateline is preparing a piece on the role of flight data recorders in accident investigations, and will examine the call by NTSB for more parameters and FAA's response. Air date not known.

Gannett is preparing a comprehensive story on rail grade crossing safety. Gannett expects to prepare a graphic on the ten worst grade crossing sites in the U.S. The article, which is expected to include negative commentary from tort attorneys, will focus on progress made since the 1994 DOT action plan. The reporter has spoken to a representative of the FHWA Office of Highway Safety, FRA's National Highway Grade Crossing Manager and

Associate Deputy Secretary Michael Huerta.

National Public Radio, December 10, called FHWA for background information about ISTEA reauthorization for preparation for year-long coverage.

Congressional Quarterly, December 11, called FHWA concerning the formula for apportionments. An article is expected next week.

The Wall Street Journal is working on a story about speed limits. NHTSA is sending the reporter a publicly-available CD-ROM containing fatal crash data, and the National Center for Statistics and Analysis will help interpret the data on background.

The New York Times has obtained the enforcement agreement the FAA entered into with US Air. Reporter is looking for any background materials that describe the violations. Publication date not known.

The Houston Chronicle is expected to run an article in December on pipeline operators. RSPA has provided background information.

The Washington Post magazine is researching a piece on air bags and small drivers.

Prime Time Live was provided FAA information about a May 11, 1990 incident of wing failure on an Iranian Air Force 747-131, a "sister ship" to the TWA 800 aircraft. Air date January.

Conde Nast Traveler interviewed the FAA Air Certification Services Director regarding update on what is being done with 737's and rudders. Article expected to appear in January.

20th Century, has completed report focusing on unsolved aircraft accidents, including US Air 427. Awaiting air date on Arts & Entertainment Network.

Good Housekeeping is conducting research on air tours, regulations on life preservers and floatation devices. Scheduled for publication in February.

Point of Contact: For the weekends of December 21-22 and December 28-29, Katherine Archuleta will be the contact. She can be reached at (703)751-0773 (home) or through the FAA Operations Center at (202) 267-3333.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Alice E. Shuffield (Alice E. Shuffield@EOP@LNGTWY@LNGTWY [UNKNOWN])

CREATION DATE/TIME: 9-JAN-1997 19:08:00.00

SUBJECT: Daily Legislative Report

TO: Ann F. Walker (Ann F. Walker@eop [UNKNOWN])
READ:UNKNOWN

TO: Barry White (Barry White@EOP [UNKNOWN])
READ:UNKNOWN

TO: Christopher F. Walker (Christopher F. Walker@eop [UNKNOWN])
READ:UNKNOWN

TO: Cynthia M. Smith (Cynthia M. Smith@eop [UNKNOWN])
READ:UNKNOWN

TO: Franklin D. Raines (Franklin D. Raines@EOP [UNKNOWN])
READ:UNKNOWN

TO: Gordon Adams (Gordon Adams@EOP [UNKNOWN])
READ:UNKNOWN

TO: James A. Brown (James A. Brown@eop [UNKNOWN])
READ:UNKNOWN

TO: Kathleen M. McKiernan (Kathleen M. McKiernan@EOP [UNKNOWN])
READ:UNKNOWN

TO: Kenneth L. Schwartz (Kenneth L. Schwartz@EOP [UNKNOWN])
READ:UNKNOWN

TO: M. Jill Gibbons (M. Jill Gibbons@eop [UNKNOWN])
READ:UNKNOWN

TO: Margaret A. Williams (Margaret A. Williams@eop [UNKNOWN])
READ:UNKNOWN

TO: Maryanne B. Green (Maryanne B. Green@eop [UNKNOWN])
READ:UNKNOWN

TO: Melissa Y.Cook (Melissa Y.Cook@eop [UNKNOWN])
READ:UNKNOWN

TO: Peter L. Levin (Peter L. Levin@eop [UNKNOWN])
READ:UNKNOWN

TO: Raymond E. Donnelly III (Raymond E. Donnelly III@eop [UNKNOWN])
READ:UNKNOWN

TO: ronald e. jones (ronald e. jones@eop [UNKNOWN])
READ:UNKNOWN

TO: Ronald K. Peterson (Ronald K. Peterson@EOP [UNKNOWN])
READ:UNKNOWN

TO: Stephen B. Silverman (Stephen B. Silverman@eop [UNKNOWN])
READ:UNKNOWN

TO: Wesley P. Warren (Wesley P. Warren@eop [UNKNOWN])
READ:UNKNOWN

TEXT:
Message Creation Date was at 9-JAN-1997 19:08:00

TO: DIRECTOR FRANK RAINES
DEPUTY DIRECTOR JACK LEW

FROM: OMB LEGISLATIVE AFFAIRS

DATE: JANUARY 9, 1997

SUBJECT: LEGISLATIVE REPORT

CONGRESS TODAY (1/9)

The House and Senate held a joint session today to count electoral college ballots for President and Vice President of the United States. The total number of electors was 538, of which 270 is a majority. President Clinton received 379 votes for President, and Bob Dole received 159 votes. Vice President Gore received 379 votes for Vice President, and Jack Kemp received 159.

CONGRESS IN JANUARY AND FEBRUARY:

SENATE:

The Senate will be out of session until 12:00 noon on Tuesday, January 21st.

Beginning at 2:15 pm on the 21st, the Leaders will introduce priority legislation, and Members will be permitted to introduce legislation.

Also,

during the week of January 20th, the Senate will consider nominations, as available.

On Tuesday, January 7th, Lott discussed the following items as matters which

may be considered prior to the Easter Recess:

1. Begin work on a balanced budget
2. Balanced Budget Amendment
3. Nominations
4. Reauthorization of ISTEA
5. Air bags
6. Education: quality, choice, safety
7. TEAM Act
8. Reauthorization of IDEA
9. Death penalty for Drug Kingpins
10. AID population program
11. Juvenile Criminal Justice
12. Partial Birth Abortion, veto over-ride

13. Tax Cut Proposals

14. Campaign Finance

Week of January 27

No schedule yet

Week of February 3

Begin consideration of Balanced Budget Amendment, with the objective to

vote on

passage prior to President Bush's Day Recess.

February 14-23

President Bush's Day Recess

March 22 - April 6

Easter Recess

HOUSE:

The House will reconvene the week of January 20th. Prior to this date,

the

Ethics Committee will hold open hearings on Gingrich's ethics

violations.

Subsequent votes will take place in the full House on the 20th and/or the

21st. House Resolution 5, the House rules package, mandates that the

votes

take place on these days, even if the panel has not yet recommended a

punishment for the violations. The House then plans to take up term limits

legislation as the first item on its legislative agenda.

February 14 - February 24

President Bush's Day Recess

March 22 - April 7

Easter Recess

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Cynthia Coogan (CN=Cynthia Coogan/OU=DOT/O=GOV [UNKNOWN])

CREATION DATE/TIME:16-JAN-1997 17:09:39.00

SUBJECT: White House Weekly Report for the Week of January 20, 1997

TO: Cabinet Affairs (Cabinet Affairs [UNKNOWN])

READ:UNKNOWN

TEXT:

MEMORANDUM FOR LEON PANETTA, THE WHITE HOUSE JANUARY 16, 1997

FROM: Secretary Peña

SUBJECT: DOT Weekly Report -- Week of January 20, 1997

The following is the Department of Transportation Weekly Report:

KEY DEPARTMENT NEWS

Alameda Corridor: On January 17, a ceremony will be held at the White House to announce the signing of the Departments \$400 million loan for the Alameda Corridor. You will be joined by Secretary Peña, Long Beach Mayor Beverly O'Neill, and Los Angeles Mayor Richard Riordan. Many other Congressional and local elected officials are expected to attend. The loan, part of DOTs innovative finance effort, is an essential piece of a \$2 billion project that will ensure that the Ports of Long Beach and Los Angeles can grow to meet the demands of our nations increased trade with the Pacific Rim. The project will create 10,000 jobs in order to complete construction by the year 2001. The Department is also coordinating an

announce that \$1.8 million in federal funds will be provided to six cities in the Los Angeles area that will help the communities manage traffic flow more efficiently during construction of the \$1.9 billion Alameda Corridor Project. The discretionary funds from the Department will be distributed among the cities of Vernon, Huntington Park, South Gate, Lynwood, Compton and Carson. No local matching funds are required.

Additional ER Funds for CA: The Department is coordinating with the White House on an announcement this week for an additional \$30 million in Federal Highway Emergency Relief (ER) funds to continue repairs on federal-aid roads and bridges damaged during the recent flooding will be provided. The funds provided are in response to the states request for additional federal assistance. The additional funding will supplement an initial allocation of \$20 million provided earlier this month, bringing Californias total federal highway ER package to \$50 million.

Secretary Peña Announces Open Skies Negotiations with Asian Economies: On January 13, Secretary Peña announced a schedule for the commencement of formal "open skies" negotiations with four Asian economies -- Taiwan, Singapore, Malaysia and Brunei. The U.S. also expects to continue discussions with Korea on the prospects for open skies.

Barges Aground on Mississippi River: On January 15, the motor vessel SHIRLEY L. STAPP and 4 tank barges struck a dike on the Mississippi River, approximately 20 miles down river from Memphis, TN. Two barges contain gasoline and two contain diesel. Three tanks holding gasoline were holed with the potential to spill 319,000 gals. into the river. The currents

and winds are such that the environmental hazard is mitigated by the rapid evaporation of the gasoline. A lightering barge is enroute and the river remains closed. Investigation and salvage efforts are being conducted. The Coast Guard is on scene and monitoring the situation.

MOU Between DOT and DOI for Historic Civil Rights Trail: Vice President Gore, Secretary Peña and FHWA Administrator Slater joined Interior Secretary Babbitt, January 15, the 68th anniversary of Martin Luther King, Jr.'s birth, for the signing of an MOU to lay the groundwork for assistance by both departments to the historic Selma to Montgomery Voting Rights Train along U.S. Route 80.

Train Derailment due to Mud Slide: On January 16, a freight train derailed between Seattle and Edmonds, WA due to a mud slide on the main track of the BNSF's Pacific Division. The train consisted of three locomotives and 36 cars. Ten or eleven containers are reported to be in the Puget Sound. Initial reports indicate the slide covers an area 300 feet wide, 30 feet high and extending into the Sound approximately 200 feet. There were no injuries. The Coast Guard responded and none of the derailed cars are reported to contain hazardous materials, but there are large quantities of U.S. mail in the water.

Coast Guard Aircraft in Cuba: In support of the Departments of State and Justice, the Coast Guard flew a team of defense attorneys and the prosecutors from Miami, FL to Santiago de Cuba. The attorneys reviewed the physical evidence in the drug case of the Limerick which resulted in 4,000 pounds of cocaine being seized. The mission has received press

attention.

Cocaine Seized: On January 8, Coast Guard and the U.S. Customs air and surface forces teamed up to seize 668 lbs. of cocaine near Puerto Rico.

Coast Guard forces supporting Operation FRONTIER SHIELD detected a fast boat and observed its 3 occupants throwing bales of cocaine into the water.

FHWA Releases Driver Fatigue Study: On January 13, the results of a comprehensive national study on commercial vehicle operator fatigue was released. FHWA Administrator Slater announced a series of actions to educate drivers about fatigue hazards and to gain national information to help the agency update hours-of-service regulations.

Display Channel Complex Replacement: On January 16, Acting FAA Administrator Linda Hall Daschle dedicated the Display Channel Complex Replacement (DCCR) at the air traffic control facility at Aurora, IL. This system replaces a computer system dating from the 1960s which had experienced a number of reliability problems in the last few years. The project is being implemented 10 months early.

Aviation and Security Conference: On January 15, Vice President Gore addressed the International Conference on Aviation Safety and Security in the 21st Century. He announced that FAA will issue airworthiness directives requiring retrofit of 737 rudder components, GPS demonstration project for AK and HI for aviation, and terrain mapping to provide earlier warning to pilots about proximity to dangerous terrain. There was

significant press coverage of the announcement.

FRA Issues Final Rule on Two-Way End-of-Train Devices: On January 10, the Federal Railroad Administration announced that it has issued a comprehensive final rule requiring the nation's railroads to install two-way end-of-train braking devices on most trains by July 1, 1997.

FRA To Issue Safety Directive on Locomotives: FRA intends to issue a safety advisory to the industry and the UP recommending that these locomotives not operate in the lead or controlling position until the fuel cut off switch is either relocated or adequately protected to prevent unintentional operation. This action is in response to a run-away train incident. On January 12, at Hayden, California there was a Union Pacific (UP) run-away train incident. The preliminary cause of the incident is the engineer unintentionally activated the emergency fuel cut of switch with his leg and shut down the trains three locomotives. As a result of the engine shut down, the engineer lost all the dynamic braking being utilized to control the speed of the train down the 2.2 percent grade. The train could not be stopped before 68 cars derailed at a turnout to a siding.

Amtrak Passenger Train Derailment: On January 13, at 3:50 p.m., an Amtrak passenger train derailed on Union Pacific Railroad Company (UP) tracks near Cheyenne, WY. Amtrak Train No. 25-13, consisting of three locomotives, two baggage cars, and seven passenger coaches, carrying 108 passengers and 10 crew members, traveling westward at an estimated speed of 57 mph, derailed the two trailing locomotives and nine passenger cars.

Eleven passengers and two crew members were reported with minor injuries. All were taken to the local hospitals for treatment and released. FRA as well as the National Transportation Safety Board, Amtrak, and UP personnel are investigating the cause of the accident.

American Airlines/British Airways Request for Antitrust Immunity: American Airlines and British Airways have filed a request with the Department for approval of an antitrust immunity for their proposed alliance.

Significant opposition is expected from other U.S. airlines. The Department has stated that an open skies aviation agreement with the U.K. is a prerequisite for approval of the alliance. Talks with the U.K. government will continue in Washington the week of February 4. There is significant Congressional interest in this issue.

Grand Canyon Trust v. DOT, (D.C. Cir., No. 97-1014): On January 9, a group of environmental organizations including the Sierra Club, the Wilderness Society, the Friends of the Grand Canyon and the Northern Arizona Audubon Society petitioned the United States Court of Appeals for the District of Columbia Circuit for review of the final rule adopted by the FAA establishing special flight rules in the vicinity of Grand Canyon National Park. The rules were previously challenged in another petition filed on January 3 by the Grand Canyon Air Tour Coalition.

FTA Oversight of Los Angeles Red Line Subway Project: On January 10, the Los Angeles County Metropolitan Transportation Authority's Board of Directors approved a revised financial plan and schedule for completing Segment 3 of the Red Line. This constitutes the basis of the federally

required Recovery Plan called for by Secretary Peña and the FTA Administrator Linton. It is being reviewed by the Department.

FRONTIER SHIELD Enters New Phase: The second phase of the operation has begun. Coast Guard law enforcement assets are concentrated in the maritime approaches of Puerto Rico and the U.S. Virgin Islands. The primary objective is to deny drug traffickers any access to maritime transit routes for smuggling. Building on the successes and momentum of the initial phase, operational commanders are applying resources sufficient to detect and interdict at least 60 percent of potential drug smugglers. Higher rates, closer to the 80 percent level used earlier, may be realized as cutter and aircraft maintenance rebounds from the rapid tempo of operations since last October. FRONTIER SHIELD will serve as a proof of concept for our upcoming campaign STEEL WEB.

Storms in North and South Dakota: On January 10, severe winter storms and blizzard conditions prompted President Clinton to declare major disaster areas in both states. As of January 13, interstates and most major highways in both States are open to at least one lane of traffic. Many county roads are drifted over and not passable. Region and Division personnel requested and obtained additional snowplows from the Montana and Nebraska Departments of Transportation to assist in the plowing effort. Several State highways in South Dakota are closed. The temperature stayed at zero degrees Fahrenheit.

Secretary Attends Recognition Ceremony for TWA FLT 800 Response: On January 13, at Coast Guard Group Moriches, NY, Secretary Peña, Admiral

Kramek, NTSB Vice Chairman Francis, FBI Assistant Director Kallstrom, and other senior federal, state, and local representatives attended a Coast Guard awards ceremony. Over 1400 personal and unit awards were presented, and numerous military and civilian agencies and organizations were recognized. The victims family representative, Mrs. Becker, was an honored guest. The event was covered by CNN and regional media

FAA Authorizes ValuJet to Add Another Aircraft: On January 14, the FAA authorized ValuJet to add an additional DC-9 aircraft to its fleet for a total of 19 DC-9's. The approval for the additional aircraft follows a complete records review and conformity check of the additional aircraft by the FAA.

Comair EMB-120 Commuter Accident at Detroit: The FAA is participating in the investigation of the January 9 Comair Embraer 120 accident. The commuter airplane crashed while on approach and all 26 passengers and 3 crewmembers were killed. The cockpit voice recorder and flight data recorder have been recovered and taken to the NTSB laboratory in Washington, D.C. for analysis.

Deputy Secretary Addresses WMATA Regional Mobility Conference: On January 10, the Washington Metropolitan Area Transportation Authority sponsored a conference with local political and business leaders to assess the current condition and future affecting Metros ridership and to seek a reliable funding mechanism to operate the Metrobus system. Deputy Secretary Downey spoke about the federal role in ensuring transit service for the region.

Deputy Secretary

February 4-5

Deputy Secretary Downey will participate in AMTRAK meetings in Philadelphia, PA.

Modal Administrators/Assistant Secretaries

January 16

The FAA Acting Administrator, Linda Daschle will attend a Display Channel Complex Rehost Dedication Ceremony in Chicago, IL.

January 17-19

Admiral Kramek will visit Coast Guard units and participate in events in Elizabeth City, NC.

January 19

Admiral Kramek will attend the Medal of Honor Society Luncheon in Washington Hosted by the Joint Chief of Staff.

January 22

National Highway Safety Traffic Administrator Ricardo Martinez will participate in the Ride Like a Pro Bicycle Event in conjunction with the Super Bowl in New Orleans, LA.

January 23

RSPA Administrator Dr. D. K. Sharma will participate in the
Lawrence/Livermore National Laboratory Prosperity Games in Livermore, CA.

January 24

Deputy Administrator for NHTSA, Philip Recht, will speak at the 1997
Products Liability Seminar in San Diego, CA.

January 27

Admiral Kramek will visit Textron Marine and Systems in New Orleans, LA,
for the roll-out
of the first production 47 ft. Motor Lifeboat.

January 27-28

RSPA Deputy Administrator Kelley S. Coyner to attend a public meeting on
pipeline safety risk management demonstration projects in New Orleans, LA.

January 29-30

Admiral Kramek will attend the CINCs Conference at the Pentagon.

January 29

The SLSDC Administrator will be a keynote speaker at the U.S. Coast
Guards (Ninth District) Annual Marine Community Day luncheon in Cleveland,
OH; and meet with local port officials.

The FTA Deputy Administrator Sadik-Khan will attend the National Transit
Institute Advisory Board Meeting in New Brunswick, NJ.

January 30

RSPA Administrator Dr. D. K. Sharma will deliver the keynote address to the National Emergency Planning and Training Workshop in San Antonio, TX.

January 31

RSPA Administrator Dr. D.K. Sharma to deliver keynote address to the Interstate Natural Gas Association of America (INGAA) Board of Directors in Scottsdale, AZ.

The FTA Deputy Administrator Sadik-Khan will speak at an ISTE reauthorization briefing for labor leaders and the Tri-County Transportation Coalition at the Transport Workers Union headquarters in New York City.

February 1

The SLSDC Administrator will be the banquet speaker at the Save The River groups annual Winter Environmental Weekend in Alexandria Bay, NY.

February 9-11

The SLSDC Administrator will attend the joint Lake Carriers Association & Canadian Shipowners Associations 60th International Joint Conference in Phoenix, AZ.

February 19

Admiral Kramek will attend the CINCs Conference at the Pentagon.

February 26

Admiral Kramek will speak at the National Defense University.

The SLSDC Administrator will be speaking at a Rotary Club Luncheon in Watertown, NY.

February 27 - March 2

Admiral Kramek will visit Coast Guard units in Washington and Oregon.

March 5

Admiral Kramek will attend The Interdiction Committee (TIC) working lunch.

March 5-6

Admiral Kramek will host the Coast Guard Senior Advisory Group.

March 13

Admiral Kramek will speak to flag and general officers participating in the CAPSTONE program.

March 18-20

Admiral Kramek will host the Coast Guard Flag Officers Conference at Andrews Air Force Base.

March 26

Admiral Kramek will give the State of the Coast Guard address in Washington, D.C.

PRESS/MEDIA INQUIRIES

ABC Radio interviewed NHTSA Deputy Administrator Recht January 14 regarding recent air-bag related fatalities.

USA Today has begun working on a story regarding various "difficult" approaches the agency has classified as Special Approaches. Publication date unknown.

USA Today is going to write about safety considerations in developing Grand Canyon rules, plus the upcoming process of developing a national policy on park overflights. Publication date unknown.

Business Week is working on a travelers' advisory piece. Reporter was provided International Aviation Safety Assessment (IASA) list. Publication date, January 17.

The Wall Street Journal is working on a story about investigation of SabreTech operations. Publication date not known.

Jack Anderson's column is looking into security spending and whether the amount of funds devoted to the area is inappropriate. Publication date unknown.

Received numerous press calls January 10 regarding American/British Airways filing and on upcoming U.K. talks, and numerous calls January 13 regarding U.S.-Japan aviation meeting.

New York Daily News, January 10, asked how many complaints had been filed

about treatment of disabled airline passengers. Information was provided from the Air Travel Consumer Report.

The New York Times magazine called, January 7, about electronic toll collection technology. FHWA public affairs referred the call to the ITS office.

FHWA Deputy Administrator Garvey was interviewed January 10 by Woman Engineer magazine. The interview focused on career opportunities for women in the engineering profession.

ITS America, January 6, called about ITS issues and programs related

The Houston Chronicle is expected run a story on the nation's pipeline system this month.

FOIA REQUESTS

Los Angeles Weekly, requested information pertaining to the Hubbell Investigation.

Media FOIA Requests:

Documents, correspondence, memoranda, reports or other writings concerning potential breaches of security by suspected terrorists or terrorist factions at Portland International Airport, Sky Harbor International

Airport, and John Wayne International Airport from January 1994 to the present -- Dateline NBC.

N numbers" or owners names of all private jets arriving at or departing from National and Dulles Airports from December 1, 1996 to January 1, 1997 -- The Washington Post.

Correspondence between ValuJet and the Atlanta Flight Standards Office since June 1996 -- St. Petersburg Times.

Flight plans, waiver requests, or other documents filed with FAA concerning a film production in Gadsden, Woodville and Guntersville, Alabama between August 20 and August 28, 1994 -- Screen Actors Guild, Los Angeles, California.

Point of Contact: For the weekend of January 18-20, Katherine Archuleta will be the contact. She can be reached at (703) 751-0773 (home) or through the FAA Operations Center at (202) 267-3333.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Courtney Manning (Courtney Manning [UNKNOWN])

CREATION DATE/TIME:16-JAN-1997 17:32:08.00

SUBJECT: EPA Weekly Report

TO: Cabinet Affairs (Cabinet Affairs [UNKNOWN])

READ:UNKNOWN

TEXT:

Hope this makes it through. Lotus has been down on our end.

MEMORANDUM FOR THE PRESIDENT

FROM: CAROL M. BROWNER

SUBJECT: Weekly Report for January 16, 1997

WORK ON PRESIDENTIAL INITIATIVES

Everglades Restoration: On 1/10, Administrator Browner joined federal, state and local officials at the Everglades National Park in Dade County, FL, at a ground-breaking ceremony to mark the first restructuring to achieve restoration of the Florida Everglades. The project, which will restore the water flow to the Florida Everglades and Florida Bay, begins the nation's largest environmental restoration project.

KEY AGENCY NEWS

Public Hearings on Air Quality Standards: EPA held 2-day public hearings on 1/14 and 1/15 in Boston, Chicago and Salt Lake City, on EPA's recently proposed changes to strengthen the current federal air quality standards for ozone (smog) and particulate matter (soot). The Clean Air Act requires EPA to review air quality standards every five years to determine whether they adequately protect public health. The proposal, and a request for public comment, is based on an extensive review of the most current scientific research which shows that the current air quality standards fail to provide adequate public health protection, especially for children. Ozone and particulate air pollution contribute to serious respiratory diseases, asthma attacks and even premature death.

Each of the hearings -- which were chaired by EPA Regional Administrators -- was extremely well attended. EPA heard comments from state and local officials, industry representatives, environmentalists, and members of the public. Local press covered the hearings. The public comment period is scheduled to end on 2/18, and the Agency intends to finalize the proposed standards in 6/97.

Project XL Announcement: On Friday, 1/17, EPA plans to announce the latest Project XL facility -- the Weyerhaeuser Company's Flint River pulp mill in Oglethorpe, GA. Project XL facilities gain greater regulatory flexibility in exchange for a commitment to superior environmental performance. Each Project XL agreement is developed through cooperative negotiations

involving corporation officials, local citizens, state, local and federal government.

Weyerhaeuser is committing to reduce water use to a level substantially lower than the industry average, and to reduce by half the amount of pollutants that enter the river adjacent to the company's bleach plant.

In exchange for this superior environmental performance, Weyerhaeuser will be able to make operation changes more quickly than is the case under the current system. The process changes and innovative pollution prevention measures will achieve environmental benefits over the long run which should become a model for other companies.

Western Flooding: EPA emergency response experts continue to play an active role in the Federal response to the flooding in the West. EPA is assisting impacted areas with general hazardous material identification and recovery. The Federal Coordinating Officer overseeing the Federal response has increased the funds available from \$750,000 to \$1,270,000 for continued EPA assistance with assessments, clean-up, and disposal of industrial, retail, agricultural, medical, and household hazardous materials. Although a number of Superfund toxic waste sites are located within flood impacted areas in California and Nevada, no major incidents have been reported.

Major Oil Spill in Louisiana: EPA emergency response experts are addressing environmental threats from a 1/10 spill of 141,000 gallons of crude oil from an above-ground storage tank facility in Lisbon, LA. The spill resulted when a valve was left open in the tanks containment area.

Because the initial response by the owner of the tank facility to control the spill was inadequate, on 1/11 EPA stepped in to direct the owner's response. The oil has remained confined in a nearby creek, and EPA is working to keep the oil from migrating downstream and to recover it from the creek with vacuum trucks. The spill has caused minor wildlife damage, but no public health impacts have been reported.

Chlorpyrifos: EPA has just completed a study of pesticide poisoning by chlorpyrifos, a household pesticide applied in nearly 50 percent of American homes to control insects, including termites. Because of risk concerns raised by that study, the Agency contacted the major registrant, DowElanco, to discuss voluntary risk reduction measures. EPA negotiated a general set of risk mitigation measures such as elimination of certain high exposure applications and specifying re-treatment intervals designed to avoid the most risky exposures. EPA will be working to finalize this Agreement with Dow and the other registrants of chlorpyrifos in the near future. A Washington Post Magazine reporter has shown interest in this issue.

Pigeon River: EPA continues to work with the states of North Carolina and Tennessee on the permit for the Champion Paper pulp and paper mill, located on the Pigeon River in North Carolina. The company discharges into the Pigeon River which then flows into Tennessee waters. Tennessee feels strongly that the permit recently issued by North Carolina does not adequately protect the Pigeon River.

The State of Tennessee recently notified EPA that it intends to adopt a

new water quality standard for color for the Pigeon River. EPA will continue to work with North Carolina to ensure that Tennessee's water quality are not violated from the North Carolina facility. This is a technically complex and highly volatile issue. There have been numerous negative articles in the Knoxville paper, although Mayor Ash has not been outspoken on the issue.

Methyl Parathion: On 1/15/97, EPA reached an agreement with Cheminova, the manufacturer of the agricultural pesticide, methyl parathion, regarding new health risk mitigation measures for the pesticide. The agreement should prevent the continued illegal application of this pesticide in homes and other buildings. Methyl parathion is a pesticide designated for limited use on agricultural crops only. Use of methyl parathion indoors poses a public health hazard due to its high toxicity. The most recent problem with illegal application has occurred in Mississippi and some surrounding states, where a major emergency response action is underway to decontaminate homes and other buildings under EPA's Superfund program.

The risk mitigation agreement will change the conditions for registration (licensing) of this pesticide, so they will be legally binding measures. It is expected to go into effect immediately. Under the terms of the agreement, all unopened containers of methyl parathion will be recalled nationwide, down to the user level. Before the product can be resold, a foul-smelling agent must be added to make it extremely undesirable to be used indoors. The pesticide must also be repackaged in refillable, closed system containers that are tamper resistant. In addition, Cheminova

agreed to undertake a major education program, including public service announcements, to inform distributors, retailers, growers, and consumers on the proper uses of methyl parathion.

CONGRESS

Superfund Reauthorization. During the 104th Congress, the Administration and Members of Congress advanced many proposals for comprehensive Superfund reform. However, neither the Senate nor the House bill met EPA's benchmark for this program. These bills would have delayed cleanups and shifted the cost of cleanup from the responsible parties to the taxpayers and the federal government. Sen. Chafee (RI), Rep. Bliley (VA), and Rep. Schuster (PA) have all voiced their intention to address Superfund legislation quickly in the 105th Congress. However, during the 104th Congress, EPA completed several administrative reforms that have addressed many of the problems that existed. We are now consulting within the Administration about the limited legislative fixes that are necessary in light of the success of the Clinton Administration reforms.

Brownfields: Many of the efforts to address brownfields have been through free-standing legislation. EPA prefers to address Brownfields issues as part of Superfund Reform legislation. During the 104th Congress, Sen. Moseley-Braun (IL) and Rep. Rangel (NY) introduced free-standing legislation that would have amended the IRS tax code in order to facilitate cleanup. Sen. Lautenberg introduced legislation, in the 104th that would have addressed liability concerns of lenders and prospective purchasers and would have awarded grants as incentives to clean up these

properties. Prospects for action in the 105th Congress seem good.

Senators Lautenberg (NJ) and Daschle (SD) are expected to introduce legislation on 1/21 that is similar to Senator Lautenberg's previous bill. Also, Senator Chafee has stated that he hopes to expeditiously address brownfields either through free-standing legislation or within Superfund Reauthorization legislation.

RCRA -- Solid and Hazardous Waste Management: In the 104th Congress, Senator Lott (MS) and Sen. Smith (NH) introduced RCRA cleanup legislation that did not move beyond committee. EPA expects that Senator Lott and others will re-introduce RCRA remediation bills and other legislative reform legislation in the 105th Congress -- possibly addressing these issues within Superfund Reauthorization legislation. Members will also likely readdress the issue of Interstate Waste and Flow Control. While the courts have deemed state regulation of the importation of waste from other states [interstate waste] to be anti-competitive, members seem determined to address the issue with legislation. A related issue is municipal authority to direct waste to a single incineration/disposal facility [flow control]. In the past this provision was included in the interstate waste legislation, however Sen. Chafee (RI) recently stated his intention to address interstate waste, without mention of flow control.

Proposed National Ambient Air Quality Standards for Particulate Matter and Ozone: On November 26, EPA proposed the strengthening of the ozone standard and creation of a new particulate matter (soot) standard under the National Ambient Air Quality Standards. At that time we entered a comment period that will end in February 1997, with a final rule to be

published in 7/97. Congressional opposition to the proposed standards was voiced even before the November notification. On 2/12, Administrator Browner will testify before the Senate Environment and Public Works committee in what will be one of many such hearings to defend EPA's actions. EPA also continues to arrange staff-level informational meetings on our rules. In a related note, several members have expressed their concern that EPA is not complying with the Regulatory Flexibility Act (and the amended provisions within the Small Business Regulatory Enforcement Fairness Act of 1996) in relation to the ozone/PM rules.

Intermodal Surface Transportation Efficiency Act (ISTEA): ISTEA is intended to emphasize efficiency and a the environment in the design and building of transportation facilities. This is accomplished by providing funds to states to implement intermodal solutions to transportation deficiencies. The Act makes specific recommendations for areas that are not in attainment with air quality standards, in order to remedy the situation. ISTEA must be reauthorized by September 1997. Majority Leader Lott (MS) and others have stated that they would like to complete consideration of ISTEA by May. Several members in the Senate and House are expected to propose that the environmental foundation of the act be shifted and that funds that ISTEA allocates to EPA under the Congestion Mitigation and Air Quality Improvement Program be sunsetted. Furthermore, some hill staffers suggest that ISTEA reauthorization may be used as a occasion to curtail EPA's ability to impose sanctions (withholding of highway funds) under the Clean Air Act.

PRESS

Brownfields: Next week, Senators Daschle and Lautenberg are expected to introduce legislation on Brownfields. We are working with the Senators' offices on a potential public event in connection with the legislation.

Air Pollution: At a news conference last November, Administrator Browner announced EPA's proposal to strengthen the standards for particulate matter (soot) and ozone (smog). The proposed standards are based on hundreds of scientific studies on the health effects of air pollution. The studies found that a stronger standard would protect the public from acute health effects ranging from aggravated asthma in children to serious respiratory problems and premature death in adults.

Because of the significance of the proposal, EPA is seeking broad public comment on the proposed new standards as well as the scientific evidence supporting them before a final decision is reached. On 1/14 through 1/15, public hearings took place in Boston, Chicago, Durham and Salt Lake City to reach out to all stakeholders. The hearings are being closely watched by both regional and national media. On Monday (1/13), Administrator Browner spoke with the editorial boards of the Boston Globe, Chicago Tribune, San Francisco Examiner, San Francisco Chronicle and the Salt Lake Tribune to discuss the air proposals and the purpose of the hearings.

Enforcement Action: On Thursday, 1/9, Administrator Browner and Attorney General Reno announced a series of major criminal enforcement actions against smugglers who illegally transported chlorofluorocarbons (CFCs) into the United States, endangering the health of Americans and people

around the world. CFCs -- which were banned in the United States as of 1/1/96 -- are chemicals that significantly cause or contribute to the destruction of the ozone layer, which has been linked to an increase in cataracts, skin cancers and other health risks. At the news conference, Administrator Browner discussed the importance of these criminal enforcement actions in protecting public health, and the Clinton Administration's ongoing commitment to prosecute polluters who profit at the expense of citizens. The announcement was covered in the regions where enforcement actions took place.

Florida: On Friday, 1/10, Administrator Browner traveled to Dade County, Florida to participate in a ground-breaking ceremony to begin the restoration of the Florida Everglades. The ceremony marked the initiation of the nation's largest environmental restoration project. Administrator Browner's remarks focused on the importance of the project in protecting public health and the environment, and the Clinton Administration's commitment to improving water quality and restoring the Florida Everglades. The announcement received statewide coverage in Florida.

ADMINISTRATOR'S SCHEDULE

1/17	Breakfast at White House with President and Mayors
1/17	Editorial Board call with the San Francisco Chronicle
1/20	Attend Inaugural Events
1/21	Press Conference re: Superfund/Brownfields
1/27	Address to American Public Health Association
1/27	Meeting with Gene Karpinski, Chairman of the pGreen

Group

- 1/29 Travel to Research Triangle Park, NC
- 2/4 Attend State of the Union Address
- 2/6 Release of EPA Budget for FY1998
- 2/6-2/7 Gore-Chernomyrdin Meetings

DEPUTY ADMINISTRATOR'S SCHEDULE

1/16 Address EPA's Science Advisory Board Lookout Panel
on Futures

1/17 Meeting w/DOT Deputy Secretary Mort Downey re:
ISTEA issues

1/17 Meeting w/Carrie Apostolou, Senate Appropriations

1/17 Meeting w/Frank Cushing, House Appropriations

1/17 Meeting w/Ralph Peterson, CH2MHill re: Environmental
Technology

REGULATORY ACTIONS

No major regulatory actions occurred this week.

FOIA REQUESTS

For the week 1/8/97 through 1/14/97, EPA received a total of 382
requests. We have received 665 requests for information to date. There

were no significant requests this week.

Weekend contact: Peter D. Robertson

Chief of Staff

H: (703) 920-8428

Pager: 1-800-759-7243 PIN 471-0595

cc: Kitty Higgins

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Cynthia Coogan (CN=Cynthia Coogan/OU=DOT/O=GOV [UNKNOWN])

CREATION DATE/TIME:23-JAN-1997 16:24:30.00

SUBJECT: White House Weekly Report for Week of January 27, 1997

TO: Cabinet Affairs (Cabinet Affairs [UNKNOWN])

READ:UNKNOWN

TEXT:

MEMORANDUM FOR ERSKINE BOWLES, THE WHITE HOUSE January 23, 1997

FROM: Secretary Peña

SUBJECT: DOT Weekly Report -- Week of January 27, 1997

The following is the Department of Transportation Weekly Report:

KEY DEPARTMENT NEWS

Railroad Strike Averted: On January 22, the Brotherhood of Locomotive Engineers elected to remain in a status quo position and not strike the national rail carriers. The National Railway Conference sought a temporary restraining order (TRO) to bar the threatened strike. A hearing on the TRO request was held, and during the course of the hearing, union leaders met with carriers and reached an out of court settlement. The carriers withdrew their request for a TRO and dismissed their suit.

Conrail/CSX Merger: On January 16, Conrail held its shareholder meeting. The merger plan calls for CSX to purchase some of Conrail stock in cash

and the remainder in a stock swap for CSX stock and is dependent on shareholder approval. Conrail/CSX were unable to win shareholder approval. On January 22, CSX, Conrail, and Norfolk Southern agreed to have a meeting to discuss merger issues. The date of the meeting has not been set.

Possible Strike by American Airline Pilots: The 2 « year old dispute between American Airlines and the Allied Pilots Association is currently in a 30-day cooling off period after both sides rejected a proposed settlement on January 15. The FAA stands ready with a plan that will increase surveillance nationwide and geographic oversight should a strike occur on February 15.

Los Angeles International Airport Rate Proceeding: On January 17, the U.S. Court of Appeals for the D.C. Circuit issued its decision on the first Los Angeles International Airport Rate proceeding. The Department had found in its order on the dispute between the City and the airlines that the City must use historical costs in calculating the landing fees at the airport. Both the City and the airlines challenged the decision on that issue as well as others. The Court issued an opinion affirming the Departments decision insofar as the airlines had challenged it, but remanded the historic cost issue to the Department. On remand the Department must consider the Citys arguments and determine whether fair market value is permissible.

DOT Announces \$1.3 Million to Denver For Rail Project: On January 15, FTA announced a \$1.3 million grant to the Denver Regional Transportation

District toward the purchase of railroad right-of-way for the Denver Southwest Corridor Light Rail project. This \$1.3 million funding increment brings the total federal funding to date to \$2.8 million.

Airport Revenue Diversion - Los Angeles: On January 15, the City transmitted the final Deloitte & Touche Consulting Group report, which generally supported the City's claims for unreimbursed contributions for the period 1928-1971, finding weaknesses in the justifications of only about \$1.5 million of the \$31.1 million transfer. The Department is reviewing this report; the City's response to the notice of investigation is due January 22.

Financial Aid to DC: On January 14, the President announced his plan to revitalize the District of Columbia. As part of this plan, \$125 million in seed money from the Highway Trust Fund will be provided to establish a National Capital Infrastructure Fund that would fund capital projects for roads, bridges and WMATA. This proposal will be part of the President's FY 98 Budget. The Department will be involved with drafting the transportation related provisions.

Coast Guard Investigates Alleged Hazing: The Coast Guard has initiated an investigation into allegations of hazing at the Coast Guard Honor Guard Detachment in Alexandria, VA. On January 17, the Coast Guard directed an investigation into the allegations and it is expected to take approximately 30 days to complete. This has received press coverage.

SabreTech Surrenders Repair Station Certificate to the FAA: On January

18, SabreTech, Inc., in Orlando, FL, voluntarily surrendered its repair station certification after it was notified that the FAA was prepared to issue an emergency order of revocation. The order followed a two-month investigation of SabreTech in Orlando, which was completed on January 17. SabreTech's Miami repair station -- which provided service to ValuJet airlines prior to the May accident -- surrendered its FAA certificate on January 15. The FAA will commence more in-depth examinations of SabreTech operations in Texas and Arizona in the coming two weeks.

Trace Detection Equipment Deployment: Following the Gore Commissions direction, the FAA has installed trace detection equipment at checkpoints in three airports in Chicago, Atlanta, and JFK. Equipment will be installed at BWI, Dulles, and National airports within two weeks. All these systems are being deployed so that screeners can evaluate them.

Expansion of Aviation Security Canine Explosives Detection Program:

On January 28-30, the FAA will host a meeting with representatives of the 19 largest airports, the Air Force, and other agencies at San Antonio, TX. The meeting objectives are to review the expansion of the K-9 program, and to clear the way for completion of new agreements between the FAA and the airports on conduct of the program. Key issues include Federal reimbursement for start-up costs, sources of funding for K-9 team operations in the out years, and airport and police department autonomy in the operation of FAA K-9 teams in the future.

Delta II Stand down: On January 17, a failure occurred of a Delta II launch vehicle at Cape Canaveral Air Station supporting a government

launch of the next generation Global Positioning System satellite. This failure has caused an indefinite delay of the upcoming licensed launches which also use the Delta II vehicle pending the completion of an Air Force investigation. Those launches most likely to be delayed are in support of satellites for Iridium, a low earth orbit communication constellation, and Thor IIA, a Norwegian communication satellite.

Singapore Aviation Negotiations: On January 21-22, civil aviation negotiations between the United States and Singapore were held in Washington, D.C. The talks focused on concluding an "open-skies" agreement. This negotiation was the first of several that are planned to be held with U.S. trading partners in East Asia and the Pacific.

Federal Lands Flood Damage: Damage has occurred in CA, NV, OR, WA, and ID. The damage to Federal lands from this storm is now estimated to exceed \$55 million. The combined damage from this storm and the earlier November/December storm in southwest OR is expected to exceed \$75 million. The Central and Western Federal Lands Highway Divisions expect the damage cost to increase as they obtain access behind blocked roads and as the snows melt.

Maritime Security Program (MSP) Implementation: On January 21, the final nine vessel contracts were signed with American President Lines, Ltd. This completes the selection and contracting implementation phase for the 47 vessel MSP fleet.

Coast Guard and Dutch Navy Cooperate to Make Seizure: On January 14, a

Coast Guard Law Enforcement Detachment embarked on a Dutch warship seized a vessel northeast of Curacao, VE. The vessel was found to be stateless and seized for transporting approximately 1,230 pounds of cocaine. Dutch authorities have accepted custody of the vessel and elected to prosecute the 5 crewmembers.

Marijuana Seized off Southern California: On January 18, the Cutter POINT HOBART seized a small stateless boat with approximately 1,000 lbs of marijuana off the coast of Southern California. The boats 2 Mexican operators were detained by the Coast Guard and turned over with the drugs and boat to U.S. Customs in San Diego.

Operation EAGLE EYE in Pacific Yields Success: On January 19, Operation EAGLE EYE, a Pacific interagency effort, yielded a significant seizure when U.S. Coast Guard, U.S. Navy, and Mexican Navy forces teamed up to interdict the Mexican fishing vessel VIVA SINALOA and its cargo of approximately 1,690 lbs of cocaine off the Western Coast of Mexico. This is the second major U.S./Mexican maritime seizure since November 1996.

FRONTIER SHIELD-Coast Guard Forces Seize Cocaine off Puerto Rico: On January 19, Coast Guard along with U.S. Customs, seized a fast boat and arrested its 3 operators off Puerto Rico after they were spotted throwing packages into the water after an apparent airdrop. The Cutter TAMPA recovered 20 packages weighing approximately 1,685 lbs which later tested positive for cocaine.

Transportation Strategy for Older Americans: On January 15, Deputy

Secretary Downey released a report on transportation challenges facing older Americans. The report, the result of a year-long study initiated by Secretary Peña, finds that older drivers do not currently present a serious safety problem, but that possible safety and mobility concerns could arise as the number of older Americans increases. The population of those over 65 numbered 33.5 million in 1995, and will increase another 20 million by the year 2020.

NOTABLE CONGRESSIONAL ACTIVITY

Peña Confirmation Hearing Scheduled: The Senate Energy and Natural Resources Committee has scheduled Secretary Peña's confirmation hearing on January 30.

Slater Confirmation Hearing Scheduled: The Senate Commerce Committee has scheduled a confirmation hearing for Secretary-Designate Slater for January 29. The Committee tentatively plans to vote on the nomination on February 5. The Senate Environment and Public Works Committee tentatively plans to hold an informational hearing with Mr. Slater on January 30.

ISTEA Hearings: The Senate Environment and Public Works Committee has asked if the Deputy Secretary would testify on Feb. 4 on surface travel trends, needs, and the economic benefits of transportation. EPW hopes that the second in its series of ISTEA hearings can then be on Feb. 26 with the new Secretary testifying on the Administration's ISTEA proposal.

Also related to ISTEA, the House Transportation and Infrastructure Committee has announced the process members should follow to submit policy

issues and project proposals for possible inclusion in the House ISTEA bill. The committee has laid out 14 project evaluation criteria. Members have until Feb. 25 to make their requests.

Aviation Finance Hearings: The House Aviation Subcommittee has scheduled two days of hearings on the user fees issue, Feb. 5 and 13. GAO, NATA, AOPA, GAMMA, and NBAA will testify on the 5th. The CEO's and think tanks will testify on the 13th. The subcommittee has asked if DOT wants to testify.

Deputy Secretary

January 27

Deputy Secretary Downey will speak at TRANSCOM model deployment event in Jersey City, NJ.

February 4

The Maritime Administrator will receive the Legion of Honor Gold Medallion Award by the Chapel of 4 Chaplains in Philadelphia, PA.

February 4-5

Deputy Secretary Downey will participate in AMTRAK meetings in Philadelphia, PA.

Modal Administrators/Assistant Secretaries

January 27

Admiral Kramek will visit Textron Marine and Systems in New Orleans, LA, for the roll-out of the first production 47 ft. Motor Lifeboat.

BTS Director, T.R. Lakshmanan will participate in a Distinguished Lecture Series sponsored by the Transportation Program at the University of Texas in Austin.

January 27-28

RSPA Deputy Administrator Kelley S. Coyner to attend a public meeting on pipeline safety risk management demonstration projects in New Orleans, LA.

January 27-29

FRA Administrator Jolene Molitoris will travel to the FRAs Region 3 headquartered in Atlanta, GA.

January 29-30

Admiral Kramek will attend the CINCs Conference at the Pentagon.

January 29

The SLSDC Administrator will be a keynote speaker at the U.S. Coast Guards (Ninth District) Annual Marine Community Day luncheon in Cleveland, OH; and meet with local port officials.

The FTA Deputy Administrator Sadik-Khan will attend the National Transit Institute Advisory Board Meeting in New Brunswick, NJ.

January 30

Assistant Secretary Steve Palmer will address the American Bar Association Forum on Air and Space Law in Washington, D.C.

RSPA Administrator Dr. D. K. Sharma will deliver the keynote address to the National Emergency Planning and Training Workshop in San Antonio, TX.

January 31

RSPA Administrator Dr. D.K. Sharma to deliver keynote address to the Interstate Natural Gas Association of America (INGAA) Board of Directors in Scottsdale, AZ.

The FTA Deputy Administrator Sadik-Khan will speak at an ISTE reauthorization briefing for labor leaders and the Tri-County Transportation Coalition at the Transport Workers Union headquarters in New York City.

February 1

The SLSDC Administrator will be the banquet speaker at the Save The River groups annual Winter Environmental Weekend in Alexandria Bay, NY.

Vice Admiral Herr will attend the Annual Wallow of Military Order of Carabao in Washington.

February 4

Admiral Kramek will attend the Presidents State of the Union address.

February 9-11

The SLSDC Administrator will attend the joint Lake Carriers Association & Canadian Shipowners Associations 60th International Joint Conference in Phoenix, AZ.

February 19

Admiral Kramek will attend the CINCs Conference at the Pentagon.

February 26

Admiral Kramek will speak at the National Defense University and will attend the Armed Forces Welcome Back to Congress event.

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The SLSDC Administrator will be speaking at a Rotary Club Luncheon in Watertown, NY.

February 27 - March 2

Admiral Kramek will visit Coast Guard units in Washington and Oregon.

March 5

Admiral Kramek will attend The Interdiction Committee (TIC) working lunch.

March 5-6

Admiral Kramek will host the Coast Guard Senior Advisory Group.

March 12

Admiral Kramek will testify at the Coast Guard appropriations hearing.

March 13

Admiral Kramek will speak to flag and general officers participating in the CAPSTONE program.

March 18-20

Admiral Kramek will host the Coast Guard Flag Officers Conference at Andrews Air Force Base.

March 26

Admiral Kramek will give the State of the Coast Guard address in Washington, D.C.

PRESS/MEDIA INQUIRIES

The Washington Post: Story pends on Eastern Pacific drug trafficking and the Coast Guard interdiction role in this region.

San Jose Mercury News and Santa Cruz news: Query received concerning the Coast Guard report on vessel traffic in the Monterey Bay National Marine Sanctuary.

Army/Air Force Times: Requested information on Hispanic personnel in the Coast Guard for a future multi-service article.

Secretary Peña and FHWA Administrator Slater, January 15, appeared with Vice President Gore and Interior Secretary Babbitt at a signing ceremony

for a memorandum of understanding on the Selma-to-Montgomery National Historic Trail. The event drew coverage from: CBS News, Fox, CNN, Black Entertainment Television, UPI Radio, Dallas Morning News, Newhouse News Service, Gannett News Service, AP, Reuters, Birmingham News, Alabama Radio Network, Huntsville Times, Washington Informer.

The Coast Guard received a number of media inquiries regarding disciplinary hearings for Coast Guard Honor Guard: Washington Post; ABC Radio; National Public Radio; Reuters; 60 Minutes.

A Washington Post reporter will visit several Terminal Doppler Weather Radar installations and the DCA tower. A graphics-oriented feature is expected in mid-February.

NHTSA Administrator Martinez will appear on the Oprah Winfrey Show January 22 to discuss aggressive driving.

The following media outlets called following the January 17 Alameda Corridor announcement: CNN, UPI and Bloomberg Business News.

The following media outlets called January 16 and 17 regarding complaints from Frontier Airlines about predatory practices by United: Bloomberg Business News, Denver Post, Aviation Daily.

The Wall Street Journal is developing an article about air bags and will use quotes and material from NHTSA Administrator Martinez's congressional testimony. Expect the article to focus on statistical estimates regarding

lives saved and the anticipated cost of lives lost. Publication date is unknown, but expected to be soon.

The Washington Post, January 17, asked NHTSA for information on the history of air bags and a copy of the 1976 NHTSA air bag study.

Publication date not known.

FRA Administrator Molitoris will address the National Press Club January 22 regarding rail travel in the U.S. in the year 2000. She will be in Montgomery, Alabama, January 24, with U.S. Sen. Max Baucus for an Operation Lifesaver event. She will also be traveling in FRAs Region Three (Southeastern U.S.) January 27-29. Atlanta editorial boards and interviews are being arranged.

The Boston Globe, January 17, called FHWA Massachusetts Division office about a DOT-OIG report on the Central Artery project. The Division office provided background information.

The Journal of Commerce, January 17, asked for the impact on FHWA if the Kasich-Mack bill targeting the federal aid to highways program becomes law. Journal of Commerce was provided background information on FHWA.

The Washington Post, Washington Times and AP called and ran articles on the Treasury Departments funding error and its impact on the obligation ceiling. FHWA provided a news release and chart showing states that would have a lower ceiling as a result of the adjustment.

The Washington Post, January 14, called about a proposal by President Clinton to involve federal agencies, possibly FHWA, in managing various functions in the District of Columbia.

USA Today called, January 14, about the driver fatigue study.

FOIA REQUESTS

Records, notes, photographs, memoranda, and correspondence to and from Former Representative Robert K. Dornan -- OCWeekly, Costa Mesa, CA

Air Traffic control tapes involving the Comair Flight 3272 accident at the Detroit Metropolitan Airport on January 9, 1997 -- The Kentucky Post

Incident report involving a Boeing 747 approach to Miami International Airport in February 1994 or 1995 -- WTVJ6, Miami, FL

Enforcement Investigative Reports (EIR), letters of complaints and corrections, and any actions taken against certificate holders since 1990 relating to SabreTech -- ABC News, New York, NY

Enforcement Investigation Reports (EIR), inspection reports, orders of suspension or consent or agreement,

letters of complaint, and reports of suspected unapproved
parts of Comair -- The Plain Dealer.

Audio tape recordings and transcripts of conversations
between air controllers and Comair Flight 3272 on January
9, 1997 -- WLWT-TV5, Cincinnati, OH

Point of Contact: For the weekend of January 25-26, Jackie
Lowey will be the contact. She can be reached at (703)
671-2529 (home) or through the FAA Operations
Center at (202) 267-3333.
