

President Bush gave maybe the most plausible explanation. He said, I still haven't figured it out completely. He hasn't figured out how he made \$850,000 in a probably illegal stock sale.

As the President spoke in New York today, I thought of the words of a civil rights leader who said, "Don't tell me what you believe. Show me what you do; I will tell you what you believe."

CORPORATE RESPONSIBILITY

(Mr. UDALL of Colorado asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. UDALL of Colorado. Mr. Speaker, it seems that every week we hear another story of a corporation cooking the books, too often with the help of accountants who are supposed to be protecting investors and the public. And while they cook the books, they burn the American people and the economy suffers.

Some of those involved say, these are just technical details, or they act like the piano player in the bordello, saying they did not know what was going on upstairs. But it is becoming clear that many knew all about it and it is nothing but plain, old-fashioned fraud.

Congress needs to clean up this mess by passing stronger corporate accounting and pension protection legislation than the version the House passed this spring. Talk is cheap, but the cost to the public has been high, and will be higher yet if we do not act.

Corporate CEOs need to be accountable with criminal and financial penalties when they falsify financial reports or mislead the public about company stock. CEOs should not be allowed to sell company stock in an executive plan during a lockdown period when the employees are prohibited from doing so.

We need to set up a strong, independent watchdog over the accounting industry. For markets to work fairly, the American public needs the truth. Strong legislation is crucial to restoring the truth and trust in corporate America and faith in our markets.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record votes on postponed questions will be taken at the end of legislative business today.

AIRPORT STREAMLINING APPROVAL PROCESS ACT OF 2002

Mr. MICA. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 4481) to amend title 49, United States Code, relating to airport project streamlining, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4481

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Airport Streamlining Approval Process Act of 2002".

SEC. 2. FINDINGS.

Congress finds that—

(1) airports play a major role in interstate and foreign commerce;

(2) congestion and delays at our Nation's major airports have a significant negative impact on our Nation's economy;

(3) airport capacity enhancement projects at congested airports are a national priority and should be constructed on an expedited basis;

(4) airport capacity enhancement projects must include an environmental review process that provides local citizenry an opportunity for consideration of and appropriate action to address environmental concerns; and

(5) the Federal Aviation Administration, airport authorities, communities, and other Federal, State, and local government agencies must work together to develop a plan, set and honor milestones and deadlines, and work to protect the environment while sustaining the economic vitality that will result from the continued growth of aviation.

SEC. 3. PROMOTION OF NEW RUNWAYS.

Section 40104 of title 49, United States Code, is amended by adding at the end the following:

"(c) AIRPORT CAPACITY ENHANCEMENT PROJECTS AT CONGESTED AIRPORTS.—In carrying out subsection (a), the Administrator shall take action to encourage the construction of airport capacity enhancement projects at congested airports as those terms are defined in section 47179."

SEC. 4. AIRPORT PROJECT STREAMLINING.

(a) IN GENERAL.—Chapter 471 of title 49, United States Code, is amended by inserting after section 47153 the following:

"SUBCHAPTER III—AIRPORT PROJECT STREAMLINING

"§ 47171. DOT as lead agency

"(a) AIRPORT PROJECT REVIEW PROCESS.—The Secretary of Transportation shall develop and implement a coordinated review process for airport capacity enhancement projects at congested airports.

"(b) COORDINATED REVIEWS.—The coordinated review process under this section shall provide that all environmental reviews, analyses, opinions, permits, licenses, and approvals that must be issued or made by a Federal agency or airport sponsor for an airport capacity enhancement project at a congested airport will be conducted concurrently, to the maximum extent practicable, and completed within a time period established by the Secretary, in cooperation with the agencies identified under subsection (c) with respect to the project.

"(c) IDENTIFICATION OF JURISDICTIONAL AGENCIES.—With respect to each airport capacity enhancement project at a congested airport, the Secretary shall identify, as soon as practicable, all Federal and State agencies that may have jurisdiction over environmental-related matters that may be affected by the project or may be required by law to conduct an environmental-related review or analysis of the project or determine whether to issue an environmental-related permit, license, or approval for the project.

"(d) STATE AUTHORITY.—If a coordinated review process is being implemented under this section by the Secretary with respect to a project at an airport within the boundaries of a State, the State, consistent with State law, may choose to participate in such process and provide that all State agencies that have jurisdiction over environmental-related matters that may be affected by the project or may be required by law to conduct an environmental-related review or analysis of the project or determine whether to issue an environmental-related permit, license, or approval for the project, be subject to the process.

"(e) MEMORANDUM OF UNDERSTANDING.—The coordinated review process developed under this section may be incorporated into a memorandum of understanding for a project between the Secretary and the heads of other Federal and State agencies identified under subsection (c) with respect to the project and the airport sponsor.

"(f) EFFECT OF FAILURE TO MEET DEADLINE.—

"(1) NOTIFICATION OF CONGRESS AND CEQ.—If the Secretary determines that a Federal agency, State agency, or airport sponsor that is participating in a coordinated review process under this section with respect to a project has not met a deadline established under subsection (b) for the project, the Secretary shall notify, within 30 days of the date of such determination, the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, the Council on Environmental Quality, and the agency or sponsor involved about the failure to meet the deadline.

"(2) AGENCY REPORT.—Not later than 30 days after date of receipt of a notice under paragraph (1), the agency or sponsor involved shall submit a report to the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Council on Environmental Quality explaining why the agency or sponsor did not meet the deadline and what actions it intends to take to complete or issue the required review, analysis, opinion, license, or approval.

"(g) PURPOSE AND NEED.—For any environmental review, analysis, opinion, permit, license, or approval that must be issued or made by a Federal or State agency that is participating in a coordinated review process under this section with respect to an airport capacity enhancement project at a congested airport and that requires an analysis of purpose and need for the project, the agency, notwithstanding any other provision of law, shall be bound by the project purpose and need as defined by the Secretary.

"(h) ALTERNATIVES ANALYSIS.—The Secretary shall determine the reasonable alternatives to an airport capacity enhancement project at a congested airport. Any other Federal or State agency that is participating in a coordinated review process under this section with respect to the project shall consider only those alternatives to the project that the Secretary has determined are reasonable.

"(i) SOLICITATION AND CONSIDERATION OF COMMENTS.—In applying subsections (g) and (h), the Secretary shall solicit and consider comments from interested persons and governmental entities.

"§ 47172. Categorical exclusions

"Not later than 120 days after the date of enactment of this section, the Secretary of Transportation shall develop and publish a list of categorical exclusions from the requirement that an environmental assessment or an environmental impact statement

be prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for projects at airports.

“§ 47173. Access restrictions to ease construction

“At the request of an airport sponsor for a congested airport, the Secretary of Transportation may approve a restriction on use of a runway to be constructed at the airport to minimize potentially significant adverse noise impacts from the runway only if the Secretary determines that imposition of the restriction—

“(1) is necessary to mitigate those impacts and expedite construction of the runway;

“(2) is the most appropriate and a cost-effective measure to mitigate those impacts, taking into consideration any environmental tradeoffs associated with the restriction; and

“(3) would not adversely affect service to small communities, adversely affect safety or efficiency of the national airspace system, unjustly discriminate against any class of user of the airport, or impose an undue burden on interstate or foreign commerce.

“§ 47174. Airport revenue to pay for mitigation

“(a) IN GENERAL.—Notwithstanding section 47107(b), section 47133, or any other provision of this title, the Secretary of Transportation may allow an airport sponsor carrying out an airport capacity enhancement project at a congested airport to make payments, out of revenues generated at the airport (including local taxes on aviation fuel), for measures to mitigate the environmental impacts of the project if the Secretary finds that—

“(1) the mitigation measures are included as part of, or are consistent with, the preferred alternative for the project in the documentation prepared pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

“(2) the use of such revenues will provide a significant incentive for, or remove an impediment to, approval of the project by a State or local government; and

“(3) the cost of the mitigation measures is reasonable in relation to the mitigation that will be achieved.

“(b) MITIGATION OF AIRCRAFT NOISE.—Mitigation measures described in subsection (a) may include the insulation of residential buildings and buildings used primarily for educational or medical purposes to mitigate the effects of aircraft noise and the improvement of such buildings as required for the insulation of the buildings under local building codes.

“§ 47175. Airport funding of FAA staff

“(a) ACCEPTANCE OF SPONSOR-PROVIDED FUNDS.—Notwithstanding any other provision of law, the Administrator of the Federal Aviation Administration may accept funds from an airport sponsor, including funds provided to the sponsor under section 47114(c), to hire additional staff or obtain the services of consultants in order to facilitate the timely processing, review, and completion of environmental activities associated with an airport development project.

“(b) ADMINISTRATIVE PROVISION.—Instead of payment from an airport sponsor from funds apportioned to the sponsor under section 47114, the Administrator, with agreement of the sponsor, may transfer funds that would otherwise be apportioned to the sponsor under section 47114 to the account used by the Administrator for activities described in subsection (a).

“(c) RECEIPTS CREDITED AS OFFSETTING COLLECTIONS.—Notwithstanding section 3302 of title 31, any funds accepted under this section, except funds transferred pursuant to subsection (b)—

“(1) shall be credited as offsetting collections to the account that finances the activi-

ties and services for which the funds are accepted;

“(2) shall be available for expenditure only to pay the costs of activities and services for which the funds are accepted; and

“(3) shall remain available until expended.

“(d) MAINTENANCE OF EFFORT.—No funds may be accepted pursuant to subsection (a), or transferred pursuant to subsection (b), in any fiscal year in which the Federal Aviation Administration does not allocate at least the amount it expended in fiscal year 2002, excluding amounts accepted pursuant to section 337 of the Department of Transportation and Related Agencies Appropriations Act, 2002 (115 Stat. 862), for the activities described in subsection (a).

“§ 47176. Authorization of appropriations

“In addition to the amounts authorized to be appropriated under section 106(k), there is authorized to be appropriated to the Secretary of Transportation, out of the Airport and Airway Trust Fund established under section 9502 of the Internal Revenue Code of 1986 (26 U.S.C. 9502), \$2,100,000 for fiscal year 2003 and \$4,200,000 for each fiscal year thereafter to facilitate the timely processing, review, and completion of environmental activities associated with airport capacity enhancement projects at congested airports.

“§ 47177. Judicial review

“(a) FILING AND VENUE.—A person disclosing a substantial interest in an order issued by the Secretary of Transportation or the head of any other Federal agency under this part or a person or agency relying on any determination made under this part may apply for review of the order by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business. The petition must be filed not later than 60 days after the order is issued. The court may allow the petition to be filed after the 60th day only if there are reasonable grounds for not filing by the 60th day.

“(b) JUDICIAL PROCEDURES.—When a petition is filed under subsection (a) of this section, the clerk of the court immediately shall send a copy of the petition to the Secretary or the head of any other Federal agency involved. The Secretary or the head of such other agency shall file with the court a record of any proceeding in which the order was issued.

“(c) AUTHORITY OF COURT.—When the petition is sent to the Secretary or the head of any other Federal agency involved, the court has exclusive jurisdiction to affirm, amend, modify, or set aside any part of the order and may order the Secretary or the head of such other agency to conduct further proceedings. After reasonable notice to the Secretary or the head of such other agency, the court may grant interim relief by staying the order or taking other appropriate action when good cause for its action exists. Findings of fact by the Secretary or the head of such other agency are conclusive if supported by substantial evidence.

“(d) REQUIREMENT FOR PRIOR OBJECTION.—In reviewing an order of the Secretary or the head of any other Federal agency under this section, the court may consider an objection to the action of the Secretary or the head of such other agency only if the objection was made in the proceeding conducted by the Secretary or the head of such other agency or if there was a reasonable ground for not making the objection in the proceeding.

“(e) SUPREME COURT REVIEW.—A decision by a court under this section may be reviewed only by the Supreme Court under section 1254 of title 28.

“(f) ORDER DEFINED.—In this section, the term ‘order’ includes a record of decision or a finding of no significant impact.

“§ 47178. Definitions

“In this subchapter, the following definitions apply:

“(1) AIRPORT SPONSOR.—The term ‘airport sponsor’ has the meaning given the term ‘sponsor’ under section 47102.

“(2) CONGESTED AIRPORT.—The term ‘congested airport’ means an airport that accounted for at least 1 percent of all delayed aircraft operations in the United States in the most recent year for which such data is available and an airport listed in table 1 of the Federal Aviation Administration’s Airport Capacity Benchmark Report 2001.

“(3) AIRPORT CAPACITY ENHANCEMENT PROJECT.—The term ‘airport capacity enhancement project’ means—

“(A) a project for construction or extension of a runway, including any land acquisition, taxiway, or safety area associated with the runway or runway extension; and

“(B) such other airport development projects as the Secretary may designate as facilitating a reduction in air traffic congestion and delays.”

(b) CONFORMING AMENDMENT.—The analysis for chapter 471 of such title is amended by adding at the end the following:

“SUBCHAPTER III—AIRPORT PROJECT STREAMLINING

“47171. DOT as lead agency.

“47172. Categorical exclusions.

“47173. Access restrictions to ease construction.

“47174. Airport revenue to pay for mitigation.

“47175. Airport funding of FAA staff.

“47176. Authorization of appropriations.

“47177. Judicial review.

“47178. Definitions.”

SEC. 5. GOVERNOR'S CERTIFICATE.

Section 47106(c) of title 49, United States Code, is amended—

(1) in paragraph (1)—

(A) by inserting “and” after the semicolon at the end of subparagraph (A)(ii);

(B) by striking subparagraph (B); and

(C) by redesignating subparagraph (C) as subparagraph (B);

(2) in paragraph (2)(A) by striking “stage 2” and inserting “stage 3”;

(3) by striking paragraph (4); and

(4) by redesignating paragraph (5) as paragraph (4).

SEC. 6. CONSTRUCTION OF CERTAIN AIRPORT CAPACITY PROJECTS.

Section 47504(c)(2) of title 49, United States Code, is amended—

(1) by striking “and” at the end of subparagraph (C);

(2) by striking the period at the end of subparagraph (D) and inserting “; and”; and

(3) by adding at the end the following:

“(E) to an airport operator of a congested airport (as defined in section 47178) and a unit of local government referred to in paragraph (1)(A) or (1)(B) of this subsection to carry out a project to mitigate noise in the area surrounding the airport if the project is included as a commitment in a record of decision of the Federal Aviation Administration for an airport capacity enhancement project (as defined in section 47178) even if that airport has not met the requirements of part 150 of title 14, Code of Federal Regulations.”

SEC. 7. LIMITATIONS.

Nothing in this Act, including any amendment made by this Act, shall preempt or interfere with—

(1) any practice of seeking public comment; and

(2) any power, jurisdiction, or authority of a State agency or an airport sponsor has with respect to carrying out an airport capacity enhancement project.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MICA) and the gentleman from Minnesota (Mr. OBERSTAR) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, over the past 20 years, air travel in the United States has grown faster than any other mode of transportation. More and more, our citizens rely on the speed and the convenience of flights in aviation to improve our daily lives. Unfortunately, we, as a nation, have failed to provide the airport capacity necessary to keep pace with the great demand that we have seen grow over the past decades.

Last year, the Federal Aviation Administration released a report which revealed for the first time how very far we have fallen behind in meeting our aviation infrastructure needs. According to the report, our Nation's 31 busiest airports are now at or above capacity for some portion of the day.

Insufficient airport runway capacity has led to chronic and worsening congestion. Last summer, and before the events of September 11, one out of every four commercial flights experienced a significant delay or cancellation. As air travelers begin to regain confidence in our system, we have already seen the return of traffic in aviation commercial passenger service to pre-September 11 levels.

It is not a question of when, Mr. Speaker, or even if; it is a question of how soon gridlock will return to our busiest airports, and we are already seeing that occur. Airports around the Nation must now begin to address the capacity needs that we have seen in the past immediately. We have a little bit of a break here again in regaining our passenger service that we had pre-September 11, so it gives us an opportunity to plan, to prepare, and to meet the aviation infrastructure needs of the future.

Unfortunately, standing in the way of moving forward with building our Nation's aviation infrastructure is a very cumbersome Federal review process. That process is full of duplication, it is full of conflicting mandates, and one that, in fact, lacks coordination, lacks accountability, and sometimes wastes years and years of precious time when communities and States are trying to work with the Federal Government to build the aviation infrastructure that our economy and our areas need so desperately.

The legislation before us today, H.R. 4481, I believe, will significantly improve the Federal review process for critical airport capacity projects that are under consideration at 31 of our Nation's busiest airports. While this legislation will cut through red tape, it will not in any way diminish existing environmental laws or in any way limit local input or control over these critical projects.

I know some Members have expressed concern that when we streamline, we do not want to streamline over local authority and we do not want to streamline over environmental laws that protect the beautiful landscape that we live in and enjoy. So those two features in this legislation that people are concerned about do not exist. We do not harm the environment, nor do we run over local authority.

The way this legislation is drafted, it will ensure that once a community has reached a consensus on a critical capacity project, the review process will not unnecessarily delay construction. This bill, in fact, creates a coordinated review process for our major airport capacity projects across the country. It also gives the Secretary of Transportation the responsibility to ensure that all environmental reviews by all government agencies will be conducted at the same time whenever possible, and completed within the deadlines established by the Department of Transportation.

H.R. 4481 also binds all Federal and State agencies taking part in a review to the project's "purpose and need" as determined by the Department of Transportation under this legislation. It also limits Federal or State agency reviews to the project alternatives that the Secretary of the Department determines are reasonable.

□ 1230

Finally, this bill also expedites judicial reviews of Department of Transportation determinations. It moves all claims to the U.S. Court of Appeals and requires all petitions to be filed not later than 60 days after an order is issued with allowances, of course, for special circumstances.

I would like to reiterate that nothing in this bill is intended to cut off debate or limit input on the local level in any way. It does not usurp the rights or responsibilities of a State or airport sponsor to carry out an airport project.

Mr. Speaker, this is an excellent piece of legislation. We have worked together closely with the minority. Both sides of the aisle have been consulted, and we have worked with local and State governments and other stakeholders in this important process; and I think we have a good consensus on an excellent piece of legislation. I urge Members to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the legislation pending before us, as the gentleman from Florida (Mr. MICA) has just described has as its purpose to speed up construction of runways, taxiways, airside improvements at airports that have dragged on far too long in the past.

Perhaps the most egregious example or comparison would be that of the Chek Lap Kok Airport in Hong Kong, an airport built in the ocean in 300 meters of ocean depth, 12,500 feet runways,

a 23-mile rail-truck highway link to downtown Kowloon, a terminal to handle 90,000 passengers, started at the same time as the third runway at Seattle.

Chek Lap Kok has been completed at a cost of over \$25 billion, is now handling 15 to 20 million passengers a year; and I was out in Seattle a year ago for the bulldozing of the first load of dirt to start work on the third Seattle runway. Now, that is an egregious example, as I said; but it is one that underscores the frustration that airport authorities, airlines, and air traveling passengers have with our airport expansion program.

If we are going to accommodate the more than 1 billion passengers to use the U.S. airways in the next 5 to 10 years, then we have to do a better job of moving airport projects along to enhance and expand capacity.

But it is misleading to say that environmental issues alone are the factors causing 10- to 15-year delays in building runways. The FAA reviewed the runway construction process, studied a number of major construction projects which have been described as taking 10 to 15 years to complete, and found generally that the Federal environmental impact process took 3 to 4 years. Now, that certainly is in the view of many people too long, but it is not 15 years. The major cause when we look at the facts more closely as reported by FAA, the major cause of delay is the time needed to complete the local political process mandated by State law and local ordinance.

Under our system, as distinguished from many other places and most other countries in the world, it is not the Federal Government that decides to build an airport, except in the case of Dulles or Reagan National Airport, which are the only two owned by the Federal Government. It is the local government that makes that decision. Once they have, the Federal process comes into play.

I think that we should speed up the environmental process by doing a great deal of the work concurrently, and coordinate State and Federal approvals; but each proposal has to be evaluated on its own and on itself. We have to be careful that we are only streamlining environmental processes, not superseding them.

There are many positive provisions in this bill that will move the process along without undermining the National Environmental Policy Act. There is a procedure for DOT to take the lead in a cooperative initiative where all the State and Federal agencies that have environmental responsibilities agree to deadlines, agree to coordinate their review, and to do those reviews concurrently rather than sequentially. That would be a very big improvement on the existing process. I think that is a strong and constructive initiative that we have brought forward.

There is also more flexibility in this legislation to address local community

concerns by allowing restrictions on use of new runways, use of Federal airport funds for environmental mitigation, and allow FAA to accept money from airports to hire additional staff to process the environmental reviews more expeditiously. I think that is constructive.

If these reasonable, responsible, thoughtfully constructed steps are followed, the environmental process will not be preempted. It will be speeded up, and the environmental will not take a bad rap in the name of efficiency or expeditious movement of airport construction process.

On the whole we have a good bill, a reasonable one that properly managed will move our airport expansion needs ahead in a responsible manner. I think it will go a long way toward accelerating the environmental process without sacrificing environmental processes. I commend the gentleman from Alaska (Mr. YOUNG) for the extensive cooperation that we have had on this legislation, and the chairman of the subcommittee, the gentleman from Florida (Mr. MICA), for his thoughtful consideration of the views that we have offered on our side; and I also commend the gentleman from Illinois (Mr. LIPINSKI) for his dedicated work over many hours on this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. MICA. Mr. Speaker, I yield such time as he may consume to the gentleman from Alaska (Mr. YOUNG), the chairman of the Committee on Transportation and Infrastructure.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Speaker, I can only echo the words that have been said by the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Florida (Mr. MICA).

This legislation will not change everything overnight, but it will expedite the process of building airports, we think, in a more expeditious time period. As the gentleman mentioned, the airports built in the Asian market were built in a short period of time, and Seattle has had 19 years and has not even flown an airplane off the new runway that is going to be built.

Mr. Speaker, this bill is needed at this time. Prior to 9-11, the biggest complaint was congestion and delays in our airports. I believe although air traffic is down now, it will return in the near future; and we need these new airports as our population grows. We need these new airports as commerce grows, and this is a way to get these airports built on time.

Mr. Speaker, I rise in support of H.R. 4481, the Airport Streamlining Approval Process Act of 2002.

I am pleased to be moving forward with this legislation. Last year, airport gridlock dominated the aviation debate. Passengers were bitterly complaining about the intolerable delays they were forced to endure. We examined those issues and found that one of the

main reasons for the congestion was the lack of airport capacity.

There was a crying need for new runways and improved airport infrastructure. Air-21 provided the funding for these improvements, but bureaucratic red tape often held up needed construction. Now attention has shifted to airport security, and rightly so. Air traffic is down and the need for airport capacity improvements is less compelling. But, I am confident that air traffic will pick up again. And when it does, congestion and delays will return with a vengeance unless we do something about it now. That is why I introduced this bill. This legislation directs the Department of Transportation to take a lead role in the environmental review process.

DOT will coordinate the actions of other agencies and will be responsible for determining the "purpose and need" and reasonable alternative to the project. I do not claim that this bill will build new runways overnight, but it will streamline the process and help airports meet the demands of air travelers more quickly. And, it should be noted, it will do this without undermining the environmental laws or the ability of citizens to have their voices heard in the process.

I would like to thank chairman MICA, as well as Mr. OBERSTAR and Mr. LIPINSKI, for their help and cooperation on this legislation. There were some difficult issues in this bill and I very much appreciate the bipartisan approach to resolving them.

I urge a yes vote on H.R. 4481.

Mr. OBERSTAR. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. LIPINSKI), the ranking member of the Subcommittee on Aviation.

Mr. LIPINSKI. Mr. Speaker, I thank the gentleman from Minnesota (Mr. OBERSTAR) for yielding me this time and express my sincere appreciation to the gentleman from Alaska (Mr. YOUNG) and the gentleman from Florida (Mr. MICA) for the outstanding cooperation that we have on the Committee on Transportation and Infrastructure. It is a pleasure to work with these gentlemen because they always strive to do what is best for the American flying public.

Mr. Speaker, I lend my support to H.R. 4481, the Airport Streamlining Approval Process Act. In the true fashion of the Committee on Transportation and Infrastructure, this is a bipartisan measure that will expedite the environmental review and approval process for key airport capacity projects.

In the last decade, only six of our Nation's largest airports have managed to complete new runway projects, as it currently takes about 10 years or more to simply plan and approve such a project. And as we are about to reach pre-September 11 traffic, and will eventually pass these levels, we need to streamline and speed up the environmental review process in order to lessen the aviation congestion that plagues our Nation and the world. H.R. 4481 will eliminate duplication without cutting corners that might harm the environment. Simply put, once a community reaches consensus on an airport capacity project and the environmental re-

view has been finished, construction can begin in a timely fashion.

In closing, I urge Members to support this measure that will help lessen the worsening aviation capacity crunch that we are facing in this Nation.

Mr. MICA. Mr. Speaker, I yield such time as he may consume to the gentleman from Tennessee (Mr. DUNCAN), the previous chairman of the Subcommittee on Aviation, one of the current Committee on Transportation and Infrastructure chairmen.

Mr. DUNCAN. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I first want to salute and commend the gentleman from Florida (Mr. MICA) and the gentleman from Alaska (Mr. YOUNG) and the ranking members, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Illinois (Mr. LIPINSKI), for bringing this bill to the floor today.

The lack of publicity about this legislation should not be any reflection on its importance because I consider this to be very, very important legislation. In previous Congresses, we held a couple of hearings about this problem, and we heard testimony that the average time of completion of a runway project in this country was approximately 10 years. In fact, we heard one witness tell us that the main runway at the Atlanta airport took 14 years from conception to completion, but only 33 days, those were 24-hour workdays, so we could say 99 working days of actual construction. That is ridiculous, Mr. Speaker.

We also heard testimony that these delays are primarily due to environmental rules and regulations and red tape, and it was driving the cost of these projects up so they were costing three or four times what they should. Those costs had to be passed on to the flying public. What this has done over the years, it has driven up the cost of air travel. It has forced many lower-income people back onto the highways, or made sure that they stayed on the highways instead of having the much safer and quicker and more comfortable alternative of flying.

This is very important legislation. We passed in the last Congress the AIR-21 bill, which was the largest aviation bill in the history of the Congress; but we certainly will not be able to gain the full benefits of the AIR-21 legislation unless we pass this legislation to complement and improve that earlier bill. This will help taxpayers receive the greatest bang for their buck on these aviation projects and will greatly improve and hold down the cost of air travel in the future. I think it is a very good bill, and I commend the authors and urge my colleagues to support this legislation.

□ 1245

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have reviewed a number of documents in the form of letters

or memos issued just on the eve of the consideration of this legislation, and I want to make four points to reassure those who have expressed concerns about the effects of this bill on environmental procedures.

One, the bill specifically provides there is no preemption or interference with any practice of seeking public comment or the authority of States or the authority of airport operators to decide on which projects they wish to undertake.

Two, the bill does not give any new authority to the FAA to create exemptions from the environmental requirements.

Three, States have a choice of whether they want to participate in a coordinated process.

Four, if another agency does not comply with the coordinated schedule developed by DOT, the other agency does not lose its authority. It does have a remedy, a report to Congress.

I think on balance we have taken into consideration the concerns expressed in the course of the hearing and subsequently about the effects of this legislation on environmental processes, and I urge the adoption of the bill.

Mr. Speaker, I yield back the balance of my time.

Mr. MICA. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, first, again, I want to thank the ranking member, the gentleman from Minnesota (Mr. OBERSTAR) for his cooperation and the gentleman from Illinois (Mr. LIPINSKI), the ranking member of the Subcommittee on Aviation, for his kind assistance.

This legislation is authored by the chair of our full committee, the distinguished gentleman from Alaska (Mr. YOUNG), and it is cooperation of this nature that allows us to move important legislation forward. Although again not very newsworthy or legislation which brings on a great deal of debate and controversy in the House, today we are passing a significant measure which will allow airport streamlining for the approval process that is so important.

Mr. Speaker, in conclusion, this bill saves time and this legislation saves money. This legislation maintains our protections, important protections over the environment, and this legislation maintains important local and State control and authority.

I believe it is important to move this legislation forward because it does move our aviation infrastructure projects which are so necessary across the country and particularly in our congested regions of the Nation, and also this is important because it will move our economy forward, which we know is so dependent on aviation and aviation infrastructure.

So, with those comments, Mr. Speaker, I urge the adoption of this legislation and support for H.R. 4481.

Mr. CONDIT. Mr. Speaker, I rise today to put on record my concerns regarding the Air-

port Streamlining Approval Process Act of 2002 currently under discussion in the House.

No one can quarrel with the concept of coordinating the extensive environmental review process required for major infrastructure projects such as the airport construction. Major transportation, education, energy, and other essential infrastructure projects warrant expedited environmental review, as long as the review is thorough and complete. However, it is critical that the same standards of review be used for all such projects. In Northern California there is a very controversial and disputed proposal to expand the runways at San Francisco International Airport by filling in approximately one square mile of San Francisco Bay. For the last several years, I have impressed upon federal and state officials the importance of analyzing this proposal from the perspective of meeting the long-term challenges facing commercial aviation throughout Northern California.

The runway expansion and Bay fill proposal is seen as a solution to the problem of too much air traffic and air traffic delays at SFO. But, this solution will only compound the problem of traffic gridlock on our existing freeway and highway system to and from the airport. The permanent damage to San Francisco Bay caused by the Bay fill would only relieve aviation congestion problems on a temporary basis, it does nothing to address the larger issue of moving people and goods throughout California in the most reasonable, efficient, and environmentally prudent manner. In fact, it makes this challenge more difficult.

As we discuss expedited review by the Federal Government of major projects such as the San Francisco Bay fill/airport expansion proposal, we must be mindful of thoroughly reviewing all alternatives. In the case of San Francisco, have we considered the use of existing, under-utilized or abandoned aviation facilities in the San Francisco/Northern California region as an alternative to filling the Bay? Do the increased security concerns resulting from September 11 support such an expansion or would it be more prudent to improve other regional facilities? Has consideration been given to segregating SFO in terms of limiting or eliminating air cargo operations at that facility in order to maximize passenger aviation opportunities?

I have long suggested the Federal Government coordinate its review of all major projects in order to have a timely resolution and avoid endless litigation and delay. Our policies in this area, however, must be consistent and exercised with fairness, and the review must be thorough.

Mr. ROTHMAN. Mr. Speaker, I rise today in strong opposition of the Airport Streamlining Approval Process Act of 2002, which continues this Congress' focus toward the expansion of airports and ignores the quality of life issue forced on many of our constituents who live near airports—aircraft noise.

I fully recognize the vital role the aviation industry plays in our nation's economy, but it is time for this congress to stop focusing solely on what's good for the airport industry and to start focusing on what's also good for the countless individuals who live near airports and are constantly subjected to the thunderous roar of giants jets overhead.

While this measure does include provisions that address aircraft noise, I firmly believe that those steps are inadequate and do not prop-

erly address the issue of aircraft noise. Instead of addressing legislation seeking solely to expand this nation's airports, this Congress should also focus its attention on legislation that eliminates aircraft noise. One measure I have introduced would ban the two loudest types of airplane engines from all general aviation airports in the 20 largest metropolitan areas in the country. It is time that we shift our attention away from solely the expansion of airports and toward the problem of aircraft noise which hampers the quality of life for countless American citizens.

Mr. MICA. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. ISAKSON). The question is on the motion offered by the gentleman from Florida (Mr. MICA) that the House suspend the rules and pass the bill, H.R. 4481, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MICA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4481, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

ARMED FORCES TAX FAIRNESS ACT OF 2002

Mr. HOUGHTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5063) to amend the Internal Revenue Code of 1986 to provide a special rule for members of the uniformed services in determining the exclusion of gain from the sale of a principal residence and to restore the tax exempt status of death gratuity payments to members of the uniformed services.

The Clerk read as follows:

H.R. 5063

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Armed Forces Tax Fairness Act of 2002".

SEC. 2. SPECIAL RULE FOR MEMBERS OF UNIFORMED SERVICES IN DETERMINING EXCLUSION OF GAIN FROM SALE OF PRINCIPAL RESIDENCE.

(a) IN GENERAL.—Subsection (d) of section 121 of the Internal Revenue Code of 1986 (relating to exclusion of gain from sale of principal residence) is amended by adding at the end the following new paragraph:

“(9) MEMBERS OF UNIFORMED SERVICES.—

“(A) IN GENERAL.—At the election of an individual with respect to a property, the running of the 5-year period described in subsection (a) with respect to such property shall be suspended during any period that such individual or such individual's spouse is serving on qualified official extended duty as a member of the uniformed services.