

[Roll No. 443]

YEAS—355

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Billbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boyd (FL)
Boyd (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Calvert
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cubin
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Edwards (MD)
Edwards (TX)
Ehlers

Ellison
Ellsworth
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Forbes
Fortenberry
Fossella
Foster
Foxy
Frank (MA)
Gallegly
Gerlach
Giffords
Gordon
Gilchrest
Gillibrand
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Herseht Sandiin
Hill
Hinchev
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)

Lewis (GA)
Lipinski
LoBiondo
Loebsack
Loftgren, Zoe
Lowe
Lucas
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris
Rodgers
McNerney
Meek (FL)
Meeke (NY)
Melancon
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascarell
Pastor
Payne
Pearce
Perlmutter
Peterson (MN)
Petri
Pickering
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff

Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark

Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Terry
Thompson (CA)
Tiahrt
Tiberi
Tierney
Townes
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)

Walz (MN)
Wamp
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—59

Akin
Bachmann
Barrett (SC)
Bartlett (MD)
Barton (TX)
Blackburn
Blunt
Boehner
Boustany
Brady (TX)
Broun (GA)
Buyer
Camp (MI)
Campbell (CA)
Cantor
Carter
Cole (OK)
Conaway
Crenshaw
Culberson

Doolittle
Duncan
Flake
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Granger
Hensarling
Herger
Hulshof
Johnson, Sam
Jordan
King (IA)
Lamborn
Lewis (KY)
Linder
Lungren, Daniel
E.
Marchant
McCrery

McHenry
Mica
Neugebauer
Paul
Pitts
Radanovich
Renzi
Rogers (MI)
Roskam
Royce
Ryan (WI)
Sali
Scalise
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (NE)
Thornberry
Westmoreland

NOT VOTING—20

Bishop (UT)
Cannon
Davis (IL)
Engel
Gohmert
Higgins
Johnson (IL)

McNulty
Miller, George
Nunes
Pence
Peterson (PA)
Pryce (OH)
Reyes

Reynolds
Rush
Saxton
Speier
Tancredo
Thompson (MS)

□ 1236

Mr. DANIEL E. LUNGREN of California changed his vote from "yea" to "nay."

Messrs. CHABOT, WHITFIELD of Kentucky, FRANK of Massachusetts, GRAVES, HASTINGS of Washington, WELLER of Illinois, LATTA, FARR, Mrs. MYRICK, Messrs. GALLEGLY, REICHERT, Mrs. MILLER of Michigan, Messrs. MCKEON, MANZULLO, MILLER of Florida, BOOZMAN, WILSON of South Carolina, MACK, DREIER, ISSA, CALVERT, HALL of Texas, Mrs. DRAKE, Messrs. HUNTER, ROGERS of Kentucky, GARY G. MILLER of California, MCCAUL of Texas, KLINE of Minnesota, RAMSTAD, Mrs. MCMORRIS RODGERS, Ms. FALLIN, Messrs. KINGSTON, DEAL of Georgia, and BROWN of South Carolina changed their vote from "nay" to "yea."

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. GEORGE MILLER of California. Mr. Speaker, because I was chairing a hearing today on whether OSHA is failing to adequately enforce construction safety rules, I was unable to vote on the Medicare Improve-

ments for Patients and Providers Act of 2008, H.R. 6331.

I strongly support the legislation, and I would have voted in favor of H.R. 6331 had I been present during the vote.

FEDERAL AVIATION ADMINISTRATION EXTENSION ACT OF 2008

Mr. NEAL of Massachusetts. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6327) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6327

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 "Federal Aviation Administration Extension Act of 2008".

SEC. 2. EXTENSION OF TAXES FUNDING AIRPORT AND AIRWAY TRUST FUND.

(a) FUEL TAXES.—Subparagraph (B) of section 4081(d)(2) of the Internal Revenue Code of 1986 is amended by striking "June 30, 2008" and inserting "September 30, 2008".

(b) TICKET TAXES.—

(1) PERSONS.—Clause (ii) of section 4261(j)(1)(A) of the Internal Revenue Code of 1986 is amended by striking "June 30, 2008" and inserting "September 30, 2008".

(2) PROPERTY.—Clause (ii) of section 4271(d)(1)(A) of such Code is amended by striking "June 30, 2008" and inserting "September 30, 2008".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on July 1, 2008.

SEC. 3. EXTENSION OF AIRPORT AND AIRWAY TRUST FUND EXPENDITURE AUTHORITY.

(a) IN GENERAL.—Paragraph (1) of section 9502(d) of the Internal Revenue Code of 1986 is amended—

(1) by striking "July 1, 2008" and inserting "October 1, 2008", and

(2) by inserting "or the Federal Aviation Administration Extension Act of 2008" before the semicolon at the end of subparagraph (A).

(b) CONFORMING AMENDMENT.—Paragraph (2) of section 9502(e) of such Code is amended by striking the date specified in such paragraph and inserting "October 1, 2008".

(c) EXTENSION OF EXPIRING AVIATION PROGRAM AUTHORITY.—

(1) Section 40117(1)(7) of title 49, United States Code, is amended by striking "the date that is 3 years after the date of issuance of regulations to carry out this subsection." and inserting "September 30, 2008."

(2) Section 47141(f) of title 49, United States Code, is amended by striking "September 30, 2007." and inserting "September 30, 2008."

(3) Section 161 of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 47109 note) is amended by striking "fiscal year 2008 before July 1, 2008." and inserting "fiscal year 2008."

(4) Section 186(d) of the Vision 100—Century of Aviation Reauthorization Act (Pub. L. No. 108-176, 117 Stat. 2490, 2518) is amended by striking "October 1, 2007, and for the portion of fiscal year 2008 ending before July 1, 2008," and inserting "October 1, 2008."

(5) Section 47115(j) of title 49, United States Code, is amended by striking "fiscal years

2004 through 2007," and inserting "fiscal years 2004 through 2008,".

(6) Section 44302(f)(1) of title 49, United States Code, is amended by striking "August 31, 2008" and inserting "November 30, 2008".

(7) Section 44303(b) of such title is amended by striking "December 31, 2008" and inserting "March 31, 2009".

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on July 1, 2008.

SEC. 4. EXTENSION OF AIRPORT IMPROVEMENT PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 48103(5) of title 49, United States Code, is amended to read as follows:

"(5) \$3,675,000,000 for fiscal year 2008."

(b) PROJECT GRANT AUTHORITY.—Section 47104(c) of such title is amended by striking "June 30, 2008," and inserting "September 30, 2008,".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on July 1, 2008.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. NEAL) and the gentleman from Texas (Mr. BRADY) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. NEAL of Massachusetts. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 6327.

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

There was no objection.

Mr. NEAL of Massachusetts. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, first, let me thank Chairman RANGEL and Chairman OBERSTAR for their tireless efforts in trying to seek a long-term funding solution for our Nation's aviation programs.

Last year, I was honored to chair a hearing in the Select Revenue Measure Subcommittee where we heard from all sides on this issue, including the chairman and ranking member of the Transportation Committee and Aviation Subcommittee. Unfortunately, our colleagues on the other side of the Hill have not been able to secure an agreement, and that's really why we're here today to provide some additional time for negotiations.

H.R. 6327 extends the financing and spending authority for the Airport and Airway Trust Fund. The trust fund taxes and spending authority are scheduled to expire on June 30, 2008. H.R. 6327 extends these dates at current rates for 3 months through September 30, 2008.

Previous legislation extending these taxes were unanimously reported out of the Ways and Means Committee with bipartisan support. The substitute amendment makes one change from the bill as introduced. It deletes section 5 which would have transferred \$8 billion to the Highway Trust Fund. This provision would prevent cuts in highway programs next year. CBO has

informed us that it would have no budgetary impact.

While that provision enjoys significant bipartisan support, a number of Republican Members have indicated strong opposition. It is imperative that we enact the FAA provisions this month. To ensure that we have the necessary two-thirds support to pass this bill today, we decided to remove the highway language. This bill will keep the Airport and Airway Trust Fund taxes and operations in place until a long-term FAA reauthorization act is signed into law.

□ 1245

The bill also includes a number of authorizing provisions under the jurisdiction of the Transportation and Infrastructure Committee, which worked with Ways and Means to develop the legislation.

The most important of these is the Airport Improvement Program, or AIP. This program funds grants for projects throughout the country. Many of our airports rely on this program to help finance critical modernization and expansion efforts.

The bill would extend the AIP for another 3 months. The other authorizing provisions are also 3-month extensions.

Mr. Speaker, this is a temporary extension of an essential funding mechanism for our aviation programs, and I urge its adoption.

I reserve the balance of my time.

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 6327, the Federal Aviation Administration Extension Act of 2008.

This bill would extend for 3 months the excise taxes that presently fund the Airport and Airway Trust Fund. These are taxes on passengers' tickets and on jet fuel. They are due to expire next Monday. It's important we extend them because they benefit our Nation's airports, airlines, passengers, and pay the salaries of thousands of FAA employees.

This 3-month extension will also allow us additional time to consider some fundamental reforms to the tax structure that finances the Airport and Airway Trust Fund.

We need time to study how the burdens of the taxes that fund our airports and our air traffic control system are distributed among the users.

For example, higher fuel prices have led to higher ticket prices, which means Americans are paying more in taxes on their tickets since the tax is based on a percentage of the fare. I hope we will examine a new system that replaces the percentage tax with a more fair approach that is based on a departure fee, plus the mileage traveled. It seems to make much more sense.

We also need more time to examine proposals to modernize our air traffic control system to satellite, which promises to help cut down on congestion and delays and reduce fuel costs.

Unfortunately, this bill does nothing to help the airline industry keep fuel costs under control, does nothing to keep prices reasonable, does nothing to keep routes accessible and jobs stable for American families, businesses and thousands of airline workers today.

The escalating cost of jet fuel—which peaked at \$175 a gallon last month, up nearly \$100 from the beginning of this year—in this country is killing our aviation industry, and they can't make up the cost enough in ticket prices alone. This year, the airlines are projecting they will spend \$20 billion more in jet fuel, and that will be a 72 percent increase from last year.

Now fuel costs consume almost 40 percent of the price of a ticket, which has tripled just in the last 7 years. Jet fuel has to compete against gasoline and biodiesel for refinery space, and gas continually wins out. We simply don't have enough supply or refinery capacity to produce enough affordable jet fuel.

In response to these record-high jet fuel prices, the airlines have laid off thousands of workers, cut service to hundreds of communities, raised ticket prices, and have started charging new fees even for luggage.

Americans are suffering. Our economy is suffering, and airlines are suffering because of these high fuel prices. I urge my colleagues to bring legislation to the floor that will finally address the core of the problem we all know to be: more supply, more American-made energy, less dependency on foreign sources of oil. And we don't need more gimmicks, gimmicks like suing OPEC, gimmicks like use-it-or-lose-it, gimmicks like windfall profits taxes.

We need to open up the closed areas in our waters and on our land to thoughtful exploration and production. We need to invest in existing technologies.

We need to develop oil shale and coal-to-liquid technology, which can go in our airline fuel tanks, as well as promote advanced biofuels instead of relying on food-based fuel. We also need to get more refineries online by streamlining the permitting process. We also should extend current tax benefits for renewable energy, as well as solar and wind technology.

So, while I urge my colleagues to vote "yes" on this bill, I hope they will consider real relief for the airline industry, passengers and its workers to address the growing cost of fuel.

Congress has failed to act. Our airlines and their workers and those passengers have paid the price. It is time to produce more American-made energy.

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

Mr. NEAL of Massachusetts. Mr. Speaker, I am pleased to yield such time as he might consume to the gentleman from Illinois (Mr. COSTELLO) whose knowledge of transportation and aviation initiatives in Illinois is not only extensive but most impressive.

Mr. COSTELLO. I thank my friend for yielding his time and for his kind words.

Mr. Speaker, I rise today in support of H.R. 6327, the Federal Aviation Administration Extension Act. I want to thank Chairman RANGEL and Chairman NEAL for bringing this to the floor today, as well as Chairman OBERSTAR and Ranking Members MICA and PETRI.

The Aviation Trust Fund was established to help the fund to develop a nationwide airport and airway system and to make critical investments in our air traffic control facilities.

The trust fund provides funding for the Airport Improvement Program, which provides grants for construction and safety projects at airports; the Facilities and Equipment account, which funds technological improvements to the air traffic control system; and a Research, Engineering, and Development account. The fund also partially pays for the salaries, expenses, and operations for the Federal Aviation Administration.

This trust fund is currently operating under a short-term extension that expires on June 30, 2008. Congress must act before June 30 to ensure that critical safety and capacity improvement funds are provided to our airports and our entire aviation system. Further, without action, the FAA will be forced to lay off 4,000 employees on June 30 of this year.

To address these issues, H.R. 6327 extends not only the aviation taxes and expenditure authority, but also AIP contract authority until September 30, 2008.

H.R. 6327 provides an additional \$919 million in AIP contract authority, resulting in a full-year contract authority level of \$3.675 billion for fiscal year 2008. These additional funds will allow airports to proceed with critical safety and capacity enhancement projects, particularly large projects that require full-year's worth of AIP funding in order for them to move forward.

On September 20, 2007, the House passed H.R. 2881, the FAA Reauthorization Act of 2007, a long-term authorization of the FAA's programs. The other body, as Chairman NEAL has indicated, has yet to pass its version of the bill, and until H.R. 2881 becomes law, it is important that we extend the FAA programs on a short-term basis.

Mr. Speaker, aviation is too important to our Nation's economy—contributing \$1.2 trillion in output and approximately 11.4 million U.S. jobs—to allow taxes or funding for critical aviation programs to expire.

As we begin what is expected to be a very busy travel season, Congress must act now on this extension to reduce delays and congestion, improve safety and efficiency, and help our economy.

Mr. Speaker, I urge our colleagues to support the bill.

Mr. BRADY of Texas. Mr. Speaker, I yield 5 minutes to a gentleman who is a recognized expert on aviation infrastructure in America, the ranking Re-

publican on the Aviation Subcommittee, the gentleman from Wisconsin (Mr. PETRI).

Mr. PETRI. In September, the House considered and passed the FAA Reauthorization Act of 2007, also known as H.R. 2881. That legislation reauthorizes the FAA for the next 4 years. Unfortunately, though, the other body has not come to any agreement on its bill, and so we are here today considering yet another extension. The bill before us would extend the programs and funding at the Federal Aviation Administration at current levels through the end of this budget year.

This bill funds the operations and safety initiatives of the Federal Aviation Administration; provides Airport Improvement Program contract authority at the budget year 2007 level through the end of September; authorizes such sums as are necessary for FAA Facilities and Equipment, Research and Development, through the end of the budget year; and extends the authority to limit the third party liability of air carriers arising out of acts of terrorism through March of 2009.

The bill before us will ensure that our national aviation system continues to operate until a full FAA reauthorization can be enacted.

We need to look at how to meet the growing demands placed on our Nation's infrastructure whether modernizing our antiquated air traffic control system or repairing our crumbling infrastructure.

We also need to produce more domestic energy and look for alternative fuel sources.

There is much work yet to be done on the FAA reauthorization bill. I urge our colleagues in the other body to take up a comprehensive reauthorization package so that we may get to conference. We must work in a bipartisan and bicameral fashion to craft legislation that our President can sign.

So I support this extension in order to allow us time to accomplish the important goal of coming to agreement on the comprehensive FAA reauthorization package.

Mr. NEAL of Massachusetts. Mr. Speaker, at this time, I'm pleased to yield 2 minutes to the gentlelady from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Let me thank Mr. NEAL for his leadership and as well thank my good friend Chairman RANGEL and fellow Texas friend Mr. BRADY, Mr. COSTELLO, and others who have been engaged in this legislation.

I chair the Subcommittee on Transportation Security and Infrastructure Protection. We have much overlapping concerns as relates to the aviation industry. So I rise to support these extensions because I believe that we do have a challenge in not disallowing these payments to go forward.

The costs of air travel have increased rapidly in the last few months. Airlines have not only increased the price of air fare, but they have been forced to put

charges on extra baggage, cut flights, and lay off hundreds of employees. But safe, secure air travel is essential, as it is beneficial environmentally, socially, and especially economically necessary. Without the ability to travel by air cheaply and easily, the flow of people, goods, and ideas would substantially decrease.

I represent Houston Intercontinental Airport and the headquarters for Continental Airlines. I see it firsthand. In order to be able to have safe secure travel, the necessary resources must be in place.

I look forward to meeting with the leadership of my hometown airline to discuss what Congress can do as it relates to jet fuel. Although we know how many of our consumers are suffering because of price per gallon for gasoline, the need for jet fuel and the cost has risen exponentially, with no relief in sight.

In fact, let me applaud Continental Airlines for its alliance with Star Alliance just last week to be able to provide more services and other necessary support matters being taken care of. It is standing independently, but as well, it has its own concerns.

The SPEAKER pro tempore. The gentlewoman's time has expired.

Mr. NEAL of Massachusetts. I yield the gentlelady an additional 1 minute.

Ms. JACKSON-LEE of Texas. If we do not extend funding to airline programs, many negative consequences will ensue, including the cutting of services, such as air traffic control, certification, and inspection, as well as the inability by the airlines to buy new equipment for aging infrastructure.

As I travel around the country on behalf of my constituents, I'm also hearing from small towns who are concerned that because of the high cost of flying, those centers will be cut off. Although I live in the fourth largest city in the Nation, I'm not interested in seeing others in the surrounding areas of Texas not have air transport.

The Airport and Airway Trust Fund was established in 1970 "to provide for the expansion and improvement of the Nation's airport and airway system." It has provided funds for the Federal Aviation Administration.

And so this is an important extension because we need air travel, but we need it in the right way.

Mr. Speaker, I look forward to working with my colleagues and addressing the question of high fuel costs, of looking at ensuring the safety and security of our fellow travelers, and as well to ensure that we have opportunities for minority businesses to work on these large projects that are coming forward.

This is a necessary bill. I ask my colleagues to support it.

I rise today in strong support of H. Res. 6327, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, and for other purposes, introduced by my distinguished colleague from New York, Representative CHARLES B. RANGEL. This important legislation will extend funding in order to

improve transportation for Americans across the Nation.

The costs of air travel have increased rapidly in the last few months. Airlines have not only increased the price of air fare, but they have been forced to put charges on extra baggage, cut flights, and lay off hundreds of employees. Air travel is essential, as it is beneficial environmentally, socially, and especially economically. Without the ability to travel by air cheaply and easily, the flow of people, goods, and ideas would substantially decrease.

If we do not extend funding to airline programs, many negative consequences will ensue, including cutting services, such as air traffic control, certification, and inspection, as well as the inability by the airlines to buy new equipment for the aging infrastructure.

It is obvious that something must be done to solve this pressing problem. It is necessary for airlines to look into alternative means in order to increase their effectiveness. However, it is also necessary for the United States to fund several programs.

The Airport and Airway Trust Fund was established in 1970 "to provide for the expansion and improvement of the Nation's airport and airway system." Since then, it has provided funds for the Federal Aviation Administration. Various pieces of legislation have come before the Congress to extend this fund, and yet partisanship has stalled these bills. It is necessary for us to extend this program in order to modernize our air traffic control system. NextGen, a state-of-the-art air traffic control system, would allow control towers to pinpoint the exact locations of aircraft, making the skies less chaotic, and air travel much more efficient.

Additionally, the extension of the Airport Improvement Program is necessary in order to improve safety and efficiency in our air travel. Airports are sites used by millions and millions of Americans every single day. It is vital that airports, travelers, and air flight personnel be secure, and thus it is important to continue to fund this program.

Even though air travel is obviously important, other forms of travel contribute to the Nation as well. The Highway Trust Fund was created by the Highway Revenue Act of 1956 to ensure a dependable source of financing for the National System of Interstate and Defense Highways. This is the premier fund for Government spending on highways, with approximately 45 percent of all highway spending coming from this fund. The Congressional Budget Office predicts the fund will run a deficit of \$1.7 billion at the end of 2009 and \$8.1 billion by the end of 2010. The Highway Trust Fund balance must be restored.

This bill will extend the taxes that fund the Airport and Airway Trust Fund, extend the expenditure authority of the Airport and Airway Trust Fund, extend the Airport Improvement Program, and restore the Highway Trust Fund balance. This will be important to keep airports modernized and we should also ensure that minority-owned and women-owned and small businesses have equal chances for construction work. This is a vital bill for cities like Houston, Texas, which happens to have one of the top 10 airports in the Nation. I urge my fellow members of Congress to support H.R. 6327 in order to increase efficiency, safety, and functioning of our Nation's transportation systems.

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Mr. BRADY of Texas. Mr. Speaker, I yield myself 30 seconds.

I would say these sky-high jet fuel prices are caused in part because America is doing less, not more, to take responsibility for our own energy needs.

We're blessed in this country with more than a 200-year supply of coal. It is affordable, but not yet clean. It can be, with the right technology, converted to super clean liquid fuels. Technology has existed in Germany since the 1940s and used in African countries for almost one-third of their diesel and other vehicle fuels. This Congress needs to act to create more affordable fuel here at home.

With that, I yield 2 minutes to the gentleman from Texas whose district reflects a lot of the American-made energy that has created America, the gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. I thank my colleague from Texas for allowing me to rise.

I, too, support the short-term extension of this bill. But you cannot talk about the regulation of the airline industry without talking about jet fuel prices. As has already been stated in a variety of ways, airlines are experiencing dramatic increases in their cost of fuel. They're trying to cope, they're struggling to cope with these high prices, but baggage fees and soda fees and blanket rentals are not going to get there in terms of allowing them to become profitable again. They need more jet fuel at a cheaper price.

One of our problems is additional refining capacity. We don't build refineries in America anymore. We import some 3 million barrels of refined products every day. Even Iran recognizes that they're vulnerable and have announced a doubling of their refining capacity so that they no longer have to import refined products, and yet we continue to do that.

As we take steps and measures are brought to this floor, I urge my colleagues on the other side of the aisle to understand the impact that those have. I am told that we will have a bill on the floor later on this afternoon on price gouging—in the face of all evidence that there has never been any price gouging—that they want to try to curtail. This price gouging bill that they will bring again will have a chilling effect on anybody who wants to build a refinery because it will place grave uncertainties as to whether or not, during times of emergencies or times of shortages, that the market will be able to function the way the market is supposed to.

So I urge my colleagues to vote for this short-term extension, but we also ought to be about rational, thoughtful approaches to increasing the fuel supply in this country, whether it's diesel for truckers, gasoline for cars or homes, or jet fuel.

We can fix this problem. We really need to quit talking by each other and understand that the extremes don't work. The path is in the middle of re-

sponsible development of American resources and American energy to reduce our vulnerabilities and, at a minimum, address a crying need these airlines are trying to deal with, and that is higher jet fuel prices.

I urge my colleagues to vote for this bill.

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

Mr. BRADY of Texas. Mr. Speaker, at this point, I yield 3 minutes to one of our leaders in the party who is knowledgeable on many issues, the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. I thank my colleague for yielding time to me.

Mr. Speaker, I rise today to support this short-term authorization for the FAA because we simply cannot allow our transportation system to fail. However, I believe this country and its airspace would be better served by the FAA if this legislation demanded greater accountability and responsiveness from this agency.

We need to continue to invest in our air transportation system to make it safer and more efficient. Airline passenger volume continues to increase, and the percentage of flights delayed 15 minutes or more in 2007 is close to surpassing the record set in 2000.

Many business travelers are rightfully frustrated by the long delays and inefficiencies at these airports. However, I am opposed to the FAA's implementation of its preferred Integrated Airspace Alternative, which will redesign the New York, New Jersey and Philadelphia airspace to mitigate air traffic congestion. Furthermore, the arrogance I have experienced in working with the FAA to mitigate airline congestion and improve efficiency at some of our Nation's most congested airports, like LaGuardia, Kennedy and Newark, is palpable.

In deciding to move forward with its Integrated Airspace Alternative, the FAA had three other alternatives to choose from, but selected the congestion mitigation plan that would shift the approach for flights to LaGuardia to the north, which would reroute significant air traffic over previously unaffected populated areas. The FAA has refused to consider other market-based measures that could be equally as effective and less extreme than redesigning the airspace.

I am particularly disappointed the FAA has not implemented any noise mitigation strategies in the district I represent, or many districts throughout the northeast, despite the wide swath of land over the Fourth District that will be adversely impacted by planes flying as low as 4,000 feet. I believe if the FAA was required to take quality of life concerns into consideration, it would not have decided to implement its preferred Integrated Airspace Alternative.

Time and again I have shared my concerns and the concerns of my constituents with the FAA and emphasized

the fact that the plan would bring countless more planes into the region at the expense of the region's quality of life. It seems to many of us there are other solutions that need to be considered before implementing such a radical alternative that negatively affects so many thousands of residents throughout the northeast.

Even though there is no mandate to consider quality of life issues, the FAA simply must not ignore the hugely negative impacts of air noise in this process.

In closing, it is my hope that in the long term we can address the need to upgrade and improve our air transportation system and demand greater accountability from the FAA.

Mr. NEAL of Massachusetts. Mr. Speaker, I continue to reserve the balance of my time.

Mr. BRADY of Texas. Mr. Speaker, may I inquire as to the remaining time.

The SPEAKER pro tempore. The gentleman from Texas has 8½ minutes and the gentleman from Massachusetts has 11 minutes.

Mr. BRADY of Texas. Mr. Speaker, at this time, I would like to yield 2 minutes to the gentlelady from North Carolina, who is going to talk about one of the solutions to higher jet fuel prices for airlines.

Ms. FOXX. I thank my colleague from Texas for giving me this time.

Even in western North Carolina we have figured out that this is a technology that needs to be done, turning coal into liquid fuel. Bixby Energy, which is located in North Wilkesboro, North Carolina, has found a way to heat coal and turn it into natural gas, and there is no pollution and no detriment to the environment.

We all know how the price of airline tickets is going up tremendously. I had visits last week from USAir saying they're going to go out of business if we don't do something about the cost of fuel. And the Republicans have brought in many, many ideas about how we can do this. We simply have got to address the issue of the cost of fuel because it is threatening families, it is threatening industries, and it is doing great harm to our economy.

So I'm here to support this bill, but also to say that the Democratic majority must pay attention to the issue of fuel and the cost of that fuel.

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

Mr. BRADY of Texas. Mr. Speaker, I yield myself as much time as I may consume.

This bill is an appropriate one. It is important in the airline infrastructure to find the right solutions. As America continues to grow, the aviation infrastructure needs to grow and upgrade as well.

I appreciate the gentleman from Massachusetts and the gentleman from Illinois' leadership on this issue because it is so vital to our future in America.

Equally important, I think, though, is the cost of energy in this country. It seems to me that while America has done less and less to take responsibility for our energy needs, we've seen prices go up and up. Under President Carter's Presidency, at the time of the last energy crisis America was only importing one-third of the oil that we needed each day. Today, it is the reverse; we import nearly two-thirds of what we use each day and we are now, unfortunately, subject to the whims of the global market on energy prices. As a result, in the airline industry we're seeing each day we can't open the newspaper without seeing the cuts to some community that depend upon service from airlines. We don't see some notices of layoff. I know in Continental, we're going to lose 3,000 jobs, 3,000 families being laid off through no fault of their own, except this Congress has not acted. It has failed to act to address lower jet fuel prices for the airline industry plus lower gas prices for America as a whole.

The solution is fairly direct. In addition to energy conservation, which we need to do more of, in addition to renewable energies, which are important, we need to also provide more traditional energy, the supply of oil and gas, coal and oil shale, that will help ease the transition to renewable energies and avoid the cost of layoffs, the unprofitable quarters, and the impact on our American airline industry.

I hope that this Congress will come together again, not on gimmicks, but on real substantive issues that Republicans and Democrats together can support that will create more American-made energy, more supply here in America, and lower gas prices.

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

Mr. NEAL of Massachusetts. Mr. Speaker, the issue has been vetted in committee. The House has had an opportunity to work its will, and we're simply asking for an extension based upon the bipartisan support demonstrated here today. I urge adoption of the resolution and urge adoption of the extension.

Mr. OBERSTAR. Mr. Speaker, I rise in support of H.R. 6327. This legislation provides a three-month extension of aviation programs and taxes, through September 30, 2008. Without this extension, the Federal Aviation Administration, FAA, will face a partial shut-down beginning next week, on July 1, 2008.

The previous authorization for aviation programs—the "Vision 100—Century of Aviation Reauthorization Act"—expired on September 30, 2007. On September 20, 2007, the House passed H.R. 2881, the "FAA Reauthorization Act of 2007," to reauthorize FAA programs for fiscal years 2008–2011.

Unfortunately, the Senate has yet to act on this or any other long-term FAA reauthorization bill. I strongly urge the other body to bring their reauthorization bill to the floor, so we can go to conference and pass a long-term reauthorization of aviation programs. In the meantime, the three-month extension before us today is urgently needed.

H.R. 6327 extends the aviation excise taxes through September 30, 2008. These taxes are necessary to support the Aviation Trust Fund, which in recent years has provided about 80 percent of the FAA's budget. With an uncommitted cash balance of just \$1.5 billion at the start of this fiscal year, any lapse in the aviation taxes could put the solvency of the Aviation Trust Fund at risk.

In addition to extending the aviation taxes, H.R. 6327 extends the FAA's authority to make expenditures from the Aviation Trust Fund. Without this authority, the FAA will face a partial shut-down beginning July 1st, as it will be unable to pay approximately 4,000 employees whose salaries are funded entirely by the Aviation Trust Fund.

H.R. 6327 also provides an additional \$919 million in contract authority for the Airport Improvement Program, AIP. Together with the \$2.756 billion provided under the previous short-term extension, this results in a total of \$3.675 billion in contract authority for the AIP program in FY 2008. This will enable airports to move forward with important safety and capacity projects.

To allow aviation programs to continue under the same terms and conditions as were in effect during the previous authorization period, H.R. 6327 also extends several other provisions of Vision 100.

I thank Chairman RANGEL and Ranking Member MCCREY of the Committee on Ways and Means for their assistance in ensuring the continued operation of aviation programs. I also thank my Committee colleagues, Ranking Member MICA, Subcommittee Chairman COSTELLO, and Subcommittee Ranking Member PETRI, for working with me on this critical legislation.

I urge my colleagues to support H.R. 6327.

Mr. ENGEL. Mr. Speaker, I rise today not in opposition to this legislation, but simply to talk for a moment about the problems of the FAA.

Early last year, we were informed by the FAA of their plan to implement a redesign of the airspace in the northeast, which would negatively affect Rockland County, which I represent. I wanted to know more about the redesign, so I investigated the maps and other materials on their website, and my staff did the necessary research.

After looking at the information, I could not determine how many more planes would be flying over my District if the FAA changed the airspace to their preferred alternative. The maps were extremely vague, with no landmarks or cities identified.

Only through persistent inquiries to the FAA, most of which yielded little new information, did I finally learn that their plan would send up to 400 additional flights every day over Rockland County, at altitudes as low as 5,000 feet. This translates to one flight every 2 to 3 minutes over a previously quiet suburban area.

Although I strongly disagreed with their decision to send hundreds of new planes over Rockland every day, the plan itself wasn't the FAA's only problem. The bigger issue was how they tried to implement this plan without telling the very people who would be most affected by the redesign. Although a number of town hall meetings were held in the region, the FAA avoided going to Rockland County. Only through my efforts did I finally get the FAA to hold a town hall meeting in Rockland County, where 1,200 attended and spoke in universal opposition to this plan. Before this

meeting the FAA arrogantly decided not to consider Rockland County's views. The FAA maintained it was too late to take their voices into consideration. Of course, it would be too late if they stubbornly kept their mindset of ignoring the views of Rocklanders before the close of the official comment period. At least the FAA did eventually meet my demands and come to Rockland to listen to my affected constituents. Unfortunately, the FAA didn't learn from the universal opposition to their failed plan, as they continue to pursue the flawed redesign plan.

Throughout the whole process, the FAA has made it difficult, if not impossible, to get accurate information on the effects of the airspace redesign. For example, over a year after it was announced to us, we still don't know how loud it will be when 400 planes fly overhead every day. We don't know how much additional pollution this will cause. We don't know how it will affect the disproportionate rate of childhood asthma in my District. This level of secrecy is simply unacceptable.

Everyone in this room knows that we must do something to prevent this summer from turning into the disaster of delays we experienced last summer. However, it seems to me the solution is not to implement a flawed airspace redesign proposal that will relieve little, if any, congestion. The FAA estimates that this will possibly save a couple of minutes per flight. However, they can't say this for sure. Last year, at Members supported the call for the GAO to study the effectiveness of this redesign. And despite the fact that the GAO is currently studying whether this will actually have any benefit on congestion, the FAA is rushing full speed ahead to implement their plan before the study is completed.

Over time we have witnessed a number of different strategies to reduce regional delays without adversely affecting thousands of people. Reinstating flight caps at Newark, La Guardia, and JFK can help to reduce delays. Opening up military airspace, as the President did over the holidays, is another way to help. Expediting the implementation of the NextGen air traffic control system will offer positive benefits as well.

I ask all of my colleagues to put yourselves in the position of the 300,000 people who live in Rockland County, as well as the countless others the FAA failed to properly consult in the drafting of this flawed proposal. Think about trying to read a book in your quiet living room, and then imagine someone turns on the vacuum cleaner every two minutes for the entire day. My constituents chose to live in Rockland County because they wanted to get away from the noise of the city. They didn't choose to buy a house next to an airport. They live 30, 40, even 50 miles from the nearest major airport, and they have had little say in this redesign plan. I ask you to take this lesson into account: Today's airspace redesign harms people and their quality of life in my District. Tomorrow, another redesign effort can have the same negative impact on your constituents. If this plan goes forward, I fear for the quiet neighborhoods across the county.

Mr. NEAL of Massachusetts. 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 Massachusetts (Mr. NEAL) that the House suspend the

rules and pass the bill, H.R. 6327, 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. BRADY of Texas. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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.

The point of no quorum is considered withdrawn.

FOSTERING CONNECTIONS TO SUCCESS ACT

Mr. McDERMOTT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6307) to amend parts B and E of title IV of the Social Security Act to assist children in foster care in developing or maintaining connections to family, community, support, health care, and school, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6307

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 "Fostering Connections to Success Act".

SEC. 2. KINSHIP GUARDIANSHIP ASSISTANCE PAYMENTS FOR CHILDREN.

(a) STATE PLAN OPTION.—Section 471(a) of the Social Security Act (42 U.S.C. 671(a)) is amended—

(1) by striking "and" at the end of paragraph (26);

(2) by striking the period at the end of paragraph (27) and inserting "; and"; and

(3) by adding at the end the following:

"(28) at the option of the State, provides for the State to enter into kinship guardianship assistance agreements to provide kinship guardianship assistance payments on behalf of children to grandparents and other relatives who have assumed legal guardianship of the children for whom they have cared as foster parents and for whom they have committed to care on a permanent basis, as provided in section 473(d)."

(b) IN GENERAL.—Section 473 of such Act (42 U.S.C. 673) is amended by adding at the end the following:

"(d) KINSHIP GUARDIANSHIP ASSISTANCE PAYMENTS FOR CHILDREN.—

"(1) KINSHIP GUARDIANSHIP ASSISTANCE AGREEMENT.—

"(A) IN GENERAL.—In order to receive payments under section 474(a)(6), a State shall—

"(i) negotiate and enter into a written, binding kinship guardianship assistance agreement with the prospective relative guardian of a child who meets the requirements of this paragraph;

"(ii) provide the prospective relative guardian with a copy of the agreement; and

"(iii) certify that any child on whose behalf kinship guardianship assistance payments are made under the agreement shall be provided medical assistance under title XIX in accordance with section 1902(a)(10)(A)(i)(I).

"(B) MINIMUM REQUIREMENTS.—The agreement shall specify, at a minimum—

"(i) the amount of, and manner in which, each kinship guardianship assistance payment will be provided under the agreement;

"(ii) the additional services and assistance that the child and relative guardian will be eligible for under the agreement;

"(iii) the procedure by which the relative guardian may apply for additional services as needed; and

"(iv) subject to subparagraph (D), that the State will pay the total cost of nonrecurring expenses associated with obtaining legal guardianship of the child, to the extent the total cost does not exceed \$2,000.

"(C) INTERSTATE APPLICABILITY.—The agreement shall provide that the agreement shall remain in effect without regard to the State residency of the kinship guardian.

"(D) NO EFFECT ON FEDERAL REIMBURSEMENT.—Nothing in subparagraph (B)(iv) shall be construed as affecting the ability of the State to obtain reimbursement from the Federal Government for costs described in that subparagraph.

"(2) KINSHIP GUARDIANSHIP ASSISTANCE PAYMENT.—

"(A) IN GENERAL.—The kinship guardianship assistance payment shall be equal to the amount of the foster care maintenance payment for which the child would have been eligible if the child had remained in a foster family home, or, at State option, the amount of the adoption assistance payment for which the child would have been eligible if the child had been adopted, and may be readjusted periodically based on changes in the circumstances of the relative guardians involved and the needs of the child. Notwithstanding the preceding sentence, the amount of the kinship guardianship assistance payment may not exceed the foster care maintenance payment which would have been paid during the period involved if the child had been in a foster family home.

"(B) LIMITATION.—A State may not make a kinship guardianship assistance payment to a relative guardian for any child who has attained 18 years of age, or such greater age as the State may elect under section 475(8)(B)(iii).

"(3) CHILD'S ELIGIBILITY FOR A KINSHIP GUARDIANSHIP ASSISTANCE PAYMENT.—

"(A) IN GENERAL.—A child is eligible for a kinship guardianship assistance payment under this subsection if the State agency determines the following:

"(i) The child has been—

"(I) removed from his or her home pursuant to a voluntary placement agreement or as a result of a judicial determination to the effect that continuation in the home would be contrary to the welfare of the child;

"(II) under the care of the State agency for the 12-month period ending on the date of the agency determination;

"(III) eligible for foster care maintenance payments under section 472 while in the home of the prospective relative guardian; and

"(IV) residing for at least 6 months with the prospective relative guardian.

"(ii) Being returned home or adopted are not appropriate permanency options for the child.

"(iii) The child demonstrates a strong attachment to the prospective relative guardian and the relative guardian has a strong commitment to caring permanently for the child.

"(iv) With respect to a child who has attained 14 years of age, the child has been consulted regarding the kinship guardianship arrangement.

"(B) TREATMENT OF SIBLINGS.—With respect to a child described in subparagraph