

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Minnesota (Ms. MCCOLLUM) that the House suspend the rules and agree to the resolution, H. Res. 1356.

The question was taken.

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

Ms. FOXX. 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The point of no quorum is considered withdrawn.

#### ALLOWING USE OF PASSENGER FACILITY FEES FOR NOISE REDUCTION AT CALIFORNIA SCHOOLS

Ms. RICHARDSON. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 996) to amend title 49, United States Code, to expand passenger facility fee eligibility for certain noise compatibility projects.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 996

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

#### SECTION 1. EXPANDED PASSENGER FACILITY FEE ELIGIBILITY FOR NOISE COMPATIBILITY PROJECTS.

Section 40117(b) of title 49, United States Code, is amended by adding at the end the following:

“(7) NOISE MITIGATION FOR CERTAIN SCHOOLS.—

“(A) IN GENERAL.—In addition to the uses specified in paragraphs (1), (4), and (6), the Secretary may authorize a passenger facility fee imposed under paragraph (1) or (4) at a large hub airport that is the subject of an amended judgment and final order in condemnation filed on January 7, 1980, by the Superior Court of the State of California for the county of Los Angeles, to be used for a project to carry out noise mitigation for a building, or for the replacement of a relocatable building with a permanent building, in the noise impacted area surrounding the airport at which such building is used primarily for educational purposes, notwithstanding the air easement granted or any terms to the contrary in such judgment and final order, if—

“(i) the Secretary determines that the building is adversely affected by airport noise;

“(ii) the building is owned or chartered by the school district that was the plaintiff in case number 986,442 or 986,446, which was resolved by such judgment and final order;

“(iii) the project is for a school identified in 1 of the settlement agreements effective February 16, 2005, between the airport and each of the school districts;

“(iv) in the case of a project to replace a relocatable building with a permanent building, the eligible project costs are limited to the actual structural construction costs nec-

essary to mitigate aircraft noise in instructional classrooms to an interior noise level meeting current standards of the Federal Aviation Administration; and

“(v) the project otherwise meets the requirements of this section for authorization of a passenger facility fee.

“(B) ELIGIBLE PROJECT COSTS.—In subparagraph (A)(iv), the term ‘eligible project costs’ means the difference between the cost of standard school construction and the cost of construction necessary to mitigate classroom noise to the standards of the Federal Aviation Administration.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. RICHARDSON) and the gentleman from Missouri (Mr. GRAVES) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

#### GENERAL LEAVE

Ms. RICHARDSON. 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 material on S. 996.

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

There was no objection.

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

Mr. Speaker, today we are considering S. 996, legislation to amend title 49 of the United States Code to expand passenger facility fee eligibility for certain noise compatibility projects.

Under the direction of Congressman COSTELLO, chairman of the Aviation Subcommittee, Americans in California living and attending schools in the vicinity of airports will now get relief.

The FAA predicts that 1 billion passengers will fly in the United States by 2016. One of the elements that will limit this national airspace capacity growth is noise. S. 996 will allow a 2005 agreement between the Los Angeles World Airports and the Lennox and Inglewood school districts to go forward providing over \$200 million towards noise mitigation in these school districts over 10 years.

This legislation was introduced by Representative JANE HARMAN in the House and Senators DIANNE FEINSTEIN and BARBARA BOXER who passed it in the Senate by unanimous consent on February 28, 2008, which represents an appropriate compromise to noise problems for schools surrounding the Los Angeles Airport.

S. 996 will enable new construction in some instances because sound insulation and other retrofitting of existing buildings do not always provide meaningful noise relief. Furthermore, this legislation defines eligible project cost for any new construction as limited to the difference in cost between constructing, ordinary building code standards for schools, and the cost of incorporating noise mitigation features in construction.

The House passed this language as part of H.R. 2881, the FAA Reauthoriza-

tion Act of 2007, on September 20, 2007. The Senate has not acted on the FAA reauthorization.

Mr. Speaker, I support S. 996, and I urge my colleagues both on and off the Aviation Subcommittee—and on both sides of the aisle to stay germane to the topic—to support this good legislation. Students and teachers deserve quiet classrooms in order to maximize learning.

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

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

Mr. Speaker, I rise in support of S. 996. This bill is going to help alleviate the impact of airport noise in Los Angeles, California, by permitting passenger facility charges collected by the Los Angeles International Airport to be used for noise mitigation during the construction of a new school.

Furthermore, this bill defines the projects that are eligible to ensure that money intended for noise mitigation is used for exactly that and nothing else. This bill is yet another provision to be pulled from H.R. 2881, the Federal Aviation Administration Reauthorization Act of 2007, and moved as a stand-alone bill.

Unfortunately, our counterparts in the Senate have not been able to reach an agreement among themselves and pass a comprehensive 4-year bill, and time is running out to get just such a bill done this year.

Mr. Speaker, I would urge the Senate to settle their differences and allow the Congress to send much-needed relief to an agency in turmoil as well as the flying public.

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

Ms. RICHARDSON. Mr. Speaker, I yield as much time as she might consume to Congresswoman JANE HARMAN, the gentlelady from the great State of California.

Ms. HARMAN. I thank the gentlewoman for yielding to me. She is one of the newest Members of Congress, but she is a very active Member of the Transportation and Infrastructure Committee, succeeding our late colleague, Juanita Millender-McDonald, in that position. I want to commend her for her interest in this issue and for all she does for the Ports of L.A. and Long Beach and for Los Angeles International Airport, LAX, which is near her district, surrounded by my district and represented by Ms. WATERS who is a coauthor of this legislation.

I rise in strong support of this bill, one that I introduced in the past two Congresses and which, as you heard, has already passed the Senate.

Imagine, Mr. Speaker, sitting at a desk trying to memorize a verse or tackle a math problem as jet planes roar overhead every 3 minutes. Let me repeat that. I have been there to see it. Every 3 minutes, a jet plane roars above the little school buildings in Lennox, California, immediately east of LAX.

The children of Lennox, a mostly working-class community, manage amazingly well. I'm enormously proud of the fact that they win educational awards despite studying in classrooms that resemble bunkers. And yet Mr. Speaker, for the past 3 years, despite the fact that they reached agreement with LAWA, the Los Angeles World Airport Authority, to receive noise mitigation funds, they've been unable to get those funds because of a technical glitch in the law.

That means, Mr. Speaker, that school construction has been stalled in Lennox and in adjacent Inglewood. So we have tried these 3 years to fix that glitch, and that is exactly what this bill will do.

I want to point out—I don't think the bill's manager said this—that this bill does not require the expenditure of new funds. All it does is authorize LAWA to release funds it already has. All it does is provide emergency relief to a lot of kids in a working-class part of Los Angeles who have endured the most onerous conditions while trying to learn.

I want to thank a lot of people for making possible what I hope will be a victory today: First of all, the leadership of the T&I Committee, Chairman OBERSTAR and Ranking Member MICA; Ms. RICHARDSON; my co-author Ms. WATERS; and Senators BOXER and FEINSTEIN, all of whom helped get this bipartisan bill on the consent calendar today.

I also want to thank former FAA Administrator Marion Blakley who, while a part of this administration, came to see Lennox, understood what the problems were, and lent her staff to us to help draft this in a way that it would get support from the administration. It has the support of the FAA, it has the support of OMB, it has the support of the Republican side of the aisle; and it's a model, in my view, of the way legislation should be developed and passed in this House.

Finally, I want to thank Congressman DAVID DREIER who made sure that we could get the bill to the floor today. He is not here because just a few days ago his mother unexpectedly passed away. I want to send my sympathy to him and his family at a tough time and note that this bill helps kids just like kids in his Southern California district. This bill does good things for education, and this bill does good things for the reputation of this House.

I ask for an "aye" vote.

Mr. GRAVES. Mr. Speaker, how much time do I have?

The SPEAKER pro tempore. The gentleman from Missouri has 19 minutes remaining.

Mr. GRAVES. I was going to pretty much just talk about the specific merits of S. 996, but since my colleague pointed out that we should stay on topic, I think I would just expand just a little bit because this is an aviation bill, this is talking about—and it was mentioned—the number of planes flying in and out of Los Angeles Inter-

national Airport and just how important that part of the transportation system is to this country and how much we are going to lose in this country if pieces of legislation like the un-American energy bill that was passed last night are enacted into law.

It's unfortunate because so many things in this country travel. Every single product, every single person in this country travels one way or another, either by train or by plane or by ship or by barge or by pipeline or by truck. Everything in this country travels, and we are a country that is very, very dependent on foreign sources of oil, unfortunately, for those products that we need for gasoline, for diesel fuel.

We would like to see, and I would like to see, that dependence reduced. That dependence needs to be reduced, and we have the resources right here in the United States. Unfortunately, the bill that was passed last night locked away the biggest chunk of those resources permanently. That bill permanently put away any opportunity to go after those resources off the Outer Continental Shelf between zero and 50 miles where the biggest chunk of those resources are and where it would be the easiest to go after those resources.

It's unfortunate because there are no alternatives in certain areas of transportation, for instance, aviation, which we're talking about today. There are no alternatives but aviation fuel. It comes from petroleum. No alternatives are out there.

It will be nice one of these days in this country when we do have alternatives to address some of our issues when it comes to being a country so dependent on petroleum, on gasoline, and diesel fuel.

□ 1545

We already have a few great hybrids in this country, whether it's electricity or ethanol or biofuels. We have some great alternatives. But if you're talking about real power to pull a train or to drive a ship or to push a barge or to pull farm machinery or to pull a truck or to fly an airplane, we have to have fuel. And it's unfortunate that we continue to see pieces of legislation brought forth in this Chamber that do absolutely nothing to address our real need in this country. And we're talking about all of those things that are important to us for energy—nuclear power, clean-burning coal technology, coal to gas, more drilling in places like ANWR and the Outer Continental Shelf, and all of those areas throughout the United States that have oil.

And we can do it in such an environmentally friendly way. And that's one of the most frustrating parts of this entire argument. We can do it in such an environmentally friendly way because of the technologies today that allow us to do so many different things underground when it comes to those wells and comes to those rigs. We don't have to hurt our environment to be depend-

ent on the United States and to Americanize United States resources. We don't have to harm our environment in any way. We can work with our environment. And we continue to use those resources that are un-American.

So it's unfortunate, again, that we passed such an un-American bill in this Chamber last night. Many of us did not support that bill simply because it makes us more dependent on those foreign sources of oil and it locks away the biggest percentage of that oil that we have and those resources that we have right here in the United States. It didn't even address the refining issue that we have in the United States and the capacity problems that we have in the United States. And that's as much a part of this as anything else.

So all of these modes of transportation, we're going to be doing a few things here for a little while, talking about different areas of transportation. It's unfortunate because all of those modes of transportation carry those goods and those people from one place to another. And when the price of that energy goes up, it costs consumers money. It costs everyone out there more money when it comes to purchasing those products or just transporting themselves from one place to another.

So again, a very un-American energy bill was passed out of this Chamber last night. And we hope that we will be able to have an American energy bill, one that is dependent on American sources, sometime soon before this Congress breaks in October. This Congress continues to break time and time again without addressing this issue, without coming up with a bill that will solve those problems and will go to the President's desk. And it's unfortunate, Mr. Speaker.

I reserve the balance of my time.

Ms. RICHARDSON. Mr. Speaker, I would gladly like to get back to the topic at hand, which is really discussing the bill of S. 996. So, Mr. Speaker, I yield as much time as the great lady might consume, Congresswoman MAXINE WATERS from the great State of California.

Ms. WATERS. Mr. Speaker and Members, I would like first to thank Congresswoman LAURA RICHARDSON for allotting me time to speak on this bill that I have coauthored with Congresswoman JANE HARMAN. I thank her for her interest.

I had an opportunity to talk with Congresswoman LAURA RICHARDSON on our way to the floor, where she told me about similar problems that she has encountered in the Long Beach area dealing with the Long Beach Airport. So I know of her concern, and I thank her for the interest that she is showing in this bill.

Of course I rise in strong support of S. 996, the Senate companion bill to H.R. 1708, a bill, again, that was introduced by Congresswoman JANE HARMAN and myself. This bill permits funding for noise mitigation in local schools in the cities of Inglewood and Lennox.

The city of Inglewood is located in my district. Mr. Speaker and Members, this is a proud little city of 17,750 students. We have 13 elementary schools, six secondary schools, one preschool, and one community adult school in the Inglewood Unified School District. These schools are very, very important to this community.

In 2005, the City of Los Angeles settled a lawsuit with the Inglewood and Lennox School Districts. Under the settlement, the Los Angeles World Airports, known as LAWA, agreed to provide the two cities funding for noise mitigation in local schools; however, Federal Aviation Administration rules have prevented the funds from being paid. S. 996 will allow the 2005 agreement to go forward.

Specifically, S. 996 allows Los Angeles World Airports to use airport passenger facility fees for noise mitigation projects at Lennox and Inglewood schools. The bill permits funding of \$111 million for the Lennox District and \$118.5 million for the Inglewood School District over 10 years.

As you know, Los Angeles International Airport is in my district. And I represent not only Inglewood, but several other communities in this district and this very important economic engine, the Los Angeles International Airport. And there are many issues that we are confronted with.

I belong to a strong coalition in the district working to make sure that we, of course, maintain and support this economic engine, but at the same time, make sure that we attend to the needs of the people and deal with the noise and disruption that is caused by the Los Angeles International Airport.

It is sometimes a challenge, and we cannot always take the side of our international airport. We have to be concerned about the quality of life for all of the people in that area, and particularly our school children. Airplanes arriving at and departing from Los Angeles International Airport cause excessive noise in my district. Deafening noise and rattling windows frequently interfere with the education of school children. Noise causes disruptions in lessons, making it very difficult for students to learn and diminishing the opportunity to study in a stable and calm environment. Noise mitigation funding is essential to allow the school districts to construct permanent sound-proof facilities and help sound-proof existing schools.

This bill was drafted with the assistance of the Federal Aviation Administration and has the support of the Inglewood and Lennox School Districts, the Los Angeles World Airports (LAWA), and the mayor of the City of Los Angeles.

Again, I would like to thank Congresswoman HARMAN for initiating this much-needed solution to the problems of noise and disruption that interferes with our children's ability to learn in a noise-free school environment.

Mr. GRAVES. Mr. Speaker, I urge my colleagues to support S. 996. I do think

it's a good bill. I think it makes sense, obviously. And in light of time, I will urge support.

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

Ms. RICHARDSON. Mr. Speaker, I join my colleague on the other side of the aisle in great support of this bill, S. 996.

As has been stated by the original author, Ms. HARMAN, and the coauthor, Ms. WATERS, this is about children having the ability to hear in the classroom and to learn, which I think is what all Americans are looking for.

We urge all of our colleagues to support S. 996.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of S. 996, which authorizes the Secretary of Transportation to permit passenger facility fees to be used for school sound mitigation in certain school districts in flight paths to the Los Angeles International Airport.

This bill was included as section 113 of H.R. 2881, the "FAA Reauthorization Act of 2007," which passed the House on September 20, 2007. Regrettably, the other body has been unable to complete action on the Federal Aviation Administration ("FAA") reauthorization bill. Given the Senate inaction on the reauthorization bill, the gentlewoman from California (Ms. HARMAN) has asked the Committee on Transportation and Infrastructure to consider S. 996 to allow this time-sensitive legislation to be enacted in advance of the reauthorization bill.

S. 996 will allow the Los Angeles World Airports and the Lennox and Inglewood school districts in southern California to execute a 2005 agreement between the airport and the school districts to allow more than \$200 million of passenger facility fees to be used for noise mitigation in schools in the affected school districts. In some schools, sound insulation and retrofitting of existing buildings may not provide meaningful noise relief, so a new building must be constructed. Pursuant to this legislation, eligible project costs for any new construction are limited to the difference in cost between constructing to ordinary building code standards for schools and the cost of incorporating noise mitigation features in the construction.

Mitigating noise is an important element to expanding capacity in our national air space. This legislation does just that by helping to create an environment where students can learn free from the distraction of jet noise.

I urge my colleagues to join me in supporting S. 996.

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

The SPEAKER pro tempore (Mr. BLUMENAUER). The question is on the motion offered by the gentlewoman from California (Ms. RICHARDSON) that the House suspend the rules and pass the Senate bill, S. 996.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

## RECOGNIZING NORTH PLATTE, NEBRASKA, AS "RAIL TOWN USA"

Ms. CORRINE BROWN of Florida. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 408) recognizing North Platte, Nebraska, as "Rail Town USA".

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

### H. CON. RES. 408

Whereas the community of North Platte, Nebraska, in western Nebraska is located at the convergence of the North and South Platte Rivers and possesses a rich and vibrant history;

Whereas the railroad has played a significant role in the history of the community;

Whereas, on January 2, 1867, main line operations officially commenced in North Platte, Nebraska;

Whereas trains were vital during our country's war efforts, transporting troops, equipment, and supplies across the country;

Whereas during World War II hundreds of citizens from North Platte, Nebraska, assembled at the local depot to greet troops passing through town by train and provide soldiers with food, coffee, and gifts;

Whereas for 54 months between 1941 and 1946, millions of troops found a small bit of comfort when their trains stopped in North Platte, Nebraska;

Whereas at the war's peak 3,000 to 5,000 personnel were greeted daily, with North Platte, Nebraska, sometimes hosting up to 20 trains a day;

Whereas Bailey Yard in North Platte, Nebraska, is the largest railroad classification yard in the world;

Whereas Bailey Yard covers 2,850 acres, reaching a total length of 8 miles, and contains 315 miles of track;

Whereas every 24 hours, Bailey Yard handles 10,000 railroad cars; and

Whereas Mid-Plains Community College in North Platte, Nebraska, offers railroad-specific courses in order to enhance student preparation for possible employment in the railroad discipline: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring), That Congress recognizes North Platte, Nebraska, as "Rail Town USA".*

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. CORRINE BROWN) and the gentleman from Missouri (Mr. GRAVES) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

### GENERAL LEAVE

Ms. CORRINE BROWN of Florida. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include additional materials on House Concurrent Resolution 408.

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

There was no objection.

Ms. CORRINE BROWN of Florida. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, we are seeing a rebirth of the passenger and freight rail industry in this country, and it couldn't come soon enough. This week, Congress