

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

GENERAL LEAVE

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 2881.

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

There was no objection.

FAA REAUTHORIZATION ACT OF 2007

The SPEAKER pro tempore. Pursuant to House Resolution 664 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2881.

□ 1134

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2881) to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes, with Ms. DEGETTE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Florida (Mr. MICA) each will control 30 minutes.

The Chair recognizes the gentleman from Minnesota.

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

Madam Chairman, the Committee on Transportation and Infrastructure brings to the House today an historic bill to address the needs of aviation today and into the future. At a time when we are seeing aviation recover from the devastating aftereffects of September 11, the flood of bankruptcies that occurred in the years subsequent to that tragic assault on America, and the retiring of aircraft, laying off of tens of thousands, even hundreds of thousands of airline workers and workers in related fields, we are now seeing aviation return to and exceed all-time previously registered highs.

Last year, over a billion people traveled by air worldwide, and 750 million of that travel was in the U.S. air space. We are seeing increasing delays. Only 72 percent of flights arrived on time in this last year. That indicates congestion in the air space and congestion on the ground and congestion in our air traffic control system.

We bring to the House, we bring to the country, historic funding levels of \$68 billion over the next 4 years. We bring you a 4-year bill, not 3 years like we have done in years past, to address the needs of creating capacity on the air side of airports: \$15.8 billion for the airport improvement program; \$13 billion to invest in the air traffic control technology and making room for and accelerating the development of the Next Generation air traffic control technology; and \$37.2 billion to fund the operations of the FAA, essentially paying air traffic controllers and those who maintain the system.

These are all-time high investments. I have served in the House for 33 years. I have been deeply engaged in aviation for over 25 years of those years, and I have never seen this kind of investment that Congress has made, this deeply, this extensively, and so far out into the future.

I want to thank the gentleman from Illinois (Mr. COSTELLO), the chairman of our Subcommittee on Aviation who has seized the issue, mastered the subject matter, conducted extensive in-depth hearings on a broad range of issues considered by the committee, and has played a critical role in shaping the bill.

I want to express my appreciation to the gentleman from Florida (Mr. MICA), the ranking member of the full committee, who has served previously as the Chair of the Aviation Subcommittee and is fully engaged in the issues of aviation and who committed himself every step of the way to the shaping of this legislation, including working together with us on the Democratic side, with the DOT and the White House and the air traffic controllers in an attempt to resolve a very knotty problem of the air traffic controllers' contract.

And I also express appreciation to the gentleman from Wisconsin (Mr. PETRI), the ranking member on the Aviation Subcommittee, for the enormous amount of time he devoted and for his always thoughtful and intellectual contributions to the work of the committee.

Madam Chairman, I reserve the balance of my time.

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

Madam Chairman, I am pleased to be here this morning to bring to the floor the FAA reauthorization legislation that is before us. As Members know, and those who follow this subject, our authorization runs out, I believe, the end of next week. That is our Federal policy and projects' financing ability to run our Nation's air traffic system.

We had a responsibility to move forward legislation to renew that Federal law, and that's why we are here today. I think that is an important responsibility.

I have tried to work with Mr. OBERSTAR, who now chairs the full committee. He chaired the Aviation Subcommittee, ironically, when I was a freshman in Congress. And as he mentioned, I had the opportunity to chair that subcommittee for the past 6 years and developed a great working relationship with him.

I am pleased to work with my ranking member, the gentleman from Wisconsin (Mr. PETRI), who has done yeoman's work to try to bring this legislation forward in a responsible manner, working with the now-chairman of the subcommittee, the gentleman from Illinois (Mr. COSTELLO), who likewise has put his full efforts towards this important reauthorization.

We have been fortunate, too, to have great staff on both sides of the aisle working together to meet that responsibility. I am pleased that we could bring the bill forward.

However, I have to say, in all honesty, I have some mixed emotions. I must also state that when we come to final passage, and I have told Mr. OBERSTAR and Mr. COSTELLO and others, that I will cast a vote not in support of this FAA reauthorization, and really for two reasons.

First of all, when we introduced the bill, there were several objectionable provisions that had been proposed that I opposed, and I do respect the gentlemen from Minnesota and also Illinois, in working cooperatively to introduce the bill without those objectionable provisions. However, right after we introduced it and we marked up the bill, we started sort of piling on, and there are two provisions which I cannot support, two major provisions, and I made them aware of my opposition.

The first one involves an unprecedented reach-back, and it is for the air traffic controllers. Let me say there are men and women, some 15,000 of them, who do an incredible job serving our air traffic control system. And back in the 1990s, I believe that they were underpaid, undercompensated for their responsibilities. But through a contract that was negotiated then under the Clinton administration, they did receive for the next 7 years an average increase of about 10 percent a year. In fact, it totals 75 percent over those 7 years.

Now, I would love to have it 10 percent guaranteed increase. I think people who work here in the Congress would like to have a 10 percent pay increase every year; 1.2 million Federal employees, maybe another 20,000 that work at FAA would all like to have this deal, and that deal wasn't to be.

This past Congress had the difficult task of receiving the contract that was being negotiated and the final offer that was made by FAA because the contract reached an impasse. And in an

unprecedented fashion also, the terms of that contract offer was brought to Congress, and the air traffic controllers lost in that vote here on the floor.

Now, I sympathize with Mr. OBERSTAR and also with Mr. COSTELLO. The appropriators turned down the air traffic controllers in the House. We had several CRs where they attempted to reopen this contract; it was turned down. It was turned down by the appropriators in the Senate. It was turned down in the bill that is now before the other body. Each time that they have gone to the Democrat side, which now controls this body, they have been turned down.

Now, they did manage to put this provision to which I object in the bill, and it is unfortunate. It has a huge financial impact. It is estimated to be \$1.9 billion, if this is allowed to go forward. And the money is one thing, but reaching back in an unfair manner to other Federal employees. We have some 20,000 professionals, engineers, people with Ph.D.s, a whole host of staff in FAA that aren't going to be treated in an equitable manner.

And then the bad precedent it sets for Congress. Folks, any time you get into a labor dispute, just bring it to Congress and we will up your salary when we are pressured. That can't be the way we operate. I have agreed to change the mechanism. Nobody in Congress likes to be the negotiator of salaries or contracts, and we shouldn't be, and I am committed to that.

□ 1145

I will also say that since we took up this bill and knowing that this is a pending controversial matter, I have worked day and night to try to get the administration and NATCA union representatives together to resolve those differences. I appreciate the work of all of those involved. The gentleman from Ohio (Mr. LATOURETTE) has also joined the gentleman from Wisconsin (Mr. PETRI) and myself and the Democrat members in that effort. Unfortunately, it's jammed into this bill and that's not fair.

There are other provisions that have been put in here for big labor. Now, I know labor won a big vote with the election and is attempting to increase its membership. I respect that, but I think that the grab they have attempted here goes beyond what I feel is reasonable, not only in expanding organizational opportunities that I think go beyond again a reasonable level but some of the other provisions in here that will add cost, that will add regulations, that will add complications to operating our system and not give us a fair return. Not only do we have a responsibility to bring forth this legislation that runs this system but we have an obligation and responsibility to taxpayers and others, the travelers who finance the system, that their funds be spent wisely.

I do also have some reservations about provisions that will be added in

the manager's amendment. Again, it's not always how much money you spend, but how you spend that money, and we have a responsibility to spend that wisely and very efficiently for hardworking Americans who are paying in to also help finance this system.

And then, of course, the final point is the President has issued a veto statement, and he will veto this based on spending, based on the overreach by labor for their contract and other terms that have been put into this legislation. Even though I have opposition, I have pledged to work to move the process forward and continue to renew that pledge at this time as we move forward with the bill.

Madam Chairman, I reserve the balance of my time.

Mr. OBERSTAR. Madam Chairman, I yield 3 minutes to the distinguished gentleman from Illinois (Mr. COSTELLO), the Chair of the Aviation Subcommittee.

Mr. COSTELLO. I thank the chairman of the full committee, the gentleman from Minnesota, for recognizing me and yielding this time.

Today is an important day for the future of aviation. We are considering this legislation, which was introduced in a bipartisan manner. I do want to thank the gentleman from Minnesota, the gentleman from Florida and the gentleman from Wisconsin for all of their hard work in bringing the legislation to the floor today.

The issues we address in this legislation are important, and they will determine our ability to continue to maintain the world's safest aviation system. There is a provision in this bill that the gentleman from Florida referred to that addresses FAA's imposed work rules on the air traffic controllers. We spent many hours working together with the FAA and the air traffic controllers trying to bring together an agreement. Unfortunately, an agreement could not be reached and that only left us with one clear choice, and that is binding arbitration.

I strongly believe in collective bargaining and bargaining in good faith with a fair dispute resolution process for both sides. Unfortunately, that did not happen in 2006, but it was corrected with the T&I Committee markup by adopting the Costello amendment with a strong bipartisan vote of 53-16. The approach in H.R. 2881 will ensure fair treatment of FAA employees and restores two fundamental principles: the rights of workers and the right to collectively bargain.

H.R. 2881 also allows us to increase capacity and safety within our aviation system, modernize our air traffic control system, and continue to reduce energy consumption and improve our environment. Our Next Generation system can be absorbed by the existing FAA financing structure, and that is exactly what we did in this bill.

Our bill does not impose user fees as the administration recommended. Instead, our bill uses the current tax

structure. This legislation provides a record \$68 billion over the next 4 years to improve our Nation's aviation infrastructure, modernize our air traffic control system, and maintain the highest level of safety in this ever-changing aviation environment.

Further, the legislation applies a four-part approach to the FAA Joint Planning and Development Office. We provide more funding, more authority, more accountability and more oversight. These changes will ensure our ability to meet our modernization goals and objectives.

The first half of 2007, as the gentleman from Minnesota pointed out, has been the worst as far as delays in the last 13 years. We have addressed that situation in this legislation and we address the problems with airlines scheduling more flights than the system currently can handle. To help airports increase capital needs and reduce airline delays, like the administration, our legislation would increase the passenger facility charge cap from \$4.50 to \$7. According to the FAA, if every airport currently collecting a \$4 or \$4.50 PFC raised its PFC to \$7, it would generate \$1.1 billion in additional revenue to develop airports each year.

The bill also provides significant increases in the AIP fund. Giving the ability to raise the PFC and the AIP funding will provide the necessary financing of capacity-enhancing airport improvements that will be necessary to reduce delays.

Let me conclude by saying that our legislation also contains passenger and consumer protections, a passenger bill of rights that, in fact, will protect passengers.

I urge passage.

The CHAIRMAN. The Committee will rise informally.

The Speaker pro tempore (Mr. CHANDLER) assumed the chair.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

FAA REAUTHORIZATION ACT OF 2007

The Committee resumed its sitting.

Mr. MICA. Madam Chairman, I am pleased to yield 5 minutes to the Republican leader of the Aviation Subcommittee, the gentleman from Wisconsin (Mr. PETRI).

Mr. PETRI. I thank my colleague from Florida.

All of us who are frequent travelers as we go back and forth to our districts know the strain that is on our air traffic system. We all hear from outraged constituents who have had enough of delays and of cancellations. The American Society of Civil Engineers periodically issues an infrastructure report