

the Gettysburg Address dedicating a cemetery to our veterans.

And then the one that is so moving, as I was walking back, the Vietnam Wall. As you see families at the Vietnam Wall, a lot of them will take a piece of paper and pencil and will sketch out the name of someone. As I was watching them doing that, I was standing there wondering, is that a husband that didn't come home? Is that a father for a child they never met?

And then I turned back to get back for an evening meeting. As you head to the Capitol, you understand what it is all about. The thing that you see most and foremost is the dome over the building in which we are standing. I remember walking back after having these moments with veterans and remembering veterans and looking at the dome all of the way walking back and saying, that dome is opportunity, it is freedom, it is hope. But not just for us; it is hope for the world. People look to that dome throughout the world.

It hit me that the Mall is the story of veterans. And the reason the Mall is the story of veterans and memorials to veterans, this country, this Nation and this dome and this symbol is about freedom, and we wouldn't have one without the other. It was an emotional day for me as I was walking back.

I have been talking to schools as I mentioned earlier during Veterans Day, and one of the things I talked to them about was about Francis Scott Key and "The Star-Spangled Banner" and the history and the actual meaning of those words in that song. I always end it with—I will never pretend that I can improve on Francis Scott Key, but the last line, It is the land of the free and the home of the brave, I would say we need to think it is the land of the free because of the brave.

I think it is important that our students are taught, and in our home State of Kentucky, Veterans Day is a school day, but it is mandated that each school teaches about veterans by being in session on Veterans Day. I think it is important that we do this across this country, and I ask my colleagues to support this resolution.

Madam Speaker, I have no further speakers, and so I yield back the balance of my time.

Mr. BISHOP of New York. In closing, I urge my colleagues to support this resolution. I want to once again thank Mr. GUTHRIE for bringing it forward. I urge support of this resolution.

Mr. SOUDER. Madam Speaker, today I rise in support of H. Res. 897 recognizing the importance of teaching elementary and secondary school students about the sacrifices that veterans have made throughout the history of the Nation.

While this resolution is new to the House, in Fort Wayne, Indiana, Holland Elementary School has made a special effort to recognize veterans for years. In November 2001, in response to the terrorist attacks on September 11, 2001, Holland Elementary School started their annual Veterans Day Recognition Program.

Created by Principal Mike Caywood (a Vietnam veteran himself) and music teacher Jane Zweinink, the Veterans Day Recognition Program invites veterans to come to Holland Elementary on Veterans Day and share their stories with students. Principal Caywood has invited veterans from all over the local community and specifically veterans from local senior care homes. Ms. Zweinink has taught students patriotic songs that are performed for guests when they came to school. The veterans have enjoyed seeing the students perform, singing songs and sharing their patriotic message.

Over the years, Holland Elementary has seen a decrease in the number of World War II vets attending and the Korean and Vietnam vets are getting older. In response, the school has proactively reached out to veterans from Desert Storm, Iraq and Afghanistan. They have also had an increase in the number of active duty soldiers participating, including mothers and fathers of students. Many of these veterans come from the school system itself. Fort Wayne Community Schools currently employs over 100 veterans.

Holland Elementary's Veterans Day Recognition Program is a great example of how H. Res. 897 can be implemented. I want to thank Mr. Caywood and Ms. Zweinink for their hard work in recognizing local veterans and making sure elementary students understand the sacrifices of generations before them.

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 agree to the resolution, H. Res. 897.

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. Madam 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.

AIRLINE FLIGHT CREW TECHNICAL CORRECTIONS ACT

Mr. BISHOP of New York. Madam Speaker, I move to suspend the rules and pass the bill (S. 1422) to amend the Family and Medical Leave Act of 1993 to clarify the eligibility requirements with respect to airline flight crews.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1422

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 meet the requirement if—

“(I) the employee has worked or been paid for not less than 60 percent of the applicable total monthly guarantee, or the equivalent, for the previous 12-month period, for or by the employer with respect to whom leave is requested under section 102; and

“(II) the employee has worked or been paid for not less than 504 hours (not counting personal commute time or time spent on vacation leave or medical or sick leave) during the previous 12-month period, for or by that employer.

“(ii) FILE.—Each employer of an employee described in clause (i) shall maintain on file with the Secretary (in accordance with such regulations as the Secretary may prescribe) containing information specifying the applicable monthly guarantee with respect to each category of employee to which such guarantee applies.

“(iii) DEFINITION.—In this subparagraph, the term ‘applicable monthly guarantee’ means—

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

“(II) for an employee described in clause (i) who is on reserve status, the number of hours for which an employer has agreed to pay such employee on reserve status for any given month,

as established in the applicable collective bargaining agreement or, if none exists, in the employer's policies.”.

(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 gentleman from Kentucky (Mr. GUTHRIE) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. BISHOP of New York. Madam Speaker, I ask unanimous consent for 5 legislative days in which Members may revise and extend and insert extraneous materials on S. 1422 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. Madam Speaker, I yield myself such time as I may consume.

I rise in strong support of S. 1422, the Airline Flight Crew Technical Corrections Act, which is almost identical to H.R. 912 which the House passed in February. I am proud to be the principal author and principal sponsor of H.R. 912, and I was delighted to see it garner such support in the House of Representatives.

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 as provided for working women and men by being able to take time off from work to care for themselves or family members.

The 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. In order to qualify for FMLA coverage, therefore, an employee has to have logged in 1,250 hours over 12 months to be eligible. 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 9 to 5 workers. Time between flights, whether during the day or on overnight layovers, is based on company scheduling requirements and needs but does not count towards crewmember time at work. Flight attendants and pilots can spend up to 4 to 5 days a week away from home and family due to the nature of their job. However, all those hours will not count towards qualification.

The courts have strictly interpreted the law and insisted that crewmembers 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 crewmember will be eligible for FMLA benefits if they have worked or been paid at least 60 percent of the applicable total monthly guarantee or the equivalent for the previous 12-month period and a minimum of 504 hours.

□ 1115

In keeping with current law, any sick, vacation, or commuting time does not count towards the required number of hours. This brings these transportation workers in line with the intent of the original legislation, and as promised, when the law was first passed.

Last Congress, during an Education and Labor Committee hearing, we heard from Jennifer Hunt, a flight attendant for U.S. Airways. Jennifer was denied FMLA coverage when she applied to take time off to care for her ill husband, an Iraq war vet. Jennifer, unfortunately, like many other flight attendants and pilots as well, did not meet the hourly requirement.

I urge my colleagues to support this legislation so that flight attendants

like Jennifer can qualify for the FMLA.

I reserve the balance of my time.

Mr. GUTHRIE. Madam Speaker, I yield myself as much time as I might consume.

Madam Speaker, I rise in support of S. 1422, the Airline Flight Crew Technical Corrections Act. This bill is a companion to H.R. 912, which this House approved in February on a voice vote. The bill we consider today contains a few minor changes to the House-passed legislation made in the other body and is equally deserving of support.

As we have heard, this legislation is needed to address a very narrow, very specific concern. At issue is the fact that some airline personnel 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 calculation used for Family and Medical Leave Act eligibility. The practical impact of this technicality is that 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 family obligations.

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 FMLA has worked well for 16 years, offering workers the flexibility to tend 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 changes are needed. The realities of today's workplaces are different from those of a decade and a half ago. 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.

I know the majority has worked with Members on our side of the aisle to craft legislation carefully and avoid some of the pitfalls that could come with piecemeal reform of FMLA. I want to thank them for ensuring this bill does exactly what it intends, no more and no less. The bill before us today, in fact, clarifies further several narrow points contained in the House-passed bill and ensures that these are truly technical corrections.

I hope Members will join me in supporting this bill and sending it to the President for his signature.

With that, I reserve the balance of my time.

Mr. BISHOP of New York. Madam Speaker, may I ask if the gentleman from Kentucky has any further speakers?

Mr. GUTHRIE. Madam Speaker, we have no further speakers, and with that, I will yield back.

Mr. BISHOP of New York. Madam Speaker, let me just observe that we

have been working on this bill now for approximately 2 years. I am delighted that we are now at the point where we are on the verge of passage and moving this bill to the President for his signature.

I urge my colleagues to support this legislation, and with that, I yield back the balance of my 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 pass the bill, S. 1422.

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

A motion to reconsider was laid on the table.

□ 1130

CJ'S HOME PROTECTION ACT OF 2009

Ms. WATERS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 320) to amend the National Manufactured Housing Construction and Safety Standards Act of 1974 to require that weather radios be installed in all manufactured homes manufactured or sold in the United States.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 320

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 "CJ's Home Protection Act of 2009".

SEC. 2. CONGRESSIONAL FINDINGS.

The Congress finds that—

(1) nearly 20,000,000 Americans live in manufactured homes, which often provide a more accessible and affordable way for many families to buy their own homes;

(2) manufactured housing plays a vital role in providing housing for low- and moderate-income families in the United States;

(3) NOAA Weather Radio (NWR) is a nationwide network of radio stations broadcasting continuous weather information directly from a nearby National Weather Service (NWS) office, and broadcasts NWS warnings, watches, forecasts, and other all-hazard information 24 hours a day;

(4) the operators of manufactured housing communities should be encouraged to provide a safe place of shelter for community residents or a plan for the evacuation of community residents to a safe place of shelter within a reasonable distance of the community for use by community residents in times of severe weather, including tornados and high winds, and local municipalities should be encouraged to require approval of these plans;

(5) the operators of manufactured housing communities should be encouraged to provide a written reminder semiannually to all owners of manufactured homes in the manufactured housing community to replace the batteries in their weather radios; and

(6) weather radio manufacturers should include, in the packaging of weather radios, a written reminder to replace the batteries twice each year and written instructions on how to do so.

SEC. 3. FEDERAL MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARD.

Section 604 of the National Manufactured Housing Construction and Safety Standards