

Snyder	Titus	Waxman
Space	Tonko	Weiner
Speier	Towns	Welch
Spratt	Tsongas	Whitfield
Stark	Van Hollen	Wilson (OH)
Stupak	Velázquez	Wittman
Sutton	Visclosky	Wolf
Tanner	Walz	Woolsey
Teague	Wasserman	Wu
Thompson (CA)	Schultz	Yarmuth
Thompson (MS)	Waters	Young (AK)
Tierney	Watt	

NAYS—167

Aderholt	Fortenberry	Mica
Adler (NJ)	Fox	Miller (FL)
Alexander	Franks (AZ)	Miller (MI)
Austria	Frelinghuysen	Miller, Gary
Bachmann	Gallely	Minnick
Bachus	Garrett (NJ)	Murphy (NY)
Barrett (SC)	Giffords	Myrick
Bartlett	Gingrey (GA)	Neugebauer
Barton (TX)	Gohmert	Nunes
Biggert	Goodlatte	Nye
Bilbray	Granger	Olson
Bilirakis	Graves (GA)	Paul
Bishop (UT)	Graves (MO)	Paulsen
Blackburn	Guthrie	Pence
Blunt	Hall (TX)	Peters
Boehner	Harper	Petri
Bonner	Hastings (WA)	Pitts
Bono Mack	Heller	Platts
Boozman	Hensarling	Poe (TX)
Boustany	Herger	Posey
Brady (TX)	Hersteth Sandlin	Price (GA)
Broun (GA)	Hodes	Putnam
Brown (SC)	Hunter	Rehberg
Brown-Waite,	Inglis	Reichert
Ginny	Issa	Roe (TN)
Buchanan	Jenkins	Rogers (AL)
Burgess	Johnson (IL)	Rogers (KY)
Burton (IN)	Johnson, Sam	Rogers (MI)
Buyer	Jones	Rohrabacher
Calvert	Jordan (OH)	Rooney
Camp	Kind	Ros-Lehtinen
Campbell	King (IA)	Roskam
Cantor	Kline (MN)	Royce
Capito	Lamborn	Ryan (WI)
Carter	Lance	Scalise
Cassidy	Latham	Schmidt
Castle	Latta	Schock
Chaffetz	Lee (NY)	Sensenbrenner
Coble	Lewis (CA)	Sessions
Coffman (CO)	Linder	Shimkus
Cole	Lucas	Shuster
Conaway	Luetkemeyer	Simpson
Cooper	Lummis	Smith (NE)
Crenshaw	Lungren, Daniel	Smith (TX)
Culberson	E.	Stearns
Davis (KY)	Mack	Sullivan
Dent	Manzullo	Taylor
Diaz-Balart, L.	Marchant	Terry
Diaz-Balart, M.	Marshall	Thompson (PA)
Dreier	Matheson	Thornberry
Duncan	McCaul	Tiberi
Ehlers	McClintock	Turner
Emerson	McCotter	Upton
Fallin	McHenry	Walden
Flake	McKeon	Westmoreland
Fleming	McMorris	Wilson (SC)
Forbes	Rodgers	

NOT VOTING—14

Akin	Kilpatrick (MI)	Tiahrt
Carney	McCarthy (CA)	Wamp
Griffith	Moran (KS)	Watson
Hoekstra	Radanovich	Young (FL)
Kagen	Shadegg	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. CONNOLLY of Virginia) (during the vote). There are 2 minutes remaining in this vote.

□ 2301

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. KILPATRICK of Michigan. Mr. Speaker, I was unable to attend to sev-

eral votes today. Had I been present, I would have voted “nay” on the Latham Amendment; “nay” on the Culberson Amendment; “aye” on final passage of H.R. 847; “nay” on the Neugebauer Amendment; “nay” on the Jordan Amendment; “nay” on the Flake-Bachmann Amendment; “nay” on the Flake Amendment #2 (Part B); “nay” on the Flake Amendment #4 (Part B); “nay” on the Flake Amendment #10 (Part B); “nay” on the Flake Amendment #11 (Part B); “nay” on the Motion to Recommit H.R. 5850; and “aye” on Final Passage of H.R. 5850.

SUPPORTING OBSERVER STATUS FOR TAIWAN IN INTERNATIONAL CIVIL AVIATION ORGANIZATION

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the concurrent resolution (H. Con. Res. 266) expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Nevada (Ms. BERKLEY) that the House suspend the rules and agree to the concurrent resolution.

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

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

AIRLINE SAFETY AND FEDERAL AVIATION ADMINISTRATION EXTENSION ACT OF 2010

Mr. COSTELLO. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5900) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend airport improvement program project grant authority and to improve airline safety, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5900

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 Safety and Federal Aviation Administration Extension Act of 2010”.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—AIRPORT AND AIRWAY EXTENSION

Sec. 101. Extension of taxes funding Airport and Airway Trust Fund.
Sec. 102. Extension of Airport and Airway Trust Fund expenditure authority.
Sec. 103. Extension of airport improvement program.
Sec. 104. Extension of expiring authorities.
Sec. 105. Federal Aviation Administration operations.
Sec. 106. Air navigation facilities and equipment.
Sec. 107. Research, engineering, and development.

TITLE II—AIRLINE SAFETY AND PILOT TRAINING IMPROVEMENT

Sec. 201. Definitions.
Sec. 202. Secretary of Transportation responses to safety recommendations.
Sec. 203. FAA pilot records database.
Sec. 204. FAA Task Force on Air Carrier Safety and Pilot Training.
Sec. 205. Aviation safety inspectors and operational research analysts.
Sec. 206. Flight crewmember mentoring, professional development, and leadership.
Sec. 207. Flight crewmember pairing and crew resource management techniques.
Sec. 208. Implementation of NTSB flight crewmember training recommendations.
Sec. 209. FAA rulemaking on training programs.
Sec. 210. Disclosure of air carriers operating flights for tickets sold for air transportation.
Sec. 211. Safety inspections of regional air carriers.
Sec. 212. Pilot fatigue.
Sec. 213. Voluntary safety programs.
Sec. 214. ASAP and FOQA implementation plan.
Sec. 215. Safety management systems.
Sec. 216. Flight crewmember screening and qualifications.
Sec. 217. Airline transport pilot certification.

TITLE I—AIRPORT AND AIRWAY EXTENSION

SEC. 101. 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 “August 1, 2010” and inserting “September 30, 2010”.

(b) TICKET TAXES.—

(1) PERSONS.—Clause (ii) of section 4261(j)(1)(A) of the Internal Revenue Code of 1986 is amended by striking “August 1, 2010” and inserting “September 30, 2010”.

(2) PROPERTY.—Clause (ii) of section 4271(d)(1)(A) of such Code is amended by striking “August 1, 2010” and inserting “September 30, 2010”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on August 2, 2010.

SEC. 102. 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 “August 2, 2010” and inserting “October 1, 2010”; and

(2) by inserting “or the Airline Safety and Federal Aviation Administration Extension Act of 2010” 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 “August 2, 2010” and inserting “October 1, 2010”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on August 2, 2010.

SEC. 103. EXTENSION OF AIRPORT IMPROVEMENT PROGRAM.

Section 47104(c) of title 49, United States Code, is amended by striking “August 1, 2010,” and inserting “September 30, 2010.”.

SEC. 104. EXTENSION OF EXPIRING AUTHORITIES.

(a) Section 40117(1)(7) of title 49, United States Code, is amended by striking “August 2, 2010,” and inserting “October 1, 2010.”.

(b) Section 44302(f)(1) of such title is amended—

(1) by striking “August 1, 2010,” and inserting “September 30, 2010.”; and

(2) by striking “October 31, 2010,” and inserting “December 31, 2010.”.

(c) Section 44303(b) of such title is amended by striking “October 31, 2010,” and inserting “December 31, 2010.”.

(d) Section 47107(s)(3) of such title is amended by striking “August 2, 2010,” and inserting “October 1, 2010.”.

(e) Section 47115(j) of such title is amended by striking “fiscal years 2004 through 2009, and for the portion of fiscal year 2010 ending before August 2, 2010,” and inserting “fiscal years 2004 through 2010.”.

(f) Section 47141(f) of such title is amended by striking “August 1, 2010,” and inserting “September 30, 2010.”.

(g) Section 49108 of such title is amended by striking “August 1, 2010,” and inserting “September 30, 2010.”.

(h) Section 161 of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 47109 note) is amended by striking “fiscal year 2009, or in the portion of fiscal year 2010 ending before August 2, 2010,” and inserting “fiscal year 2009 or 2010”.

(i) Section 186(d) of such Act (117 Stat. 2518) is amended by striking “October 1, 2009, and for the portion of fiscal year 2010 ending before August 2, 2010,” and inserting “October 1, 2010.”.

(j) The amendments made by this section shall take effect on August 2, 2010.

SEC. 105. FEDERAL AVIATION ADMINISTRATION OPERATIONS.

Section 106(k)(1)(F) of title 49, United States Code, is amended to read as follows:

“(F) \$9,350,028,000 for fiscal year 2010.”.

SEC. 106. AIR NAVIGATION FACILITIES AND EQUIPMENT.

Section 48101(a)(6) of title 49, United States Code, is amended to read as follows:

“(6) \$2,936,203,000 for fiscal year 2010.”.

SEC. 107. RESEARCH, ENGINEERING, AND DEVELOPMENT.

Section 48102(a)(14) of title 49, United States Code, is amended to read as follows:

“(14) \$190,500,000 for fiscal year 2010.”.

TITLE II—AIRLINE SAFETY AND PILOT TRAINING IMPROVEMENT

SEC. 201. DEFINITIONS.

(a) DEFINITIONS.—In this title, the following definitions apply:

(1) ADVANCED QUALIFICATION PROGRAM.—The term “advanced qualification program” means the program established by the Federal Aviation Administration in Advisory Circular 120-54A, dated June 23, 2006, including any subsequent revisions thereto.

(2) AIR CARRIER.—The term “air carrier” has the meaning given that term in section 40102 of title 49, United States Code.

(3) AVIATION SAFETY ACTION PROGRAM.—The term “aviation safety action program” means the program established by the Federal Aviation Administration in Advisory Circular 120-66B, dated November 15, 2002, including any subsequent revisions thereto.

(4) FLIGHT CREWMEMBER.—The term “flight crewmember” has the meaning given the term “flightcrew member” in part 1 of title 14, Code of Federal Regulations.

(5) FLIGHT OPERATIONAL QUALITY ASSURANCE PROGRAM.—The term “flight operational quality assurance program” means the program established by the Federal Aviation Administration in Advisory Circular 120-82, dated April 12, 2004, including any subsequent revisions thereto.

(6) LINE OPERATIONS SAFETY AUDIT.—The term “line operations safety audit” means the procedure referenced by the Federal Aviation Administration in Advisory Circular 120-90, dated April 27, 2006, including any subsequent revisions thereto.

(7) PART 121 AIR CARRIER.—The term “part 121 air carrier” means an air carrier that holds a certificate issued under part 121 of title 14, Code of Federal Regulations.

(8) PART 135 AIR CARRIER.—The term “part 135 air carrier” means an air carrier that holds a certificate issued under part 135 of title 14, Code of Federal Regulations.

SEC. 202. SECRETARY OF TRANSPORTATION RESPONSES TO SAFETY RECOMMENDATIONS.

(a) IN GENERAL.—The first sentence of section 1135(a) is amended by inserting “to the Board” after “shall give”.

(b) AIR CARRIER SAFETY RECOMMENDATIONS.—Section 1135 is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

“(d) ANNUAL REPORT ON AIR CARRIER SAFETY RECOMMENDATIONS.—

“(1) IN GENERAL.—The Secretary shall submit to Congress and the Board, on an annual basis, a report on the recommendations made by the Board to the Secretary regarding air carrier operations conducted under part 121 of title 14, Code of Federal Regulations.

“(2) RECOMMENDATIONS TO BE COVERED.—The report shall cover—

“(A) any recommendation for which the Secretary has developed, or intends to develop, procedures to adopt the recommendation or part of the recommendation, but has yet to complete the procedures; and

“(B) any recommendation for which the Secretary, in the preceding year, has issued a response under subsection (a)(2) or (a)(3) refusing to carry out all or part of the procedures to adopt the recommendation.

“(3) CONTENTS.—

“(A) PLANS TO ADOPT RECOMMENDATIONS.—For each recommendation of the Board described in paragraph (2)(A), the report shall contain—

“(i) a description of the recommendation;

“(ii) a description of the procedures planned for adopting the recommendation or part of the recommendation;

“(iii) the proposed date for completing the procedures; and

“(iv) if the Secretary has not met a deadline contained in a proposed timeline developed in connection with the recommendation under subsection (b), an explanation for not meeting the deadline.

“(B) REFUSALS TO ADOPT RECOMMENDATIONS.—For each recommendation of the Board described in paragraph (2)(B), the report shall contain—

“(i) a description of the recommendation; and

“(ii) a description of the reasons for the refusal to carry out all or part of the procedures to adopt the recommendation.”.

SEC. 203. FAA PILOT RECORDS DATABASE.

(a) RECORDS OF EMPLOYMENT OF PILOT APPLICANTS.—Section 44703(h) of title 49, United States Code, is amended by adding at the end the following:

“(16) APPLICABILITY.—This subsection shall cease to be effective on the date specified in regulations issued under subsection (i).”.

(b) ESTABLISHMENT OF FAA PILOT RECORDS DATABASE.—Section 44703 of such title is amended—

(1) by redesignating subsections (i) and (j) as subsections (j) and (k), respectively; and

(2) by inserting after subsection (h) the following:

“(i) FAA PILOT RECORDS DATABASE.—

“(1) IN GENERAL.—Before allowing an individual to begin service as a pilot, an air carrier shall access and evaluate, in accordance with the requirements of this subsection, information pertaining to the individual from the pilot records database established under paragraph (2).

“(2) PILOT RECORDS DATABASE.—The Administrator shall establish an electronic database (in this subsection referred to as the ‘database’) containing the following records:

“(A) FAA RECORDS.—From the Administrator—

“(i) records that are maintained by the Administrator concerning current airman certificates, including airman medical certificates and associated type ratings and information on any limitations to those certificates and ratings;

“(ii) records that are maintained by the Administrator concerning any failed attempt of an individual to pass a practical test required to obtain a certificate or type rating under part 61 of title 14, Code of Federal Regulations; and

“(iii) summaries of legal enforcement actions resulting in a finding by the Administrator of a violation of this title or a regulation prescribed or order issued under this title that was not subsequently overturned.

“(B) AIR CARRIER AND OTHER RECORDS.—From any air carrier or other person (except a branch of the Armed Forces, the National Guard, or a reserve component of the Armed Forces) that has employed an individual as a pilot of a civil or public aircraft, or from the trustee in bankruptcy for the air carrier or person—

“(i) records pertaining to the individual that are maintained by the air carrier (other than records relating to flight time, duty time, or rest time) or person, including records under regulations set forth in—

“(I) section 121.683 of title 14, Code of Federal Regulations;

“(II) section 121.111(a) of such title;

“(III) section 121.219(a) of such title;

“(IV) section 125.401 of such title; and

“(V) section 135.63(a)(4) of such title; and

“(ii) other records pertaining to the individual’s performance as a pilot that are maintained by the air carrier or person concerning—

“(I) the training, qualifications, proficiency, or professional competence of the individual, including comments and evaluations made by a check airman designated in accordance with section 121.411, 125.295, or 135.337 of such title;

“(II) any disciplinary action taken with respect to the individual that was not subsequently overturned; and

“(III) any release from employment or resignation, termination, or disqualification with respect to employment.

“(C) NATIONAL DRIVER REGISTER RECORDS.—In accordance with section 30305(b)(8) of this

title, from the chief driver licensing official of a State, information concerning the motor vehicle driving record of the individual.

“(3) WRITTEN CONSENT; RELEASE FROM LIABILITY.—An air carrier—

“(A) shall obtain the written consent of an individual before accessing records pertaining to the individual under paragraph (1); and

“(B) may, notwithstanding any other provision of law or agreement to the contrary, require an individual with respect to whom the carrier is accessing records under paragraph (1) to execute a release from liability for any claim arising from accessing the records or the use of such records by the air carrier in accordance with this section (other than a claim arising from furnishing information known to be false and maintained in violation of a criminal statute).

“(4) REPORTING.—

“(A) REPORTING BY ADMINISTRATOR.—The Administrator shall enter data described in paragraph (2)(A) into the database promptly to ensure that an individual’s records are current.

“(B) REPORTING BY AIR CARRIERS AND OTHER PERSONS.—

“(i) IN GENERAL.—Air carriers and other persons shall report data described in paragraphs (2)(B) and (2)(C) to the Administrator promptly for entry into the database.

“(ii) DATA TO BE REPORTED.—Air carriers and other persons shall report, at a minimum, under clause (i) the following data described in paragraph (2)(B):

“(I) Records that are generated by the air carrier or other person after the date of enactment of this paragraph.

“(II) Records that the air carrier or other person is maintaining, on such date of enactment, pursuant to subsection (h)(4).

“(5) REQUIREMENT TO MAINTAIN RECORDS.—The Administrator—

“(A) shall maintain all records entered into the database under paragraph (2) pertaining to an individual until the date of receipt of notification that the individual is deceased; and

“(B) may remove the individual’s records from the database after that date.

“(6) RECEIPT OF CONSENT.—The Administrator shall not permit an air carrier to access records pertaining to an individual from the database under paragraph (1) without the air carrier first demonstrating to the satisfaction of the Administrator that the air carrier has obtained the written consent of the individual.

“(7) RIGHT OF PILOT TO REVIEW CERTAIN RECORDS AND CORRECT INACCURACIES.—Notwithstanding any other provision of law or agreement, the Administrator, upon receipt of written request from an individual—

“(A) shall make available, not later than 30 days after the date of the request, to the individual for review all records referred to in paragraph (2) pertaining to the individual; and

“(B) shall provide the individual with a reasonable opportunity to submit written comments to correct any inaccuracies contained in the records.

“(8) REASONABLE CHARGES FOR PROCESSING REQUESTS AND FURNISHING COPIES.—

“(A) IN GENERAL.—The Administrator may establish a reasonable charge for the cost of processing a request under paragraph (1) or (7) and for the cost of furnishing copies of requested records under paragraph (7).

“(B) CREDITING APPROPRIATIONS.—Funds received by the Administrator pursuant to this paragraph shall—

“(i) be credited to the appropriation current when the amount is received;

“(ii) be merged with and available for the purposes of such appropriation; and

“(iii) remain available until expended.

“(9) PRIVACY PROTECTIONS.—

“(A) USE OF RECORDS.—An air carrier that accesses records pertaining to an individual under paragraph (1) may use the records only to assess the qualifications of the individual in deciding whether or not to hire the individual as a pilot. The air carrier shall take such actions as may be necessary to protect the privacy of the individual and the confidentiality of the records accessed, including ensuring that information contained in the records is not divulged to any individual that is not directly involved in the hiring decision.

“(B) DISCLOSURE OF INFORMATION.—

“(i) IN GENERAL.—Except as provided by clause (ii), information collected by the Administrator under paragraph (2) shall be exempt from the disclosure requirements of section 552 of title 5.

“(ii) EXCEPTIONS.—Clause (i) shall not apply to—

“(I) deidentified, summarized information to explain the need for changes in policies and regulations;

“(II) information to correct a condition that compromises safety;

“(III) information to carry out a criminal investigation or prosecution;

“(IV) information to comply with section 44905, regarding information about threats to civil aviation; and

“(V) such information as the Administrator determines necessary, if withholding the information would not be consistent with the safety responsibilities of the Federal Aviation Administration.

“(10) PERIODIC REVIEW.—Not later than 18 months after the date of enactment of this paragraph, and at least once every 3 years thereafter, the Administrator shall transmit to Congress a statement that contains, taking into account recent developments in the aviation industry—

“(A) recommendations by the Administrator concerning proposed changes to Federal Aviation Administration records, air carrier records, and other records required to be included in the database under paragraph (2); or

“(B) reasons why the Administrator does not recommend any proposed changes to the records referred to in subparagraph (A).

“(11) REGULATIONS FOR PROTECTION AND SECURITY OF RECORDS.—The Administrator shall prescribe such regulations as may be necessary—

“(A) to protect and secure—

“(i) the personal privacy of any individual whose records are accessed under paragraph (1); and

“(ii) the confidentiality of those records; and

“(B) to preclude the further dissemination of records received under paragraph (1) by the person who accessed the records.

“(12) GOOD FAITH EXCEPTION.—Notwithstanding paragraph (1), an air carrier may allow an individual to begin service as a pilot, without first obtaining information described in paragraph (2)(B) from the database pertaining to the individual, if—

“(A) the air carrier has made a documented good faith attempt to access the information from the database; and

“(B) the air carrier has received written notice from the Administrator that the information is not contained in the database because the individual was employed by an air carrier or other person that no longer exists or by a foreign government or other entity that has not provided the information to the database.

“(13) LIMITATIONS ON ELECTRONIC ACCESS TO RECORDS.—

“(A) ACCESS BY INDIVIDUALS DESIGNATED BY AIR CARRIERS.—For the purpose of increasing timely and efficient access to records de-

scribed in paragraph (2), the Administrator may allow, under terms established by the Administrator, an individual designated by an air carrier to have electronic access to the database.

“(B) TERMS.—The terms established by the Administrator under subparagraph (A) for allowing a designated individual to have electronic access to the database shall limit such access to instances in which information in the database is required by the designated individual in making a hiring decision concerning a pilot applicant and shall require that the designated individual provide assurances satisfactory to the Administrator that—

“(i) the designated individual has received the written consent of the pilot applicant to access the information; and

“(ii) information obtained using such access will not be used for any purpose other than making the hiring decision.

“(14) AUTHORIZED EXPENDITURES.—Of amounts appropriated under section 106(k)(1), a total of \$6,000,000 for fiscal years 2010 through 2013 may be used to carry out this subsection.

“(15) REGULATIONS.—

“(A) IN GENERAL.—The Administrator shall issue regulations to carry out this subsection.

“(B) EFFECTIVE DATE.—The regulations shall specify the date on which the requirements of this subsection take effect and the date on which the requirements of subsection (h) cease to be effective.

“(C) EXCEPTIONS.—Notwithstanding subparagraph (B)—

“(i) the Administrator shall begin to establish the database under paragraph (2) not later than 90 days after the date of enactment of this paragraph;

“(ii) the Administrator shall maintain records in accordance with paragraph (5) beginning on the date of enactment of this paragraph; and

“(iii) air carriers and other persons shall maintain records to be reported to the database under paragraph (4)(B) in the period beginning on such date of enactment and ending on the date that is 5 years after the requirements of subsection (h) cease to be effective pursuant to subparagraph (B).

“(16) SPECIAL RULE.—During the one-year period beginning on the date on which the requirements of this section become effective pursuant to paragraph (15)(B), paragraph (7)(A) shall be applied by substituting ‘45 days’ for ‘30 days’.

(c) CONFORMING AMENDMENTS.—

(1) LIMITATION ON LIABILITY; PREEMPTION OF STATE LAW.—Section 44703(j) (as redesignated by subsection (b)(1) of this section) is amended—

(A) in the subsection heading by striking “LIMITATION” and inserting “LIMITATIONS”;

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A) by striking “paragraph (2)” and inserting “subsection (h)(2) or (i)(3)”;

(ii) in subparagraph (A) by inserting “or accessing the records of that individual under subsection (i)(1)” before the semicolon; and

(iii) in the matter following subparagraph (D) by striking “subsection (h)” and inserting “subsection (h) or (i)”;

(C) in paragraph (2) by striking “subsection (h)” and inserting “subsection (h) or (i)”;

(D) in paragraph (3), in the matter preceding subparagraph (A), by inserting “or who furnished information to the database established under subsection (i)(2)” after “subsection (h)(1)”;

(E) by adding at the end the following:

“(4) PROHIBITION ON ACTIONS AND PROCEEDINGS AGAINST AIR CARRIERS.—

“(A) **HIRING DECISIONS.**—An air carrier may refuse to hire an individual as a pilot if the individual did not provide written consent for the air carrier to receive records under subsection (h)(2)(A) or (i)(3)(A) or did not execute the release from liability requested under subsection (h)(2)(B) or (i)(3)(B).

“(B) **ACTIONS AND PROCEEDINGS.**—No action or proceeding may be brought against an air carrier by or on behalf of an individual who has applied for or is seeking a position as a pilot with the air carrier if the air carrier refused to hire the individual after the individual did not provide written consent for the air carrier to receive records under subsection (h)(2)(A) or (i)(3)(A) or did not execute a release from liability requested under subsection (h)(2)(B) or (i)(3)(B).”.

(2) **LIMITATION ON STATUTORY CONSTRUCTION.**—Section 44703(k) (as redesignated by subsection (b)(1) of this section) is amended by striking “subsection (h)” and inserting “subsection (h) or (i)”.

SEC. 204. FAA TASK FORCE ON AIR CARRIER SAFETY AND PILOT TRAINING.

(a) **ESTABLISHMENT.**—The Administrator of the Federal Aviation Administration shall establish a special task force to be known as the FAA Task Force on Air Carrier Safety and Pilot Training (in this section referred to as the “Task Force”).

(b) **COMPOSITION.**—The Task Force shall consist of members appointed by the Administrator and shall include air carrier representatives, labor union representatives, and aviation safety experts with knowledge of foreign and domestic regulatory requirements for flight crewmember education and training.

(c) **DUTIES.**—The duties of the Task Force shall include, at a minimum, evaluating best practices in the air carrier industry and providing recommendations in the following areas:

(1) Air carrier management responsibilities for flight crewmember education and support.

(2) Flight crewmember professional standards.

(3) Flight crewmember training standards and performance.

(4) Mentoring and information sharing between air carriers.

(d) **REPORT.**—Not later than one year after the date of enactment of this Act, and before the last day of each one-year period thereafter until termination of the Task Force, the Task Force shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing—

(1) the progress of the Task Force in identifying best practices in the air carrier industry;

(2) the progress of air carriers and labor unions in implementing the best practices identified by the Task Force;

(3) recommendations of the Task Force, if any, for legislative or regulatory actions;

(4) the progress of air carriers and labor unions in implementing training-related, nonregulatory actions recommended by the Administrator; and

(5) the progress of air carriers in developing specific programs to share safety data and ensure implementation of the most effective safety practices.

(e) **TERMINATION.**—The Task Force shall terminate on September 30, 2012.

(f) **APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.**—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Task Force.

SEC. 205. AVIATION SAFETY INSPECTORS AND OPERATIONAL RESEARCH ANALYSTS.

(a) **REVIEW BY DOT INSPECTOR GENERAL.**—Not later than 9 months after the date of enactment of this Act, the Inspector General of the Department of Transportation shall conduct a review of the aviation safety inspectors and operational research analysts of the Federal Aviation Administration assigned to part 121 air carriers and submit to the Administrator of the Federal Aviation Administration a report on the results of the review.

(b) **PURPOSES.**—The purpose of the review shall be, at a minimum—

(1) to review the level of the Administration's oversight of each part 121 air carrier;

(2) to make recommendations to ensure that each part 121 air carrier is receiving an equivalent level of oversight;

(3) to assess the number and level of experience of aviation safety inspectors assigned to each part 121 air carrier;

(4) to evaluate how the Administration is making assignments of aviation safety inspectors to each part 121 air carrier;

(5) to review various safety inspector oversight programs, including the geographic inspector program;

(6) to evaluate the adequacy of the number of operational research analysts assigned to each part 121 air carrier;

(7) to evaluate the surveillance responsibilities of aviation safety inspectors, including en route inspections;

(8) to evaluate whether inspectors are able to effectively use data sources, such as the Safety Performance Analysis System and the Air Transportation Oversight System, to assist in targeting oversight of each part 121 air carrier;

(9) to assess the feasibility of establishment by the Administration of a comprehensive repository of information that encompasses multiple Administration data sources and allows access by aviation safety inspectors and operational research analysts to assist in the oversight of each part 121 air carrier; and

(10) to conduct such other analyses as the Inspector General considers relevant to the review.

SEC. 206. FLIGHT CREWMEMBER MENTORING, PROFESSIONAL DEVELOPMENT, AND LEADERSHIP.

(a) **AVIATION RULEMAKING COMMITTEE.**—

(1) **IN GENERAL.**—The Administrator of the Federal Aviation Administration shall convene an aviation rulemaking committee to develop procedures for each part 121 air carrier to take the following actions:

(A) Establish flight crewmember mentoring programs under which the air carrier will pair highly experienced flight crewmembers who will serve as mentor pilots and be paired with newly employed flight crewmembers. Mentor pilots should be provided, at a minimum, specific instruction on techniques for instilling and reinforcing the highest standards of technical performance, airmanship, and professionalism in newly employed flight crewmembers.

(B) Establish flight crewmember professional development committees made up of air carrier management and labor union or professional association representatives to develop, administer, and oversee formal mentoring programs of the carrier to assist flight crewmembers to reach their maximum potential as safe, seasoned, and proficient flight crewmembers.

(C) Establish or modify training programs to accommodate substantially different levels and types of flight experience by newly employed flight crewmembers.

(D) Establish or modify training programs for second-in-command flight crewmembers

attempting to qualify as pilot-in-command flight crewmembers for the first time in a specific aircraft type and ensure that such programs include leadership and command training.

(E) Ensure that recurrent training for pilots in command includes leadership and command training.

(F) Such other actions as the aviation rulemaking committee determines appropriate to enhance flight crewmember professional development.

(2) **COMPLIANCE WITH STERILE COCKPIT RULE.**—Leadership and command training described in paragraphs (1)(D) and (1)(E) shall include instruction on compliance with flight crewmember duties under part 121.542 of title 14, Code of Federal Regulations.

(3) **STREAMLINED PROGRAM REVIEW.**—

(A) **IN GENERAL.**—As part of the rulemaking required by subsection (b), the Administrator shall establish a streamlined review process for part 121 air carriers that have in effect, as of the date of enactment of this Act, the programs described in paragraph (1).

(B) **EXPEDITED APPROVALS.**—Under the streamlined review process, the Administrator shall—

(i) review the programs of such part 121 air carriers to determine whether the programs meet the requirements set forth in the final rule referred to in subsection (b)(2); and

(ii) expedite the approval of the programs that the Administrator determines meet such requirements.

(b) **RULEMAKING.**—The Administrator shall issue—

(1) not later than one year after the date of enactment of this Act, a notice of proposed rulemaking based on the recommendations of the aviation rulemaking committee convened under subsection (a); and

(2) not later than 36 months after such date of enactment, a final rule based on such recommendations.

SEC. 207. FLIGHT CREWMEMBER PAIRING AND CREW RESOURCE MANAGEMENT TECHNIQUES.

(a) **STUDY.**—The Administrator of the Federal Aviation Administration shall conduct a study on aviation industry best practices with regard to flight crewmember pairing, crew resource management techniques, and pilot commuting.

(b) **REPORT.**—Not later than one year after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study.

SEC. 208. IMPLEMENTATION OF NTSB FLIGHT CREWMEMBER TRAINING RECOMMENDATIONS.

(a) **RULEMAKING PROCEEDINGS.**—

(1) **STALL AND UPSET RECOGNITION AND RECOVERY TRAINING.**—The Administrator of the Federal Aviation Administration shall conduct a rulemaking proceeding to require part 121 air carriers to provide flight crewmembers with ground training and flight training or flight simulator training—

(A) to recognize and avoid a stall of an aircraft or, if not avoided, to recover from the stall; and

(B) to recognize and avoid an upset of an aircraft or, if not avoided, to execute such techniques as available data indicate are appropriate to recover from the upset in a given make, model, and series of aircraft.

(2) **REMEDIAL TRAINING PROGRAMS.**—The Administrator shall conduct a rulemaking proceeding to require part 121 air carriers to establish remedial training programs for flight crewmembers who have demonstrated performance deficiencies or experienced failures in the training environment.

(3) DEADLINES.—The Administrator shall—

(A) not later than one year after the date of enactment of this Act, issue a notice of proposed rulemaking under each of paragraphs (1) and (2); and

(B) not later than 36 months after the date of enactment of this Act, issue a final rule for the rulemaking under each of paragraphs (1) and (2).

(b) STICK PUSHER TRAINING AND WEATHER EVENT TRAINING.—

(1) MULTIDISCIPLINARY PANEL.—Not later than 120 days after the date of enactment of this Act, the Administrator shall convene a multidisciplinary panel of specialists in aircraft operations, flight crewmember training, human factors, and aviation safety to study and submit to the Administrator a report on methods to increase the familiarity of flight crewmembers with, and improve the response of flight crewmembers to, stick pusher systems, icing conditions, and microburst and windshear weather events.

(2) REPORT TO CONGRESS AND NTSB.—Not later than one year after the date on which the Administrator convenes the panel, the Administrator shall—

(A) submit to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the National Transportation Safety Board a report based on the findings of the panel; and

(B) with respect to stick pusher systems, initiate appropriate actions to implement the recommendations of the panel.

(c) DEFINITIONS.—In this section, the following definitions apply:

(1) FLIGHT TRAINING AND FLIGHT SIMULATOR.—The terms “flight training” and “flight simulator” have the meanings given those terms in part 61.1 of title 14, Code of Federal Regulations (or any successor regulation).

(2) STALL.—The term “stall” means an aerodynamic loss of lift caused by exceeding the critical angle of attack.

(3) STICK PUSHER.—The term “stick pusher” means a device that, at or near a stall, applies a nose down pitch force to an aircraft’s control columns to attempt to decrease the aircraft’s angle of attack.

(4) UPSET.—The term “upset” means an unusual aircraft attitude.

SEC. 209. FAA RULEMAKING ON TRAINING PROGRAMS.

(a) COMPLETION OF RULEMAKING ON TRAINING PROGRAMS.—Not later than 14 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a final rule with respect to the notice of proposed rulemaking published in the Federal Register on January 12, 2009 (74 Fed. Reg. 1280; relating to training programs for flight crewmembers and aircraft dispatchers).

(b) EXPERT PANEL TO REVIEW PART 121 AND PART 135 TRAINING HOURS.—

(1) ESTABLISHMENT.—Not later than 60 days after the date of enactment of this Act, the Administrator shall convene a multidisciplinary expert panel comprised of, at a minimum, air carrier representatives, training facility representatives, instructional design experts, aircraft manufacturers, safety organization representatives, and labor union representatives.

(2) ASSESSMENT AND RECOMMENDATIONS.—The panel shall assess and make recommendations concerning—

(A) the best methods and optimal time needed for flight crewmembers of part 121 air carriers and flight crewmembers of part 135 air carriers to master aircraft systems, maneuvers, procedures, takeoffs and landings, and crew coordination;

(B) initial and recurrent testing requirements for pilots, including the rigor and consistency of testing programs such as check rides;

(C) the optimal length of time between training events for such flight crewmembers, including recurrent training events;

(D) the best methods reliably to evaluate mastery by such flight crewmembers of aircraft systems, maneuvers, procedures, takeoffs and landings, and crew coordination;

(E) classroom instruction requirements governing curriculum content and hours of instruction;

(F) the best methods to allow specific academic training courses to be credited toward the total flight hours required to receive an airline transport pilot certificate; and

(G) crew leadership training.

(3) BEST PRACTICES.—In making recommendations under subsection (b)(2), the panel shall consider, if appropriate, best practices in the aviation industry with respect to training protocols, methods, and procedures.

(4) REPORT.—Not later than one year after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the National Transportation Safety Board a report based on the findings of the panel.

SEC. 210. DISCLOSURE OF AIR CARRIERS OPERATING FLIGHTS FOR TICKETS SOLD FOR AIR TRANSPORTATION.

Section 41712 of title 49, United States Code, is amended by adding at the end the following:

“(c) DISCLOSURE REQUIREMENT FOR SELLERS OF TICKETS FOR FLIGHTS.—

“(1) IN GENERAL.—It shall be an unfair or deceptive practice under subsection (a) for any ticket agent, air carrier, foreign air carrier, or other person offering to sell tickets for air transportation on a flight of an air carrier to fail to disclose, whether verbally in oral communication or in writing in written or electronic communication, prior to the purchase of a ticket—

“(A) the name of the air carrier providing the air transportation; and

“(B) if the flight has more than one flight segment, the name of each air carrier providing the air transportation for each such flight segment.

“(2) INTERNET OFFERS.—In the case of an offer to sell tickets described in paragraph (1) on an Internet Web site, disclosure of the information required by paragraph (1) shall be provided on the first display of the Web site following a search of a requested itinerary in a format that is easily visible to a viewer.”.

SEC. 211. SAFETY INSPECTIONS OF REGIONAL AIR CARRIERS.

The Administrator of the Federal Aviation Administration shall perform, not less frequently than once each year, random, onsite inspections of air carriers that provide air transportation pursuant to a contract with a part 121 air carrier to ensure that such air carriers are complying with all applicable safety standards of the Administration.

SEC. 212. PILOT FATIGUE.

(a) FLIGHT AND DUTY TIME REGULATIONS.—

(1) IN GENERAL.—In accordance with paragraph (3), the Administrator of the Federal Aviation Administration shall issue regulations, based on the best available scientific information, to specify limitations on the hours of flight and duty time allowed for pilots to address problems relating to pilot fatigue.

(2) MATTERS TO BE ADDRESSED.—In conducting the rulemaking proceeding under

this subsection, the Administrator shall consider and review the following:

(A) Time of day of flights in a duty period.

(B) Number of takeoff and landings in a duty period.

(C) Number of time zones crossed in a duty period.

(D) The impact of functioning in multiple time zones or on different daily schedules.

(E) Research conducted on fatigue, sleep, and circadian rhythms.

(F) Sleep and rest requirements recommended by the National Transportation Safety Board and the National Aeronautics and Space Administration.

(G) International standards regarding flight schedules and duty periods.

(H) Alternative procedures to facilitate alertness in the cockpit.

(I) Scheduling and attendance policies and practices, including sick leave.

(J) The effects of commuting, the means of commuting, and the length of the commute.

(K) Medical screening and treatment.

(L) Rest environments.

(M) Any other matters the Administrator considers appropriate.

(3) RULEMAKING.—The Administrator shall issue—

(A) not later than 180 days after the date of enactment of this Act, a notice of proposed rulemaking under paragraph (1); and

(B) not later than one year after the date of enactment of this Act, a final rule under paragraph (1).

(b) FATIGUE RISK MANAGEMENT PLAN.—

(1) SUBMISSION OF FATIGUE RISK MANAGEMENT PLAN BY PART 121 AIR CARRIERS.—Not later than 90 days after the date of enactment of this Act, each part 121 air carrier shall submit to the Administrator for review and acceptance a fatigue risk management plan for the carrier’s pilots.

(2) CONTENTS OF PLAN.—A fatigue risk management plan submitted by a part 121 air carrier under paragraph (1) shall include the following:

(A) Current flight time and duty period limitations.

(B) A rest scheme consistent with such limitations that enables the management of pilot fatigue, including annual training to increase awareness of—

(i) fatigue;

(ii) the effects of fatigue on pilots; and

(iii) fatigue countermeasures.

(C) Development and use of a methodology that continually assesses the effectiveness of the program, including the ability of the program—

(i) to improve alertness; and

(ii) to mitigate performance errors.

(3) REVIEW.—Not later than 12 months after the date of enactment of this Act, the Administrator shall review and accept or reject the fatigue risk management plans submitted under this subsection. If the Administrator rejects a plan, the Administrator shall provide suggested modifications for resubmission of the plan.

(4) PLAN UPDATES.—

(A) IN GENERAL.—A part 121 air carrier shall update its fatigue risk management plan under paragraph (1) every 2 years and submit the update to the Administrator for review and acceptance.

(B) REVIEW.—Not later than 12 months after the date of submission of a plan update under subparagraph (A), the Administrator shall review and accept or reject the update. If the Administrator rejects an update, the Administrator shall provide suggested modifications for resubmission of the update.

(5) COMPLIANCE.—A part 121 air carrier shall comply with the fatigue risk management plan of the air carrier that is accepted by the Administrator under this subsection.

(6) CIVIL PENALTIES.—A violation of this subsection by a part 121 air carrier shall be treated as a violation of chapter 447 of title 49, United States Code, for purposes of the application of civil penalties under chapter 463 of that title.

(c) EFFECT OF COMMUTING ON FATIGUE.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Administrator shall enter into appropriate arrangements with the National Academy of Sciences to conduct a study of the effects of commuting on pilot fatigue and report its findings to the Administrator.

(2) STUDY.—In conducting the study, the National Academy of Sciences shall consider—

(A) the prevalence of pilot commuting in the commercial air carrier industry, including the number and percentage of pilots who commute;

(B) information relating to commuting by pilots, including distances traveled, time zones crossed, time spent, and methods used;

(C) research on the impact of commuting on pilot fatigue, sleep, and circadian rhythms;

(D) commuting policies of commercial air carriers (including passenger and all-cargo air carriers), including pilot check-in requirements and sick leave and fatigue policies;

(E) postconference materials from the Federal Aviation Administration's June 2008 symposium titled "Aviation Fatigue Management Symposium: Partnerships for Solutions";

(F) Federal Aviation Administration and international policies and guidance regarding commuting; and

(G) any other matters as the Administrator considers appropriate.

(3) PRELIMINARY FINDINGS.—Not later than 120 days after the date of entering into arrangements under paragraph (1), the National Academy of Sciences shall submit to the Administrator its preliminary findings under the study.

(4) REPORT.—Not later than 9 months after the date of entering into arrangements under paragraph (1), the National Academy of Sciences shall submit a report to the Administrator containing its findings under the study and any recommendations for regulatory or administrative actions by the Federal Aviation Administration concerning commuting by pilots.

(5) RULEMAKING.—Following receipt of the report of the National Academy of Sciences under paragraph (4), the Administrator shall—

(A) consider the findings and recommendations in the report; and

(B) update, as appropriate based on scientific data, regulations required by subsection (a) on flight and duty time.

SEC. 213. VOLUNTARY SAFETY PROGRAMS.

(a) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the aviation safety action program, the flight operational quality assurance program, the line operations safety audit, and the advanced qualification program.

(b) CONTENTS.—The report shall include—

(1) a list of—

(A) which air carriers are using one or more of the voluntary safety programs referred to in subsection (a); and

(B) the voluntary safety programs each air carrier is using;

(2) if an air carrier is not using one or more of the voluntary safety programs—

(A) a list of such programs the carrier is not using; and

(B) the reasons the carrier is not using each such program;

(3) if an air carrier is using one or more of the voluntary safety programs, an explanation of the benefits and challenges of using each such program;

(4) a detailed analysis of how the Administration is using data derived from each of the voluntary safety programs as safety analysis and accident or incident prevention tools and a detailed plan on how the Administration intends to expand data analysis of such programs;

(5) an explanation of—

(A) where the data derived from the voluntary safety programs is stored;

(B) how the data derived from such programs is protected and secured; and

(C) what data analysis processes air carriers are implementing to ensure the effective use of the data derived from such programs;

(6) a description of the extent to which aviation safety inspectors are able to review data derived from the voluntary safety programs to enhance their oversight responsibilities;

(7) a description of how the Administration plans to incorporate operational trends identified under the voluntary safety programs into the air transport oversight system and other surveillance databases so that such system and databases are more effectively utilized;

(8) other plans to strengthen the voluntary safety programs, taking into account reviews of such programs by the Inspector General of the Department of Transportation; and

(9) such other matters as the Administrator determines are appropriate.

SEC. 214. ASAP AND FOQA IMPLEMENTATION PLAN.

(a) DEVELOPMENT AND IMPLEMENTATION PLAN.—The Administrator of the Federal Aviation Administration shall develop and implement a plan to facilitate the establishment of an aviation safety action program and a flight operational quality assurance program by all part 121 air carriers.

(b) MATTERS TO BE CONSIDERED.—In developing the plan under subsection (a), the Administrator shall consider—

(1) how the Administration can assist part 121 air carriers with smaller fleet sizes to derive a benefit from establishing a flight operational quality assurance program;

(2) how part 121 air carriers with established aviation safety action and flight operational quality assurance programs can quickly begin to report data into the aviation safety information analysis sharing database; and

(3) how part 121 air carriers and aviation safety inspectors can better utilize data from such database as accident and incident prevention tools.

(c) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a copy of the plan developed under subsection (a) and an explanation of how the Administration will implement the plan.

(d) DEADLINE FOR BEGINNING IMPLEMENTATION OF PLAN.—Not later than one year after the date of enactment of this Act, the Administrator shall begin implementation of the plan developed under subsection (a).

SEC. 215. SAFETY MANAGEMENT SYSTEMS.

(a) RULEMAKING.—The Administrator of the Federal Aviation Administration shall

conduct a rulemaking proceeding to require all part 121 air carriers to implement a safety management system.

(b) MATTERS TO CONSIDER.—In conducting the rulemaking under subsection (a), the Administrator shall consider, at a minimum, including each of the following as a part of the safety management system:

(1) An aviation safety action program.

(2) A flight operational quality assurance program.

(3) A line operations safety audit.

(4) An advanced qualification program.

(c) DEADLINES.—The Administrator shall issue—

(1) not later than 90 days after the date of enactment of this Act, a notice of proposed rulemaking under subsection (a); and

(2) not later than 24 months after the date of enactment of this Act, a final rule under subsection (a).

(d) SAFETY MANAGEMENT SYSTEM DEFINED.—In this section, the term "safety management system" means the program established by the Federal Aviation Administration in Advisory Circular 120-92, dated June 22, 2006, including any subsequent revisions thereto.

SEC. 216. FLIGHT CREWMEMBER SCREENING AND QUALIFICATIONS.

(a) REQUIREMENTS.—

(1) RULEMAKING PROCEEDING.—The Administrator of the Federal Aviation Administration shall conduct a rulemaking proceeding to require part 121 air carriers to develop and implement means and methods for ensuring that flight crewmembers have proper qualifications and experience.

(2) MINIMUM REQUIREMENTS.—

(A) PROSPECTIVE FLIGHT CREWMEMBERS.—Rules issued under paragraph (1) shall ensure that prospective flight crewmembers undergo comprehensive preemployment screening, including an assessment of the skills, aptitudes, airmanship, and suitability of each applicant for a position as a flight crewmember in terms of functioning effectively in the air carrier's operational environment.

(B) ALL FLIGHT CREWMEMBERS.—Rules issued under paragraph (1) shall ensure that, after the date that is 3 years after the date of enactment of this Act, all flight crewmembers—

(i) have obtained an airline transport pilot certificate under part 61 of title 14, Code of Federal Regulations; and

(ii) have appropriate multi-engine aircraft flight experience, as determined by the Administrator.

(b) DEADLINES.—The Administrator shall issue—

(1) not later than 180 days after the date of enactment of this Act, a notice of proposed rulemaking under subsection (a); and

(2) not later than 24 months after such date of enactment, a final rule under subsection (a).

(c) DEFAULT.—The requirement that each flight crewmember for a part 121 air carrier hold an airline transport pilot certificate under part 61 of title 14, Code of Federal Regulations, shall begin to apply on the date that is 3 years after the date of enactment of this Act even if the Administrator fails to meet a deadline established under this section.

SEC. 217. AIRLINE TRANSPORT PILOT CERTIFICATION.

(a) RULEMAKING PROCEEDING.—The Administrator of the Federal Aviation Administration shall conduct a rulemaking proceeding to amend part 61 of title 14, Code of Federal Regulations, to modify requirements for the issuance of an airline transport pilot certificate.

(b) MINIMUM REQUIREMENTS.—To be qualified to receive an airline transport pilot certificate pursuant to subsection (a), an individual shall—

(1) have sufficient flight hours, as determined by the Administrator, to enable a pilot to function effectively in an air carrier operational environment; and

(2) have received flight training, academic training, or operational experience that will prepare a pilot, at a minimum, to—

(A) function effectively in a multi-pilot environment;

(B) function effectively in adverse weather conditions, including icing conditions;

(C) function effectively during high altitude operations;

(D) adhere to the highest professional standards; and

(E) function effectively in an air carrier operational environment.

(c) FLIGHT HOURS.—

(1) NUMBERS OF FLIGHT HOURS.—The total flight hours required by the Administrator under subsection (b)(1) shall be at least 1,500 flight hours.

(2) FLIGHT HOURS IN DIFFICULT OPERATIONAL CONDITIONS.—The total flight hours required by the Administrator under subsection (b)(1) shall include sufficient flight hours, as determined by the Administrator, in difficult operational conditions that may be encountered by an air carrier to enable a pilot to operate safely in such conditions.

(d) CREDIT TOWARD FLIGHT HOURS.—The Administrator may allow specific academic training courses, beyond those required under subsection (b)(2), to be credited toward the total flight hours required under subsection (c). The Administrator may allow such credit based on a determination by the Administrator that allowing a pilot to take specific academic training courses will enhance safety more than requiring the pilot to fully comply with the flight hours requirement.

(e) RECOMMENDATIONS OF EXPERT PANEL.—In conducting the rulemaking proceeding under this section, the Administrator shall review and consider the assessment and recommendations of the expert panel to review part 121 and part 135 training hours established by section 209(b) of this Act.

(f) DEADLINE.—Not later than 36 months after the date of enactment of this Act, the Administrator shall issue a final rule under subsection (a).

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

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. COSTELLO. Madam 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 H.R. 5900.

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

There was no objection.

Mr. COSTELLO. Madam Speaker, I yield myself as much time as I may consume.

Madam Speaker, I rise in support of H.R. 5900, the Airline Safety and Federal Aviation Administration Extension Act of 2010.

I want to thank Chairman OBERSTAR and Ranking Member MICA and the ranking member of the subcommittee, Mr. PETRI, for their leadership in bringing this bill to the floor.

For the past few months we have been working in a bipartisan manner with the other body to produce a comprehensive Federal Aviation Administration reauthorization bill before it expires on August 1.

We have reached consensus on a majority of the items from both bills and only a few issues remain, which I believe can be worked out. However, the leaders in the other body said that they could not reach agreement with their Members and therefore we have an impasse. It is unfortunate that we have reached this point after coming so close to working through both bills. Therefore, we have decided to go forward with the bill before us tonight.

H.R. 5900 will provide a 2-month extension of the FAA reauthorization bill through the end of the fiscal year, September 30, 2010, and includes the airline safety and pilot training provisions that we have been able to negotiate with the Senate. In October, the House passed H.R. 3371, the Airline Safety and Pilot Training Improvement Act of 2009, as a stand-alone bill by an overwhelming majority.

Unfortunately, once again, the other body has not acted on this legislation either. Therefore, we are including the safety provisions that we have been able to negotiate with the Senate on the FAA extension.

The bill before us tonight contains the strongest aviation safety legislation in decades. It was introduced after many hearings, roundtable discussions, and with the input from the families of those who perished in the Colgan accident in Buffalo, the pilot groups, airlines, the National Safety Transportation Board, the Department of Transportation's Inspector General, and many Members of Congress.

Throughout 2009, the Aviation Subcommittee held many hearings and roundtables on safety issues and talked about a number of issues concerning the Colgan accident, which culminated in this legislation.

Regional airlines have been involved in the last seven fatal U.S. airline accidents, and pilot performance has been implicated in four of those accidents. This legislation strengthens pilot training requirements and qualifications by increasing the minimum number of flight hours required to be hired as an airline pilot by requiring the Airline Transport Pilot certificate, which is currently only mandatory for an airline captain. The ATP requires a minimum of 1,500 flight hours and additional aeronautical knowledge, crew resource management training, and greater flight proficiency testing.

In addition, the bill also strengthens the ATP qualitative minimum requirements, such as flying in adverse weather conditions, including icing, and requires the FAA to create and maintain an electronic pilot records database. The database will allow an airline to quickly access an applicant's comprehensive record for hiring purposes only.

Finally, H.R. 5900 requires all Internet Web sites that will sell airline tickets to show on the first page of their display the name of the air carrier operating each flight segment of a proposed itinerary. Passing this safety reform legislation now is the right thing to do.

We can no longer delay enacting the strongest safety bill in decades as we work on a final agreement on the greater FAA bill. The Colgan families, many of them who are with us here this evening, have been a powerful driving force behind this legislation, and I thank each of them for their persistence.

For the last 17 months, they have come to Washington, DC over 30 times at their own expense to push for the safety bill and safety improvements. Madam Speaker, it is time for the House and Senate to pass these important safety provisions and get them to the President to be signed into law.

Passing this bill tonight should not distract from our efforts to finish the FAA bill. There are many important provisions in the reauthorization bill, and I am committed to passing a comprehensive FAA reauthorization bill so that we can provide stability to the FAA and our Nation's aviation system by passing a multiyear reauthorization.

With—Madam Speaker, with that I urge my colleagues to support the legislation.

I reserve the balance of my time.

Mr. PETRI. Madam Speaker, I yield such time as he may consume to the senior Republican on the full committee, my colleague, JOHN MICA from Florida.

Mr. MICA. I thank the gentleman for yielding.

First, Mr. PETRI, I want to personally thank you as our ranking member; Mr. COSTELLO, the chair of the Aviation Subcommittee; Mr. OBERSTAR, my partner on the full committee.

□ 2310

The hour is late, both for passage of this extension of our Federal Aviation Administration authorization, and the hour is late for passage of a Federal aviation airline safety bill, commuter safety legislation that we should have passed months and months ago.

First I have to address the airline safety provisions that have been rolled into this extension. I must apologize to those families who have waited so long, those families who experienced personal tragedy beyond what any of us could imagine, the loss of loved ones, the loss of life, and from that tragedy, they went forward and tried to change our Federal laws and our airline safety.

The United States of America is fortunate because we have probably the safest aviation system in the world. Large commercial aircraft, since November of 2001, we have not lost a single aircraft; every day it's a miracle, given all the human elements and possibilities of an accident. However, in

our service on the committee, we can't just be concerned about safety with large aircraft. Millions of Americans who fly every day and every week cross the land on commuter aircraft. The fatalities in commuter aircraft travel, as we have seen, have been too many, and we have not acted.

When we had the crash in February of 2009, again, from that tragedy families came forward and Members of Congress began the work of trying to craft legislation that would ensure a level of safety for those traveling on commuter airlines, an equal level of safety that everyone else enjoys in other classes of aircraft. I am sad that, again, it took so long, and now we're doing it on the extension, but it should have been done and now it will be done. Without their help, we wouldn't be here even tonight.

I also came tonight to stay a few minutes to thank one of our newer representatives. Imagine being elected to Congress and just a few weeks later, a few neighborhoods away, having a horrible aviation tragedy in your congressional district. That is what Representative CHRIS LEE experienced just a week after taking office. He also turned a tragedy into a personal commitment to pass the legislation which will pass tonight. So I am grateful for his action, and for the men and women and loved ones who, again, turned a tragedy into something that will hopefully prevent tragedies and the heartbreak that they have had to suffer.

I am disappointed that we are not passing an FAA bill. I had the honor to chair the Aviation Subcommittee back in 2001 through some very difficult times. Our previous authorization bill expired. On May 15, we introduced legislation, in 2003. We had it on the President's desk, signed, by December 12, 2003, the same year. That bill that I wrote then was only a 4-year authorization, it expired September of 2007. And here we are, the end of July, and we have not passed a reauthorization for 3 years. All of Federal policy dealing with all the aviation issues has not passed. All the projects we must authorize have not passed. All of the eligibility for Federal assistance to our aviation system has not passed. And we have picked out of this legislation tonight that airline commuter safety bill. It is sort of a sad state of affairs.

But again, I pledge to work with folks. We need to pass the rest of the legislation to ensure safety, to ensure that the United States maintains its position in the world not only for airline safety, but technology, and maintains leadership in that important role, provides a pathway for the future, jobs for the future, and safety for the future.

So again, I thank those that have made part of what we wanted possible tonight.

I yield back the balance of my time. Mr. COSTELLO. Madam Speaker, I yield myself 15 seconds just to clarify a point in the RECORD.

Madam Speaker, the gentleman from Florida, the ranking member of the

full committee, is correct. But for the record, it wasn't that we didn't pass the bill. This House of Representatives passed a bill in 2007, passed it again in 2009, and we have been attempting to get the other body to work with us to pass a bill out that can be agreed upon.

Madam Speaker, I am pleased to yield 4 minutes to the gentlelady from New York (Ms. SLAUGHTER), who has been so very helpful to us in crafting this legislation. She has worked with us very closely.

Ms. SLAUGHTER. Mr. COSTELLO, I thank you so much for your kindness in yielding. I thank you even more for your kindness and your persistence, yours and Mr. OBERSTAR's, in bringing us to this moment this evening.

I want to thank Mr. MICA and my neighbor, Mr. PETRI, for their caring and work that they have done as well.

My heart is pretty full tonight because I have watched the families over these 1½ years, watched them with pain etched on their faces that will never go away. We talked a little while ago in my office about the ceremonies of life, who would give you away at the wedding, you miss your father at Christmas time, your mother, your child.

One of the saddest things in the world that happened here today, and I want to call attention to it, was the Eckert family, Karen and Susan, sisters of Beverly, who died in that plane crash. Beverly's husband had died at the World Trade Center. She was somebody we knew very well. She was here a lot, and we got to know her. And then her sisters took up this banner to make sure that this would not happen to other people.

They have learned to live with their tragedy, but what they have been doing all this time is working for us. They have made sure that none of the rest of us will endure this kind of tragedy. I know how grateful I am for them, but everybody in America owes them a debt of gratitude.

On that awful evening in February, with the runway in sight of that airplane, we lost 50 people and we learned that the skies are not as safe as we once thought. Since then, we have learned that regional airline pilots don't require the same training as major carriers with whom they share the skies.

No airline should have ever sent into Buffalo, New York in February two pilots that didn't have the foggiest idea how to fly through ice. We also found out that they were extraordinarily exhausted. They were paid so little that they had to fly to Newark to get their plane and they couldn't even afford a hotel room. One of them slept on the floor of a FedEx plane that night to get to Newark. Others were sleeping in chairs at the post.

□ 2320

How terrible is this that these are the people who are exhausted, underpaid, undertrained, and many of them

with great failures on their records that nobody ever knows about? How tragic for these families that those were the people in charge of the plane that night.

Now, every person on that plane was extraordinarily precious. We love and we miss every one of them. Also, the family who lived in the house where the plane fell, they lost their father. I will tell you that on that plane was one of the world's greatest anthropologists. On that plane was one of the world's greatest musicians. Everybody on that plane had particular talents and gifts and families that they loved. It should never have happened to them. That's why getting to this night is so important to all of us and to all of them—but we know now that crash could have been prevented.

So there are the people I thanked before. In addition is our Transportation Secretary, Mr. LaHood, to whom I want to say we really can't thank you enough.

We all know that progress has been slower than we would have liked, but Mr. COSTELLO is absolutely right. We seem to pass bills over here in a great flurry, working as hard as we can, and then they fall into that black recess on the other side of the Capitol. Today, though, we know we are at the finish line, and with the lessons that we have learned from Flight 3407, we have another opportunity to try to get this right. We must not rest until we get this right.

All of us want to say again to the families who are here, who have been with us, who have exhibited extraordinary patience, who have come at their own expense, who have suffered, that to get to know them and their children has been astonishing. What they have learned from their loss was to turn that into a gain for all of us. Thank you very much for all of the work that you have done. We appreciate it.

I join them to say that I hope no family will ever be confronted with the disaster that this was that could have been avoided.

Mr. PETRI. Madam Speaker, I yield such time as he may consume to the gentleman from New York, CHRIS LEE.

Mr. LEE of New York. Madam Speaker, this has been a long time in coming. We are here today due to a group of individuals, many of whom are here tonight up in the gallery. It is truly amazing. They are the ones who decided to turn their personal tragedies into a mission to overhaul the way our airlines operate in this country and the way the pilots are trained.

It was February 12, 2009, a day, I think, everyone will always remember who is from western New York. Continental Connection Flight 3407 crashed into a home in Clarence Center, New York. This tragedy claimed the lives of 50 people, including a friend of mine, an expectant mother, many of whom who were constituents in my district, and, as I'd mentioned, a number of whom I'd known personally.

Since the night of the tragedy, I am proud to say that I have made many new friends as I see and peer up into the gallery this evening. The faces of these family members have not only become familiar to me but to many of the people who sit here on the floor tonight.

As a result of their never-ending commitment to ensuring a tragedy like this will never, ever happen again, they have taken their grief and have turned this tragedy into a significant push for meaningful aviation safety reforms that are before us today and which will be a part of the future of the FAA extension. From requiring all pilots to have at least 1,500 flight hours of experience to addressing issues with pilot fatigue and training, these reforms will ensure that no air carrier will ever cut corners. When this law takes effect, each and every person who boards a commercial aircraft in this country will know that there is an experienced, well-trained and prepared pilot in every cockpit. It should never have to have been otherwise.

With no doubt, we are here today because of the hard work of these families and also because of the dedication of many of my colleagues: my good friend, Congressman BRIAN HIGGINS; Congresswoman SLAUGHTER; Ranking Members MICA and PETRI; and of course, Chairmen OBERSTAR and COSTELLO, who took this forward. This has been very near and dear to me, and I appreciate your efforts and what you have done. This has been a long haul. Again, it is truly appreciated. To the staffs of all who have worked tirelessly over the last 17 months, I think they also deserve credit in addition to the families, for all of this, at the end of the day, is going to mean meaningful aviation safety that will benefit all Americans.

It has been nearly 17 months since the crash, and we are finally at a point where 1.8 million Americans each and every day who board a craft—and more than 400,000 of whom are on regional carriers—will be assured one level of aviation safety.

Lastly, our actions today truly validate the families' efforts in coming out to honor their loved ones. I just want to name a few. Kevin Kuwik, Karen Eckert, Susan Bourque, Scott Maurer, John Kausner, and many other family members—way too many to offer here—all have played an incredible role in getting done what we've gotten done tonight.

There were days I didn't think we'd get there, but it gives you hope when you see how both sides have come together to really push through this legislation. They have really turned the tears of sadness into tears of joy. So I am very pleased to be here. These men and women have worked so hard to get to this point. It makes me proud to be a western New Yorker. I really don't think anybody else—any group of families—could have done what this group has done tonight.

With that, I am just pleased that all Americans will benefit from the hard work that these families have done for this country.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Remarks in debate may not call attention to occupants in the gallery.

Mr. COSTELLO. Madam Speaker, might I inquire as to how much time we have remaining on both sides?

The SPEAKER pro tempore. The gentleman from Illinois has 11¼ minutes remaining. The gentleman from Wisconsin has 9 minutes remaining.

Mr. COSTELLO. Madam Speaker, at this time, I yield 2 minutes to my friend, the gentleman who testified before the subcommittee, who met with us many times to help put this legislation together, the gentleman from New York (Mr. HIGGINS).

Mr. HIGGINS. Thank you, Mr. Chairman.

Madam Speaker, I am pleased to join my colleagues in support of this legislation tonight.

I also want to thank Chairman JIM OBERSTAR, whose commitment to safety across the various modes of transportation is unchallenged.

I want to thank Chairman COSTELLO, Ranking Members MICA and PETRI for their leadership.

I want to thank my western New York colleagues, CHRIS LEE and LOUISE SLAUGHTER, for joining me and all of us in this effort.

I want to thank Representatives JERRY NADLER, TIM BISHOP, MIKE ARCURI, and MIKE MCMAHON. All are from New York, and all of them serve on the Transportation Committee.

As has been mentioned tonight, we are really here for one reason—that is a group that has become known as the “families of 3407.” It is an incredible and courageous group of people. To them, we extend our appreciation, our respect, and our admiration. We know all too well the passage of time will never fully heal the tragedy of their deep personal losses nor will these flight safety provisions, which will be approved at this late hour.

We are here tonight because of these families, families who persevered, who carried themselves over the past 18 months in a most dignified manner. Befitting the cause that they dedicated themselves to and for the people they loved, they became friends with one another. They worked through Congress with both perseverance and persistence but also with patience, and they were guided in their work by the light that still shines from those they loved and lost.

With that, Madam Speaker, I urge my colleagues to support this legislation.

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

In May 2009, the House passed H.R. 915, the FAA Reauthorization Act of 2009. Four months ago, the Senate passed its own FAA reauthorization bill, which the House took up, amend-

ed, passed, and sent back to the Senate.

□ 2330

Since that time, staff from both Chambers have been in informal discussions to reconcile the two versions of the bill and bring a negotiated FAA reauthorization to the floor.

While these discussions have led to tentative agreements on nearly all of the provisions, a few controversial issues have stalled progress on a final agreement. Therefore, with the FAA's authorities set to expire on Sunday, we, again, find it necessary to extend those authorities.

Like the 14 earlier extensions, H.R. 5900 would extend the taxes, programs and funding of the FAA, this time through September 30, 2010. This bill will ensure that our National Airspace System continues to operate, and that the FAA continues to fund important airport projects while Congress completes action on a final reauthorization bill.

I remain very disappointed that a few issues in the reauthorization package are holding up final agreement and delaying important safety improvements. That's why I support the inclusion of the bipartisan and bicameral airline safety and pilot training provisions in this clean FAA extension bill.

The airline safety and pilot training provisions are in response to the terrible loss of life resulting from the crash of Colgan Flight 3407 in February of 2009.

Among other improvements, these provisions strengthen pilot screening and training standards, increase flight hour minimums, and require the FAA to conduct a comprehensive study on pilot fatigue.

The FAA is also directed to create a consolidated database of pilot records, and all air carriers will be required to access this database and pre-screen pilot candidates before making hiring decisions.

The families of Continental Flight 3407 must be recognized for their tireless efforts to see this legislation pass. I'm very grateful for their work and their dedication over the past 17 months since that terrible crash.

I want to thank Representative CHRIS LEE, Representative LOUISE SLAUGHTER, and Representative BRIAN HIGGINS for their work in getting these safety provisions enacted.

And I'd also like to thank Chairman OBERSTAR and Ranking Member MICA, as well as my chairman, JERRY COSTELLO.

The airline safety and pilot training provisions were drafted in an open, bipartisan fashion. And we all agree that adding these safety provisions to this extension is the right thing to do, both in memory of those who lost their lives on Flight 3407, and in honor of their families and friends who have dedicated themselves to seeing that the aviation safety improvements are made the law of the land.

Finally, I want to recognize Ryan Boyce and his hard work and service on the Aviation Subcommittee. Ryan is headed off to law school, and I want to wish him all the best.

I'd urge my colleagues to support H.R. 5900.

I yield back the balance of my time.

Mr. COSTELLO. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Ohio (Mr. BOCCIERI), a valued member of our Subcommittee on Aviation, who is a pilot. His expertise and experience was invaluable in putting this legislation together.

Mr. BOCCIERI. Madam Speaker, Chairman COSTELLO, Chairman OBERSTAR, and Ranking Members PETRI and MICA, we thank you for your leadership on this important issue, and including this legislation in this moving bill through the House of Representatives.

There's an adage that we often say in aviation, that you train like you fly, and you fly as you train. And aviators know that the practice that we do prepares us for situations where we find ourselves in compromised circumstances. And we know that the training that we do prepares us for those emergencies.

But you could take the most experienced air crew, with thousands of hours, hundreds of thousands of hours, put them in an air frame, and if they're not trained in the safety equipment of that aircraft, they will not know how to recover.

And while this accident in February was completely tragic, I'm sad to say that it was completely avoidable if we would have only taken the leadership as we are doing today.

When I reviewed the NTSB's reports, and I found that those pilots were not trained in the safety equipment on their aircraft, I was aghast. I was aghast that the Q400 check pilots that were interviewed, their demonstration or instruction of the aircraft pusher system is not part of the training syllabus for initial or recurrent training on the Q400. These pilots and this airline were cutting corners, and now we're paying the price for this. And those families who died are experiencing the grief and tragedy that was completely avoidable.

Madam Speaker, in the 1970s the NTSB had been telling the FAA to include stall recovery upset training as a part of curriculum for new pilots. Since the 1970s.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. COSTELLO. Madam Speaker, I yield an additional minute to the gentleman.

Mr. BOCCIERI. In 1994 they warned that stall recognition and the recovery techniques are to be included as stick shaker and stick pusher during training. But yet this airline did not include it.

In section 208 of this bill, we will change that, and we will make sure that pilots are having simulator training, and that they're going to recognize

and avoid stalls of aircrafts and recover from stalls as part of their simulator training.

For over 30 years we've been telling the FAA to do this, to make this a part of their curriculum; and nothing has happened. Now Congress has acted to ensure that this tragedy will be avoidable in the future.

I thank the chairman and this committee for its leadership, and for the families, for their unrelenting push to make sure that we hold, not only those who are training pilots, but those who are operating our equipment and flying our loved ones around this continent and others to be as safe as they can. We owe it to them, and this Congress is going to act today on this.

I thank you for your leadership.

Mr. COSTELLO. Madam Speaker, I yield 6 minutes to the gentleman from Minnesota (Mr. OBERSTAR), the distinguished chairman of the full committee, who is recognized as one who knows more about aviation and transportation than anyone in this Congress.

Mr. OBERSTAR. Thank you, Mr. Chairman, for yielding the time.

But more than that, thank you for persistent, vigorous and insightful and creative leadership you've given to the entire reauthorization of FAA, but especially to this particular safety issue. You've given your heart, your soul, your time, your energy; and we're now at a point of making an extraordinary difference in the history of aviation safety.

Our Constitution has a unique provision, unlike that in any other constitution I'm aware of. It prescribes the right of the citizens to petition their government for redress of grievances.

The families of the victims of the Colgan Continental express flight that crashed February 12 of last year have exercised that right with vigor, with persistence, with highmindedness. They know, as the families of all the victims of transportation tragedies, that they can't bring back the lives of those they loved, but they can do something to make sure it won't happen again to others.

I've seen the tears in their eyes that reflect the pain in their hearts. I've experienced their determination never to give up.

I've also stood at the site of the grim tragedy of the Mesaba Airlines commuter crash, only 6 miles from my home in Chisholm, Minnesota; the flight path toward the Chisholm Hibbing Airport in December 1993, where 19 people lost their lives because that aircraft didn't have a ground proximity warning system.

□ 2340

It wasn't required for commuter airlines, because there was a mismatch between pilot and copilot, because there was an inadequacy of training on the one hand and a mismatch of personalities and of skills and of abilities to manage aircraft under unusual circumstances.

I vowed to the families we would make a difference, Congress would act. And we were able to require the regional airlines to have ground proximity warning systems, regardless of the cost to the airlines. That's their problem. They can figure that out. And vowed to move to have more equitable management in the flight deck of matching of pilots and first officers. That was not as successful. Didn't have enough time before, frankly, we lost the majority.

But I also stood with my colleagues on the Pan Am 103 Commission in Lockerbie, Scotland, at the abyss, this trench that was carved in the Earth where that 747 exploded that killed 271 people. And we vowed to each other and to the families of Pan Am 103 to make a difference, to make the airways safer. Our report of 64 recommendations we took in this committee, which I chaired at the time, the Aviation Subcommittee, which Mr. COSTELLO now chairs, 63 of the 64 recommendations, translated them into legislative language in the House and in the Senate, and moved a bill through the House to make aviation safer. We didn't get everything we asked for. We got 98 percent of it.

There was much more yet to be done, and more happened after the tragedy of September 11, 2001. It should not require loss of life and tragedy and pain in the hearts, pain in the lives of people to make these changes for aviation safety and security.

The opening paragraphs of the FAA Act of 1958 says, "Safety shall be maintained at the highest possible level." Not the level the airlines can afford. Not the level the airlines want. Not the level that the airline executives choose to provide. The highest possible level. That is where we go with this legislation.

This bill passed the House last year. We sent a separate safety bill over to the other body when they didn't act. We have cajoled and wheedled and tried and pushed and moved, but holds, and hot holds, and threats of filibuster, and failure to break filibuster, and failure to agree in the other body have held up the entire FAA authorization bill.

The Senate bill had no provision comparable to this safety provision in their bill. The families of the victims, exercising their right to petition the government, broke the logjam, broke the indifference and the resistance in the other body. We are on the verge of a citizen triumph in safety.

Let us all work earnestly to ensure this bill passes the other body, goes to the President, is signed into law, and that never again citizens have to petition to make things right for safety.

Madam Speaker, I rise in strong support of H.R. 5900, the "Airline Safety and Federal Aviation Administration Extension Act of 2010".

This bill ensures that aviation programs, taxes, and Airport and Airway Trust Fund expenditure authority will continue without interruption pending completion of long-term Federal Aviation Administration (FAA) reauthorization legislation. Because the long-term bill will not be completed before the current authority for aviation programs expires at the end of this week, H.R. 5900 is needed to extend aviation programs, taxes, and expenditure authority for an additional two months, through September 30, 2010.

The most recent long-term FAA reauthorization act, the Vision 100—Century of Aviation Reauthorization Act (P.L. 108–176), expired on September 30, 2007. Although the House passed an FAA reauthorization bill during the 110th Congress, and again last year, the Senate failed to act until March of this year. The FAA has, therefore, been operating under a series of short-term extension acts, the most recent of which expires on August 1, 2010.

Since passage of the Senate bill in March, we have been working diligently to resolve the differences between the House and Senate bills. To be frank, I had hoped that the House would pass a negotiated, comprehensive, multi-year FAA reauthorization bill this week. We are close to a final package with the Senate, with very few issues left on the table. As it stands now, the negotiated bill would provide the aviation sector with the stability of a multi-year authorization, safety reforms, record-high capital investment levels, several provisions that would accelerate the Next Generation Air Transportation System effort, and a passenger bill of rights.

Unfortunately, the FAA reauthorization bill is hung up in the Senate, primarily over a provision that would significantly increase the number of long-distance flights at Washington National Airport. The Senate provision was included in neither the House-passed nor Senate-passed FAA bills, and it is strongly opposed by Members of Congress and Senators who represent the Washington, D.C. metropolitan region because, they argue, it would create a burden for Washington National Airport by creating congestion at terminals and siphoning passengers away from Washington Dulles International Airport. I also have concerns that the provision, as written, would unduly benefit dominant incumbent carrier, US Airways.

Madam Speaker, on the night of February 12, 2009, a Colgan Air flight operating as Continental Connection Flight 3407 crashed in Buffalo, New York, killing 50 people. The National Transportation Safety Board (NTSB) investigation that followed rocked the airline industry, stunned the American public, and identified the need to closely examine the regulations governing pilot training and rest requirements, with a particular focus on regional airlines.

In response to this tragedy, the Subcommittee on Aviation held a series of hearings, receiving testimony from the FAA, the NTSB, the Department of Transportation Inspector General, pilots' unions, airline representatives, and the representatives of the Colgan 3407 Families.

With regard to the Colgan 3407 Families, they have been a driving force behind aviation safety reform legislation. In the last 17 months they have come to Washington, D.C., more than 30 times to push for legislation. They have served the American public well. It is

time to let them go home now, to know that they have made a difference, to put closure on this tragedy and to pick up the pieces of their lives. Moreover, safety is our highest priority. Therefore, this extension act includes the airline safety and pilot training provisions that we have been able to negotiate with the Senate. These safety provisions will dramatically upgrade the training and experience necessary to be an airline pilot. Key features of this legislation include:

Requiring all airline pilots to hold an Airline Transport Pilot certificate, which requires a minimum of 1,500 flight hours; the current requirement is 250 flight hours.

Directing the FAA to update and implement new flight and duty time rules for pilots within one year, to more adequately address the results of scientific research in the field of fatigue.

Requiring FAA to ensure that pilots are trained on how to recover from stalls and upsets and that airlines provide remedial training to pilots who need it.

Establishing a pilot records database to provide airlines with fast, electronic access to a pilot's comprehensive record.

Some have argued that these safety provisions are one of the strongest selling points of a comprehensive FAA reauthorization package, and that by moving these provisions separately we may put the larger bill in jeopardy. We believe that moving these safety reforms right now, as part of an extension act, is simply the right thing to do. Moreover, we see no reason why Congress cannot return in September and work through the very few remaining issues in a larger FAA bill. We view these safety provisions as just a preview of a very strong comprehensive aviation package that this Congress will deliver for the American public in a matter of weeks.

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

I strongly urge my colleagues to join me in supporting H.R. 5900.

Mr. COSTELLO. Madam Speaker, as I have said earlier, this is the strongest aviation safety bill that we are about to pass in decades. I urge my colleagues to support this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. COSTELLO) that the House suspend the rules and pass the bill, H.R. 5900.

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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House, and that any manifestation of approval or disapproval of pro-

ceedings is in violation of the rules of the House.

MODIFYING DATE THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY AND APPLICABLE STATES MAY REQUIRE PERMITS

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I move to suspend the rules and pass the bill (S. 3372) to modify the date on which the Administrator of the Environmental Protection Agency and applicable States may require permits for discharges from certain vessels.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3372

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

SECTION 1. DISCHARGES INCIDENTAL TO NORMAL OPERATION OF VESSELS.

Section 2(a) of Public Law 110-299 (33 U.S.C. 1342 note) is amended by striking “during the 2-year period beginning on the date of enactment of this Act” and inserting “during the period beginning on the date of the enactment of this Act and ending on December 18, 2013”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) and the gentleman from New Jersey (Mr. LoBiondo) each will control 20 minutes.

The Chair recognizes the gentlewoman from Texas.

GENERAL LEAVE

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous materials on this bill.

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

There was no objection.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I yield myself such time as I may consume.

I rise in support of S. 3372. This piece of legislation has been approved twice by this Chamber. Just last week, H.R. 5301, proposed by my colleague, the gentleman from New Jersey (Mr. LoBiondo) passed easily on the floor of this Chamber.

Both S. 3372 and H.R. 5301 are mere extensions of an already existing moratorium. This extension is necessary because the Environmental Protection Agency has determined that discharges from vessels under 79 feet in length are not benign. But the agency needs additional time to expand coverage of its permitting program for these smaller vessels, and the EPA needs additional time to set appropriate Clean Water Act requirements to protect the Nation's waters from these type of discharges.

So I urge my colleagues to join me and support S. 3372.