

# 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.

## AIRPORT AND AIRWAY EXTENSION ACT OF 2010, PART IV

Mr. COSTELLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6473) 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 the airport improvement program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6473

*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 "Airport and Airway Extension Act of 2010, Part IV".

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

(a) FUEL TAXES.—Subparagraph (B) of section 4081(d)(2) of the Internal Revenue Code of 1986 is amended by striking "December 31, 2010" and inserting "March 31, 2011".

(b) TICKET TAXES.—

(1) PERSONS.—Clause (ii) of section 4261(j)(1)(A) of the Internal Revenue Code of 1986 is amended by striking "December 31, 2010" and inserting "March 31, 2011".

(2) PROPERTY.—Clause (ii) of section 4271(d)(1)(A) of such Code is amended by striking "December 31, 2010" and inserting "March 31, 2011".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2011.

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

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

(1) by striking "January 1, 2011" and inserting "April 1, 2011"; and

(2) by inserting "or the Airport and Airway Extension Act of 2010, Part IV" 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 "January 1, 2011" and inserting "April 1, 2011".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2011.

### SEC. 4. EXTENSION OF AIRPORT IMPROVEMENT PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Section 48103 of title 49, United States Code, is amended—

(A) by striking "and" at the end of paragraph (6);

(B) by striking the period at the end of paragraph (7) and inserting "; and"; and

(C) by inserting after paragraph (7) the following:

"(8) \$1,850,000,000 for the 6-month period beginning on October 1, 2010."

(2) OBLIGATION OF AMOUNTS.—Subject to limitations specified in advance in appropriation Acts, sums made available pursuant to the amendment made by paragraph (1) may be obligated at any time through September 30, 2011, and shall remain available until expended.

(3) PROGRAM IMPLEMENTATION.—For purposes of calculating funding apportionments and meeting other requirements under sections 47114, 47115, 47116, and 47117 of title 49, United States Code, for the 6-month period beginning on October 1, 2010, the Administrator of the Federal Aviation Administration shall—

(A) first calculate funding apportionments on an annualized basis as if the total amount available under section 48103 of such title for fiscal year 2011 were \$3,700,000,000; and

(B) then reduce by 50 percent—

(i) all funding apportionments calculated under subparagraph (A); and

(ii) amounts available pursuant to sections 47117(b) and 47117(f)(2) of such title.

(b) PROJECT GRANT AUTHORITY.—Section 47104(c) of such title is amended by striking "December 31, 2010," and inserting "March 31, 2011,".

### SEC. 5. EXTENSION OF EXPIRING AUTHORITIES.

(a) Section 40117(l)(7) of title 49, United States Code, is amended by striking "January 1, 2011," and inserting "April 1, 2011".

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

(1) by striking "December 31, 2010," and inserting "March 31, 2011,"; and

(2) by striking "March 31, 2011," and inserting "June 30, 2011,".

(c) Section 44303(b) of such title is amended by striking "March 31, 2011," and inserting "June 30, 2011,".

(d) Section 47107(s)(3) of such title is amended by striking "January 1, 2011," and inserting "April 1, 2011,".

(e) Section 47115(j) of such title is amended by striking "January 1, 2011," inserting "April 1, 2011,".

(f) Section 47141(f) of such title is amended by striking "December 31, 2010," and inserting "March 31, 2011,".

(g) Section 49108 of such title is amended by striking "December 31, 2010," and inserting "March 31, 2011,".

(h) Section 161 of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 47109 note) is amended by striking "January 1, 2011," and inserting "April 1, 2011,".

(i) Section 186(d) of such Act (117 Stat. 2518) is amended by striking "January 1, 2011," inserting "April 1, 2011,".

(j) The amendments made by this section shall take effect on January 1, 2011.

The SPEAKER pro tempore. 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. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 6473.

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

There was no objection.

Mr. COSTELLO. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 6473, the Airport and Airway Extension Act of 2010, Part IV.

I want to thank Chairman OBERSTAR of the Committee on Transportation for bringing this bill to the floor today.

At the end of September, we passed an FAA extension that will expire on December 31. H.R. 6473 is a clean 3-month extension that runs through the end of March. However, I am hopeful that we can still pass a long-term FAA reauthorization bill before the 111th Congress adjourns.

There are many important provisions in the FAA reauthorization bill, such as binding arbitration for the air traffic controllers, addressing the consolidation and realignment of FAA facilities, and making investments to accelerate NextGen. In addition, the bill will create thousands of jobs at a time when our economy continues to struggle and too many Americans are out of work. Our aviation system plays a significant role in our national economy, and I will continue to push for a comprehensive, long-term FAA reauthorization bill.

I urge my colleagues to support the bill.

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

Mr. PETRI. I yield myself such time as I may consume.

Mr. Speaker, as was pointed out, in May, the House passed H.R. 915, the FAA Reauthorization Act of 2009. In March of this year, the Senate passed its own FAA reauthorization bill. The House took that up, amended it, passed it, and sent it back to the Senate. Since then, we have been in formal discussions to reconcile the two bills. While these discussions have led to tentative agreements on nearly all of the provisions, a few controversial issues have prevented the House and Senate from reaching a final agreement.

Therefore, with the FAA's authorities set to expire at the end of the calendar year, we again find it necessary to consider another extension. Like the 16 earlier extensions over the past 3 years, the bill before us would provide a short-term extension of the taxes, programs, and funding of the FAA, this time through the end of March 2011.

It is unfortunate that this Congress has not been able to reach final agreement on a comprehensive FAA reauthorization bill. We recognize the importance of a multiyear authorization, and I look forward to working with Mr. COSTELLO and my other colleagues in the next Congress to that end.

However, in order to ensure the safe operation of the National Airspace System while Congress continues to debate a full reauthorization package, I certainly support passage of today's extension and urge my colleagues to do the same.

I reserve the balance of my time.

Mr. COSTELLO. Mr. Speaker, I yield such time as he may consume to the chairman of the full Transportation and Infrastructure Committee, the gentleman from Minnesota, Chairman OBERSTAR.

Mr. OBERSTAR. I thank the chairman for yielding time, and I thank Mr.

MICA for his partnership in bringing yet another Transportation bill to the House floor in these waning hours of the session. I wish with all my heart we didn't have to be here and that the other body had acted on this measure in the 110th Congress and earlier in this Congress, but that's not the case, unfortunately.

Without going into any detail or further reviewing of the inscrutable actions of the other body, I will just say that we are here again, doing our part in public service, carrying out our trust to the people of this country and to the cause of aviation in assuring that we continue the programs of aviation until such time—and hope continues in my heart and that of Mr. COSTELLO, Mr. PETRI, Mr. MICA, and, I think, of the whole aviation community—that we will be able to accomplish passage of the full authorization bill.

We are headed for a billion passengers in the airspace of the United States. Last year, a billion people traveled by air worldwide. Three-fourths of them traveled in the U.S. airspace. We account for more air travel than all the rest of the world combined. To continue to provide the level of service needed for this engine of economic growth of aviation, which accounts for 9 percent of our gross domestic product, we need to prepare for the future.

This legislation will provide the authorization for the Next Generation air traffic control technology to be implemented in time with the effectiveness that the FAA has always pursued and for the good purposes of aviation.

It is important for us to persist until the very last hours of this Congress to ensure that the goals of aviation will be met; that safety in aviation will be provided at the highest possible level, as stated in the opening paragraph of the FAA Act of 1958; that we meet our trust to the flying public to ensure that the separation of aircraft at altitude will be conducted by the most robust, efficient, available technology; and that we prepare the groundwork for future growth in aviation. This legislation does it.

It is a tribute to Mr. COSTELLO and to Mr. PETRI. They have worked together. Particularly, Mr. COSTELLO has chaired the subcommittee and has bent himself to the effort. He has persisted rigorously in hearings, in meetings, in markup to fashion the best possible future for aviation. This bill is a monument to his service as chair of the Aviation Subcommittee. For that reason alone, it ought to be enacted by the Congress.

For myself, this is a nostalgic moment. I think, unless we are here again on aviation, it is likely to be my last measure on which I will speak in this body. I thank my colleagues for their support.

I thank our diligent, dedicated, and gifted committee staff, especially David Heymsfeld and Ward McCarragher, our full committee Chief

of Staff and counsel, for the many, many years we have spent together; Stacie Soumbeniotis, who came onto the committee to become one of the most outstanding aviation professionals in this whole country; and many others whose names I will submit for the RECORD.

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I am grateful for their friendships, their partnerships, and to the people of my district for this opportunity to serve the great public good in this greatest legislative body in the world.

Mr. Speaker, I rise in strong support of H.R. 6473, the "Airport and Airways Extension Act of 2010, Part IV". 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 may not be completed before the current authority for aviation programs expires at the end of this month, H.R. 6473 is needed to extend aviation programs, taxes, and expenditure authority for an additional 3 months, through March 31, 2011.

This 3-month extension is not intended as the final decision on how long an extension should be authorized if the long-term bill cannot be passed this month. The term of an extension is under House-Senate discussion. Because of the difficulties in passing any legislation this month, we thought it desirable to begin the process with 3 months as a placeholder.

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 in 2009, the Senate failed to pass an FAA bill 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 December 31, 2010.

Since passage of the Senate bill in March, we have been working diligently to resolve the differences between the House and Senate bills. 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, acceleration of the Next Generation Air Transportation System effort, and a passenger bill of rights. Moreover, a comprehensive multi-billion dollar FAA reauthorization would create tens of thousands of well paying aviation sector jobs. Unfortunately, since July, the FAA reauthorization bill has been hung up in the Senate, primarily over a provision that would significantly increase the number of long-distance flights at Washington National Airport.

We will continue to work as hard as we can on behalf of the American public for a strong, comprehensive FAA reauthorization bill, which I still remain hopeful that we can deliver this Congress. However, without the passage of either a multi-year authorization, or another extension, the FAA's capital, research, and airport grant programs would shut down after December 31, 2010, and thousands of FAA employees would be furloughed. FAA's authority to make expenditures from the Airport and Airway Trust Fund would also cease with-

out an extension. Therefore, if we are unable to enact an FAA reauthorization bill, we need to ensure that the FAA will continue running properly without any disruption until such a bill is enacted.

I urge my colleagues to join me in supporting H.R. 6473.

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

I just want to take a minute to acknowledge and express my admiration for the service of the chairman of our committee, the gentleman from Minnesota (Mr. OBERSTAR). The Public Works and Transportation Committee has a long and honorable record here in our Congress. I think the gentleman from Minnesota has been a contributing member of that committee both as a leading staff member, working his way up, and then as a member of the committee representing the Iron Range in northern Minnesota and working his way up to the chairmanship, for a significant percentage of the life of the committee. We are a 200-year-old-or-more-plus country and I think you've been on the committee for at least a quarter of that time.

It has really been a joy for me to be able to learn about the background and history and contexts of a lot of the different decisions that the committee has faced over the years from the gentleman from Minnesota, who in some cases read about them, in other cases experienced firsthand the history that we were discussing and the background of the decisions that we were making. Like any other two Members of a body like this, we've never agreed on everything, but I think we've always tried to be agreeable. I certainly have appreciated that. And I think that there is no question that the people of the Iron Range in northern Minnesota are going to lose a great and dedicated champion with deep roots in the history of that mining region of our country.

I would just like to yield for a brief moment to my chairman on the Education and Labor Committee, GEORGE MILLER.

Mr. GEORGE MILLER of California. I thank the gentleman for yielding and I appreciate taking a moment to recognize JIM OBERSTAR's service to our country and to the Congress.

As one who came to the Congress with Congressman OBERSTAR, he had such a wealth of knowledge before he was elected as a Member of Congress because of his service in the Congress, on the committee, but just to see him every year become such a remarkable spokesperson for infrastructure and public works and the needs of this country in almost every conceivable form, in maintaining this country and its economy, and to see him become such an authority both in the Congress and across the Nation and around the world on the demands of our economy on the infrastructure and the inter-relatedness of those two things. You can't really have one without the other. If you're not growing the infrastructure, you can't grow the economy.

You can't grow the economy if you're not growing the infrastructure. It's a lesson I think that we have maybe painfully learned over the last few months.

He was a spokesperson for doing much more on behalf of the infrastructure but also in behalf of the men and women who are employed in that effort and the people who would be employed in the future with modern airports, modern ports, modern rail systems, smart highway systems and an integrated transportation system. I have been very proud to serve with you all of this time, all of our time together in the Congress. Thank you for your knowledge and for your service.

Mr. PETRI. Before I wrap up, just one last point, and that is that I think one thing I've learned watching JIM OBERSTAR is the way he has expressed appreciation for and treated the people he works with on the staff of the committee and in the House. I think the fact that he spent many years as a staffer himself, sometimes you get angry about things but he always recognized the contribution and the importance of the work that was being done by people who devoted their lives often not in the public spotlight but even in more important endeavors as they actually worked out the details of legislation that were working with us, such as David Heymsfeld that he just referred to.

For these and many other reasons, you, sir, shall be missed.

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

Mr. COSTELLO. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland, a member of the committee and also a subcommittee chairman, Mr. CUMMINGS.

Mr. CUMMINGS. Mr. Speaker, I want to thank the gentleman for yielding, and I certainly support the legislation, but I wanted to take a moment to express my thankfulness to the gentleman from Minnesota, Chairman OBERSTAR. You know, so often we look at our lives and we question how they will intersect with other people's lives. And we hope that when those intersections come about that we are made a better person because of them. And I can say that when my life eclipsed with that of JIM OBERSTAR's, my life became a better life.

As the chairman of the Coast Guard subcommittee, the gentleman from Minnesota was consistently there guiding, showing me the ropes and giving me an opportunity to be all that I could be. It's not every chairman that does that, that says, I'm going to allow you to be all that you can be and then give you the guidance to get there, and then support you throughout.

I've learned a lot in all my years, and it's been about 15 years on that committee, from our chairman. But there is also the thing that a number of other people have already said. I've been just amazed with his leadership and his passion with regard to the

issues of aviation, the Coast Guard, water, rail, and all of our other subjects. Not only is he a walking encyclopedia, but he is also one who brings a strong history to those issues and has been truly a professor, a guide and a true leader. They say that leaders, people want to follow people who have integrity, who have commitment, who will go the extra mile.

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

Mr. COSTELLO. I yield the gentleman an additional minute.

Mr. CUMMINGS. True leaders. JIM OBERSTAR is one who we know that even in those moments, as the Greek theologian Swindoll said, when he was unseen, unnoticed, unappreciated and unapplauded that he still did the right thing. That's what leadership is all about. Generations will be better off because Chairman OBERSTAR touched our lives. I wish him well.

Mr. COSTELLO. Mr. Speaker, I yield myself the balance of my time.

Let me also say to Chairman OBERSTAR, I want to thank him for his kind words about this legislation and the work that both myself and the gentleman from Wisconsin (Mr. PETRI) has done. But actually every team has to have a captain and a leader and he has been the leader. He is the person that drove every transportation bill in the last several years coming out of the Transportation Committee on the floor of this House.

I have said many times both here in Washington and back in Illinois that no one in the Congress of the United States or in my opinion in the entire country knows more about transportation issues than JIM OBERSTAR. He's given all of his adult life to serve his country. His entire time here both as a staff person and as a member and then as chairman of the Transportation Committee, he has left us with a legacy that we can be very proud of. And I am very certain that as we end this Congress and move on to the 112th, as we are taking up our business, we will all turn to him and continue to ask him for his advice and to help us guide our way into the future as to how we can improve the quality of life for the people of this country by improving our transportation system.

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I thank him for not only his service, but personally for his guidance to me. He has been a mentor. Everything that I have learned about aviation I learned from JIM OBERSTAR. I wish him well and look forward to having him take my phone calls many times in the future as I turn to him for advice.

Mr. Speaker, I ask for strong support for this legislation.

Mr. MICA. Mr. Speaker, it is unfortunate that we find ourselves considering the 17th FAA Extension bill.

As of September 30th, it has been three years since the FAA was last authorized. This has been the longest period of time between FAA reauthorizations in decades, but still Con-

gress has been unable to reach agreement on a final FAA bill.

I know we are all disappointed that we have not been able to reach agreement on a full reauthorization package. Such a bill would:

Ensure stable funding for airport projects across the country, providing for long-term construction jobs;

Advance implementation of the Next Generation Air Traffic Control system; and

Improve aviation safety standards.

Both bodies have been negotiating to produce a final FAA bill that sets priorities and improves our airspace system.

Unfortunately, Congress just cannot seem to get the job done.

In the 112th Congress the FAA Reauthorization bill will be a top priority for the Committee. We will work closely with our colleagues across the aisle and in the other chamber to complete a bill as quickly as possible.

So, while I am sorry we were unable to reach agreement on a bill in this Congress, I support this extension to keep FAA up and running until we complete the bill next year. I urge my colleagues to adopt the legislation.

Mr. COSTELLO. 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. 6473.

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.

#### PLACING CONDITIONS ON CHILD AND ADULT CARE FOOD PROGRAM

Mr. GEORGE MILLER of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6469) to amend section 17 of the Richard B. Russell National School Lunch Act to include a condition of receipt of funds under the child and adult care food program.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6469

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

#### SECTION 1. CONDITION OF RECEIPT OF FUNDS UNDER THE CHILD AND ADULT CARE FOOD PROGRAM.

Section 17 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766) is amended by adding at the end the following:

“(u) **INELIGIBILITY OF INSTITUTIONS.**—An institution shall be ineligible for funds under this section if such institution employs a child care staff member who—

“(1) refuses to consent to a criminal background check that includes—

“(A) a search of the State criminal registry or repository in the State where the child care staff member resides and each State where such staff member previously resided;

“(B) a search of State-based child abuse and neglect registries and databases in the State where the child care staff member resides and each State where such staff member previously resided;