

players, coaches, students, alumni, families, and fans that have cheered NKU along the way.

Winning the national championship and finishing the season with a 28-8 overall record has brought national acclaim to Northern Kentucky University. I know the fans of the university will revel in this accomplishment as they look forward to next season.

Mr. Speaker, I once again congratulate Northern Kentucky University for their success.

I reserve the balance of my time.

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

Mr. Speaker, I rise today in support of House Resolution 1147, congratulating the Northern Kentucky University Norse women's basketball team, the 2008 National Collegiate Athletic Association Division II tournament champions. How far women have come since the days that women basketball players were required to play half court only. I remember those days. This has really changed.

On March 29, 2008, and before a crowd of 3,067, the unranked Northern Kentucky Norse, from Highland Heights, Kentucky, put an end to the third-ranked University of South Dakota's Coyotes' 31-game win streak. NKU's women's basketball team used a 23-9 run to overcome a nine-point deficit and beat South Dakota 63-58 in the 2008 NCAA Division II national championship game.

Only 3 weeks earlier, NKU was just hoping to make it into the NCAA tournament. The Norse improved its NCAA chances by advancing to the Great Lakes Valley Conference finals, where it lost to Drury. Despite the loss, the team received a fourth seed in the Great Lakes regional. Earlier in the tournament, NKU had to overcome a 15-point deficit to win its first round games against Indianapolis, 55-54. The Norse then whipped Drury, 84-65, and edged Missouri S&T, 60-52, on the path to the finals.

NKU is led by one of the top coaches in the NCAA Division II women's basketball, Nancy Winstel. Currently in her 25th season as head coach at Northern Kentucky University, Coach Winstel reached the 500-win plateau 3 years ago. With this most recent championship, Coach Winstel has led NKU to two national titles, having earlier guided NKU to the 1999-2000 NCAA Division II national championship.

We should recognize Northern Kentucky University for embracing a regional stewardship role as reflected by its significant consideration to the intellectual, social, economic, cultural, and civic vitality of the region and the commonwealth. NKU supports multi-dimensional excellence across the full breadth of its work: Teaching and learning, research and creative activity, and outreach and public engagement. The university fosters a community that values openness, inclusion, and respect, and is committed to intellectual and creative freedom and to the open expression of ideas.

I extend my congratulations to the university's President, Dr. James Votruba; Athletic Director Jane Meier; Head Coach, Nancy Winstel, and her staff; and all of the hardworking the players, the fans, and to Northern Kentucky University. I am happy to be joined by my good friend and colleague, Representative GEOFF DAVIS, in honoring this exceptional team and all of its accomplishments, and wish all involved continued success. I ask my colleagues to support this resolution.

If there are no further speakers on the other side, I would yield back the balance of my time.

Mr. BISHOP of New York. We yield back the balance of our time as well.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. BISHOP) that the House suspend the rules and agree to the resolution, H. Res. 1147, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

#### AIRLINE FLIGHT CREW TECHNICAL CORRECTIONS ACT

Mr. BISHOP of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2744) to amend the Family and Medical Leave Act of 1993 to clarify the eligibility requirements with respect to airline flight crews, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2744

*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 "Airline Flight Crew Technical Corrections Act".

#### SEC. 2. LEAVE REQUIREMENT FOR AIRLINE FLIGHT CREWS.

(a) INCLUSION OF AIRLINE FLIGHT CREWS.—Section 101(2) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611(2)) is amended by adding at the end the following:

"(D) AIRLINE FLIGHT CREWS.—

"(i) DETERMINATION.— For purposes of determining whether an employee who is a flight attendant or flight crewmember (as such terms are defined in regulations of the Federal Aviation Administration) meets the hours of service requirement specified in subparagraph (A)(ii), the employee will be considered to be eligible if—

"(I) the employee has worked or been paid for 60 percent of the applicable monthly guarantee, or the equivalent annualized over the preceding 12-month period; and

"(II) the employee has worked or been paid for a minimum of 504 hours during the preceding 12-month period.

"(ii) DEFINITION.—As used in this subparagraph, the term 'applicable monthly guarantee' means—

"(I) for employees described in clause (i) other than employees on reserve status, the minimum number of hours for which an employer has agreed to schedule such employees for any given month; and

"(II) for employees described in clause (i) who are on reserve status, the number of

hours for which an employer has agreed to pay such employees on reserve status for any given month,

as established in the collective bargaining agreement, or if none exists in the employer's policies. Each employer of an employee described in clause (i) shall maintain on file with the Secretary (in accordance with regulations the Secretary may prescribe) the applicable monthly guarantee with respect to each category of employee to which such guarantee applies."

(b) CALCULATION OF LEAVE FOR AIRLINE FLIGHT CREWS.—Section 102(a) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)) is amended by adding at the end the following:

"(5) CALCULATION OF LEAVE FOR AIRLINE FLIGHT CREWS.—The Secretary may provide, by regulation, a method for calculating the leave described in paragraph (1) with respect to employees described in section 101(2)(D).".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. BISHOP) and the gentlewoman from Illinois (Mrs. BIGGERT) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

#### GENERAL LEAVE

Mr. BISHOP of New York. Mr. Speaker, I request 5 legislative days during which Members may revise and extend their remarks and insert extraneous materials on H.R. 2744 into the RECORD.

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

There was no objection.

Mr. BISHOP of New York. I yield myself such time as I may consume.

Let me begin, Mr. Speaker, by thanking Chairman MILLER and Ranking Member McKEON for supporting this bill and helping to bring it to the floor so quickly. I have been proud to be the primary sponsor of this bill. I also want to thank Mr. McCOTTER of Michigan, who was the primary cosponsor of the bill on the Republican side.

The Family Medical Leave Act has been a great program for working families in this country since it was passed in 1993. No one can question the benefit it has provided for working women and men by being able to take time off from work to care for themselves or family members.

The original intent of the law was to provide for 12 weeks of unpaid leave if an employee has worked 60 percent of a full time schedule over the past year, which is about 1,250 hours. So in order to qualify for FMLA coverage, an employee has to have logged in 1,250 hours over 12 months to be eligible.

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While 1,250 hours adequately reflects 60 percent of a full-time schedule for the vast majority of employees in this country, that equation does not work for flight attendants and pilots. Flight attendants and pilots work under the Railway Labor Act, rather than the Fair Labor Standards Act, which covers most nine to five workers. Time between flights, whether during the day or on overnights and layovers, is based on company scheduling requirements

and needs, but does not count towards crew member time at work. Flight attendants and pilots can spend up to four to five days a week away from home and family due to the nature of their job. However, all of those hours will not count towards qualification.

The courts have strictly interpreted the law and insisted that crew members must abide by the 1,250 hours for qualification, even though the intent of the law was 60 percent of a full-time schedule. Airline flight crews have been left out of what was intended to cover them. Therefore, a technical correction is needed to ensure that FMLA benefits are extended to these employees. This legislation seeks to clarify the intent of the law.

This legislation simply states that an airline crew member will be eligible for FMLA benefits if they have been paid for or completed 60 percent of their company's monthly hour or trip guarantee and have worked 504 hours. This brings these transportation workers in line with the intent of the original legislation and as promised when the law was passed.

Last month in our Education Committee we heard from Jennifer Hunt, a flight attendant for US Airways. Jennifer was denied FMLA coverage when she applied to take time off to care for her ill husband, an Iraq war vet. Jennifer, like many other flight attendants and pilots as well, unfortunately did not meet the hourly requirement. This bill corrects that oversight.

Mr. Speaker, I thank the chairman for his support and for bringing this legislation to the floor, and I urge my colleagues to adopt this legislation.

I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 2744, the Airline Flight Crew Technical Corrections Act. Just last week, this bill was approved unanimously by the Education and Labor Committee. The reason H.R. 2744 has secured the level of support that it has is because it sticks to what its name promises, a bill that has been crafted narrowly to address a need identified by flight crew personnel that has arisen because of a technicality in how their work hours are calculated.

Airline personnel, including certain flight attendants, are subject to a unique scheduling process in which they are paid for being on call, but in some cases are not credited with those hours in the work requirement calculation used for Family and Medical Leave Act eligibility. What is the practical impact of this situation? Some flight crew personnel may work a full-time schedule, but fail to qualify for family and medical leave. This is a real concern for those grappling with health conditions or a family obligation.

The bill before us today is an important opportunity to extend the protections of FMLA to flight crew who might otherwise be denied benefits under the law. I am pleased to be a co-

sponsor of this important legislation, and I want to thank Representative BISHOP and Chairman MILLER for working with Members on both sides of the aisle to ensure this bill achieves its stated goal, no more and no less. But no one should look at this bill as a substitute for the type of comprehensive reform that is needed.

Mr. Speaker, many Members have been uneasy about efforts to open up the Family and Medical Leave Act for small changes when it is clear that broader reforms are necessary. The Family and Medical Leave Act has worked well for 15 years, offering workers the flexibility to attend to their own health or care for a loved one in their time of need without fear of losing their job.

But despite the law's many successes, it has also become clear that many changes are needed. The reality of today's workplaces are different than those of a decade-and-a-half ago. In addition, the courts have offered evolving interpretations, and, as is often the case with such a sweeping change to employment law, there have been unintended consequences for both employers and employees.

There is another reason that some of my colleagues have been cautious about opening up FMLA. There is always a danger that by placing special protections in the law for one group of workers, we may end up on a slippery slope of piecemeal changes that breed confusion rather than clarity. This could lead to unintended consequences that could actually harm workers if, for instance, our new protections for one class of workers are interpreted by the courts or Federal regulators as a means to exclude other workers. I think these are valid concerns, and that is why this bill has been drafted carefully in an effort to avoid these dangers. Going forward, I think we must be mindful of the consequences that could come from further attempts to tweak the law, rather than to give it a more thorough update.

So while I continue to believe that we must proceed with the utmost caution, I also believe it is reasonable today to correct this law so flight crews can benefit from the FMLA, just as millions of other workers do. The bill before us today is a small step, but one that will make a meaningful difference to a number of my constituents and other families across the country.

I would like to thank the flight attendants in my district who came in to see me on this topic for all their help. I am hopeful that we can take the same constructive approach on broader FMLA reforms to ensure that FMLA continues to work as it was intended, offering a balance for both workers and employers.

With that, if the gentleman has no further speakers, I will yield back the balance of my time.

Mr. BISHOP of New York. Mr. Speaker, let me just close by thanking also the great deal of support we had on the

Republican side of the aisle for this bill. I also want to thank the flight attendants for their tireless advocacy of their bill and the many long hours of work that they put in to secure approximately 240 cosponsors for this bill. I think the fact that we were able to generate so many cosponsors is a testament to the fact that this is a carefully and narrowly crafted bill that addresses an inequity that was never intended in the original law.

Mr. GEORGE MILLER of California. Mr. Speaker, today, the House has an opportunity to restore Congress' intent to allow flight attendants, pilots, and reserve flight crew members to take unpaid leave under the Family and Medical Leave Act of 1993 without fear of losing their jobs.

Passage of H.R. 2744, the Airline Flight Crew Technical Corrections Act, will ensure job protection for these workers when they need to take time off to recover from an illness or care for newborn children or sick family members.

While millions of American workers are guaranteed up to 12 work weeks of unpaid leave, narrow Department of Labor regulations have rendered more than 200,000 flight crew personnel unable to take advantage of the Family and Medical Leave Act.

The problem is that flight crew workers are not paid or scheduled for work in the same manner as industries that are governed by the Fair Labor Standards Act. Currently, the minimum threshold to qualify under the Family and Medical Leave Act is based on working at least 60 percent of a normal 40-hour work week—or 1,250 hours annually.

However, most fulltime flight attendants' and pilots' work schedules are calculated based on their "in-flight" time—generally only those hours spent while the plane is moving. They are not paid for the time spent between flights or during layovers.

This means that an average flight attendant spends approximately 13 hours on-duty for every 5 hours of actual flight time. But only those 5 hours are counted towards their FMLA eligibility.

Work schedules for full-time flight attendants, pilots, or reserve personnel make it almost impossible to meet the minimum 1,250 threshold because of their unpaid time doing pre-flight and post-flight work activities.

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Work schedules for full-time flight attendants, pilots, or reserve personnel make it almost impossible to meet the minimum 1,250 threshold because of their unpaid time doing pre-flight and post-flight work activities.

On average, a flight attendant is scheduled for 960 in-flight hours each year, and according to FAA regulations, pilots are prohibited from flying more than 1,000 hours a year.

The legislative history is clear that airline attendants and pilots were meant to be covered when Congress enacted the original legislation in 1993.

The Airline Flight Crew Technical Corrections Act clarifies that flight attendants and pilots are entitled the benefits afforded by the Family and Medical Leave Act.

The legislation provides that airline attendants, pilots and reserve personnel meet the hours of service requirement in the Family and Medical Leave Act if they work or are paid 60 percent of the airline's monthly work schedule and if they work or are paid for at least 504 hours.

This number represents about 60 percent of the monthly work schedule of a typical airline.

Hard working flight attendants and pilots should be able to take needed family and medical leave, and they deserve the protection of the law in securing their jobs when they return from tending to their personal and family medical needs.

I would like to thank Congressman TIMOTHY BISHOP for introducing this important piece of legislation. I also thank the ranking member of the Education and Labor Committee, Mr. McKEON, for working with us to help craft a true bipartisan bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 2744, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BISHOP of New York. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### NATIONAL PUBLIC WORKS WEEK

Ms. HIRONO. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1137) supporting the goals and ideals of National Public Works Week, and for other purposes.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

##### H. RES. 1137

Whereas public works infrastructure, facilities, and services have far-reaching effects on the United States economy and the Nation's competitiveness in the world marketplace;

Whereas public works infrastructure, facilities, and services play a pivotal role in the health, safety, and quality of life of communities throughout the United States;

Whereas public works infrastructure, facilities, and services could not be provided without the skill and dedication of public works professionals, including engineers and

administrators, representing State and local governments throughout the United States;

Whereas public works professionals design, build, operate, maintain, and protect the transportation systems, water supply infrastructure, sewage and refuse disposal systems, public buildings, and other structures and facilities that are vital to the citizens, communities, and commerce of the United States;

Whereas the Corps of Engineers, in partnership with public port authorities, provides navigational improvements that link United States producers and customers with national and international markets;

Whereas the public waterways, including locks and dams constructed, operated, and maintained by the Corps of Engineers, provide a safe, energy efficient, and cost effective means of transporting goods and services;

Whereas the Corps of Engineers, in partnership with local public entities, provides levees, reservoirs, and other structural and nonstructural flood damage reduction measures that protect millions of families, homes, and businesses;

Whereas highway investment by all levels of government supported a total of 2,140,000 jobs in 2007;

Whereas every \$1 invested in public transportation generates as much as \$6 in economic returns to the Nation's economy;

Whereas the capital asset program of the General Services Administration is authorized annually to provide Federal employees with necessary office space, courts of law, and other special purpose facilities;

Whereas since 1972 the Nation has invested more than \$250,000,000,000 in wastewater infrastructure facilities to establish a system that includes 16,000 publicly owned wastewater treatment plants, 100,000 major pumping stations, 600,000 miles of sanitary sewers, and 200,000 miles of storm sewers;

Whereas the Pipelines and Hazardous Materials Safety Administration is charged with the safe and secure movement of almost 1,000,000 daily shipments of hazardous materials by all modes of transportation and oversees the safety and security of 2,300,000 miles of gas and hazardous liquid pipelines, which account for 64 percent of the energy commodities consumed in the United States;

Whereas the National Railroad Passenger Corporation annually provides more than 25,000,000 people with intercity rail service;

Whereas 8 airfield projects are under construction, including 3 new runways, 2 airfield reconfigurations, 1 runway extension, 1 end around taxiway, and 1 center taxiway, providing some of the busiest airports in the Nation with the potential to accommodate more than 400,000 additional annual operations and improve airport safety and efficiency while decreasing the average delay per operation at these airports by almost 2 minutes;

Whereas in the report of the Department of Transportation entitled "2006 Status of the Nation's Highways, Bridges, and Transit: Conditions & Performance", the Department confirms that investment in the Nation's highway, bridge, and transit infrastructure has not kept up with growing demands on the system;

Whereas the National Surface Transportation Policy and Revenue Study Commission report estimates that the United States needs to invest up to \$340,000,000,000 annually for the next 50 years to upgrade the Nation's existing transportation network to a good state of repair and to build the more advanced facilities the Nation will require to remain competitive; and

Whereas public works professionals are observing National Public Works Week from May 18 through 24, 2008: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) supports the goals and ideals of National Public Works Week;

(2) recognizes and celebrates the important contributions that public works professionals make every day to improve the public infrastructure of the United States and the communities that those professionals serve; and

(3) urges citizens and communities throughout the United States to join with representatives of the Federal Government in activities and ceremonies that are designed to pay tribute to the public works professionals of the Nation and to recognize the substantial contributions that public works professionals make to the Nation.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Hawaii (Ms. HIRONO) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentlewoman from Hawaii.

#### GENERAL LEAVE

Ms. HIRONO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous materials on H. Res. 1137.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

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

Mr. Speaker, I rise in support of House Resolution 1137, supporting the goals and ideals of National Public Works Week. I thank the gentleman from Minnesota, JIM OBERSTAR, Chair of the Transportation and Infrastructure Committee, for bringing this measure to the floor and for his strong advocacy in support of our Nation's infrastructure needs.

This week, we honor and recognize the oftentimes unsung heroes of this Nation's public health and economic livelihood, the public works professionals who keep our country running smoothly. The infrastructure facilities and services that these professionals design, maintain and repair are critical to addressing our country's vast needs. Without our rail systems, our airports, our pipelines, our water treatment plants and other such services, our country would be unable to function.

Instituted as a public education campaign in 1960, every third week in May recognizes the quiet dedication of the workers who continue to build and maintain our country's transportation and infrastructure each year. For the hard work that these workers put in to improve each citizen's life on a daily basis, it is only fitting that we designate one week a year to celebrate their efforts. In the past, Presidents Dwight Eisenhower and Lyndon Johnson have sent letters of acknowledgment to this event, and a Presidential Proclamation was signed by President John F. Kennedy in 1962.

While we will continue to formally appreciate this week, I believe it would