

very successful missions that allowed us to do incredible work in space with human beings interacting and, of course, 2 tragic missions—the destruction of *Challenger* on ascent 25 years ago and the destruction of *Columbia* on reentry just a few years ago, in the early part of this last decade.

There would not be as much angst in the space community if the new rockets were ready. The problem is that the rockets are being designed, and in some cases being built, but they then have to be human-rated; that is, all the redundancies for safety as well as the escape systems have to be designed and developed for the new rockets. One of those new rockets is going to fly this fall. It will launch and rendezvous with the International Space Station and will deliver cargo, but it is going to take a few years to rate that for humans. That all the more adds to the angst, the angst of people who have lost their jobs and now do not see the American rocket that is ready to fly immediately upon the shutdown of the space shuttle program.

I have been surprised that we have a lot of people in America who think the space program is being shut down. We have an International Space Station up there at about 225 miles. This thing is huge. It is 120 yards long. From one end zone to another of a football field, that is how big it is. There are six human beings up there doing research right now.

We have trials in the Food and Drug Administration on drugs that have been developed on that International Space Station. The first one that is in trials right now is a vaccine for salmonella. Another one that is getting ready to start trials is a vaccine for MRSA, the highly infectious bacterial disease in hospitals that we find so difficult to control because you cannot get an antibiotic that will control it.

I wanted to say for America's space team, "a job well done." A number of us, including Senator HUTCHISON and myself, had introduced and we passed last week the resolution commemorating the men and women of NASA. Indeed, their congratulations and commendations are certainly in order on a job well done.

The space program lives. The space program will go to greater heights. We will go to Mars, and we will see Americans venture out into the cosmos for even greater discoveries.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

MORNING BUSINESS

Mr. DURBIN. I ask unanimous consent that the Senate proceed to morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUESTS— H.R. 2553

Mr. DURBIN. Mr. President, we are facing a deadline tonight. At midnight, the current reauthorization of the Federal Aviation Administration expires. That expiration will mean that no funds can be collected or paid out of the airport and airway trust fund starting tomorrow, July 23. The trust fund provides the primary source of funding for the Federal Aviation Administration through excise taxes imposed on airline tickets, aviation fuel, and air cargo shipments.

We asked the Federal Aviation Administration and the Secretary of Transportation what would happen if the extension is not passed today in the Senate, and he said as follows: There will be a partial shutdown of Federal Aviation Administration operations. Approximately 4,000 non-essential FAA staff will be furloughed. Mr. President, 143 of these employees, incidentally, work in my State, mostly in Chicago.

The Airport Improvement Program, which provides construction project grants to airports, will be shut down and unable to obligate grants for projects. Projects already obligated will be able to continue—for example, the O'Hare Airport, Quad City's runways in Illinois—but obligating funds for new projects will be suspended. If the extension continues for a period of time, there may be reimbursement issues with projects that are underway.

There is an unresolved question as to whether this failure to extend the FAA authorization will have an impact on the fees we collect, the aviation taxes and fees we collect from airlines for their operations. It is not clear yet whether we will lose that revenue or whether we can capture it if we reach an agreement at a later time.

Majority Leader REID and Chairman JAY ROCKEFELLER have told House leaders that a shutdown is likely unless a clean extension can be passed. The Senate is hotlining a clean extension today, which I will go to next. There are no objections to this clean extension on the Democratic side, but we do expect an objection from the Republican side.

I want to tell you the request I make for this extension, this clean extension, is in the name of chairman JAY ROCKEFELLER from your State of West Virginia. This is a sad commentary on the political state of affairs in Congress today. This is the 21st extension of this authorization. How could we possibly explain to America that we have been unable so many times to extend this authorization for something so critical to our commerce and our economy? But now we are facing the most serious challenge we ever had when it comes to this extension, and that is the expiration of it this evening. It will have a direct impact on the people who work for the FAA and a direct impact on their operations.

Now, I might add, very quickly, to give peace of mind to people, this will

not have an impact on air traffic control or the safety of our airlines. Not at all. But the orderly operation of the FAA is at risk.

What is this all about? It is a battle over a program called Essential Air Service. Essential Air Service, if I am not mistaken, was initiated by your predecessor, Senator Robert C. Byrd of West Virginia. At the time of deregulation of airlines a decision was made that the smaller communities across America needed a helping hand to maintain air service. We have it in Illinois. Over the years we have reconsidered it, amended it, changed it. It is a shadow of what it started out to be. It is a very small program by standards of the original program.

There is a battle going on between the House and the Senate now, between Republicans in the House and the Democratic leadership in the Senate, about the future of this program. I just want to say in all fairness and all honesty, for goodness' sake, to both sides, save that battle for another day. Let us not jeopardize the operations of the Federal Aviation Administration because of a squabble over an important but relatively small program, and that is what is going to happen. What we are going to hear after I make this request is an objection on the Republican side to extending this authorization of the Aviation Administration with a clean extension, making no statement about changing policy. It just says don't jeopardize the operations of the FAA. Let's keep them in business. Let's fight this out next week or the week after on the Essential Air Service issue, but let's move forward and let the FAA do its business with a clean bill that does not take sides over who is right and who is wrong on Essential Air Service.

What I am offering is neutrality, political neutrality, a clean extension, but I am afraid what I will get back is an insistence if you don't take the House Republican proposal, we will shut it down. I don't think that is a good choice for America. Let us, as politicians, do our battles. Let's never do them at the expense of ordinary people across America who are trying to do good work to improve our airports and make sure we have the safest runways and safest air operations in the world. That should be our highest priority.

So I am going to make this request for a clean extension without getting into this political squabble at all. I hope the Republicans will not object. I hope we can extend this authorization for the Federal Aviation Administration.

Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 109, H.R. 2553, that a Rockefeller-Hutchison substitute amendment which is at the desk be agreed to, the bill, as amended, be read a third time and passed, and the motions to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. HATCH. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. HATCH. Mr. President, I want to take a few minutes to explain my objection to the legislation just offered by my esteemed colleague. I want to make it absolutely clear that a long-term FAA reauthorization is a priority for this country and a priority for myself, and I have said as much repeatedly. The consent request just offered by my colleague, even if accepted, would not prevent a lapse of current law. As my colleagues are likely aware, the House has completed legislative business for the week, so the only way to prevent a disruption to FAA funding is to pass Chairman MICA's bill the House passed earlier this week. I worked with Finance Committee Chairman BAUCUS to report a tax title from the Finance Committee to the bill that passed the Senate earlier this year.

However, since then progress on a long-term reauthorization has been slow. I share House Transportation and Infrastructure Committee Chairman MICA's frustration that favors to organized labor have overshadowed the prospects for long-term FAA reauthorization.

Last year the National Mediation Board changed the rules under which employees of airlines and railroads are able to unionize. For decades the standard has been that a majority of employees would have to agree in an election to form a union. However, the new National Mediation Board rules changed that standard so that all it takes to unionize is a majority of employees voting. This means that the NMB wants to count an employee who doesn't vote as voting for big labor. Somehow, organized labor is able to claim that it is democratic to appropriate someone else's vote without that person's input and participation. The FAA reauthorization bill that passed the House earlier this year will undo this heavyhanded rule and lets airline employees decide for themselves how to use their own votes. The House bill would merely undo a big partisan favor done at the behest of big labor, and put efforts to unionize airline workforces on the same footing they have been on for years. The House bill does not create a new hurdle for unionization; instead it restores the longstanding ability of airline employees to make decisions for themselves.

As I said, it is unfortunate that kowtowing to big labor has effectively grounded efforts to get a long-term FAA reauthorization off the ground. The lack of a long-term bill is bad for airports all across the country because they don't have the funding stability to plan and complete projects. Kicking the can further down the road is not a viable alternative to actually doing what is in the best interest of passengers, commercial users of air trans-

portation, and our airlines and airports.

As a Senate conferee to the FAA bill, I stand ready to do everything I can to break the cycle of short-term extensions, and to do something that hasn't been done around here for more than 7½ years, and get FAA reauthorization off the ground.

So, Mr. President, having said all of that, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2553, which was received from the House; that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Reserving the right to object, Mr. President, the Senator from Utah is my friend. We have worked on many issues together and in this particular moment in time we are in disagreement. What he has presented to you is one side of a story, one side of a debate and said unless you accept the House Republican position, which has not been resolved, we are going to lay off 4,000 people at midnight tonight. Do you think that means anything to them?

What I offered was a clean extension of which I didn't get into the merits, which said let's put this debate aside and that debate aside and keep the agency working, the Federal Aviation Administration. He said, no, either take the Republican approach or else, and, incidentally, he told me at the outset the House Republicans have gone home. They are gone. They sent this over and said take it or leave it or close it down. That is not a very sound choice for our country. I am sorry if the Senator from Utah objected to a clean extension so we can keep up these operations. I object because I don't believe it is a fair approach.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. HATCH. Mr. President, I am getting a little tired of the National Labor Relations Board usurping the power of the Congress of the United States and enacting labor laws by fiat of the Board that are hardly going to be upheld by the courts, but nevertheless it will take years to reduce them and take them away. In this particular case the National Mediation Board has changed the longstanding rule when you vote to unionize, it is the vote of all employees. This means that you could have a vote, and this is what I think the House is trying to stop and to change. That means you can have a vote with less than half of the employees and it would be the majority of those who vote. Now, that has never been the law, it has never been the case, and it is clearly a heavyhanded approach towards the FAA, and I think that is one reason why the House has taken this very strong position.

I understand my friend on the other side, and we are friends and we have

worked together on some of the issues, and I have a tremendous amount of admiration for him and his ability to lead and express himself. He is one of the best people of expression in the history of the Senate, and I have great respect for him. But that is one of the main reasons why the House is up in arms and I have to say our side is up in arms as well.

We have to stop this changing laws without the consent of Congress just by the fiat of those on the National Labor Relations Board and the National Mediation Board. It is not right and upturns hundreds of years of labor law, and, frankly, it is wrong and I am on the side of the House in this matter because of it.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, perhaps if I were as persuasive as my colleague just said, he would not have objected. Having said that, when we speak about heavy hands, we don't have to worry about the heavy hand of the House on this issue because they went home. They took off. They left, which means that 4,000 people would be furloughed this evening.

TRIBUTE TO DR. PAUL SMITH

Mr. MCCONNELL. Mr. President, I rise today to honor Dr. Paul Smith, a physician whose story has been chosen to be recorded as part of the London, KY, "Living Treasures" project.

Dr. Smith's career path began when he graduated pre-med from Cumberland College in 1949 at age 19. After attending the University of Kentucky, where he hitchhiked to class every day, Dr. Smith was accepted into the University of Louisville medical school. Unable to obtain a rural scholarship through traditional channels, Dr. Smith received a scholarship from the Tri-County Women's Club in Knox, Whitley, and Laurel counties. The only condition was that he return to one of the counties and practice medicine there for 4 years.

Before being called up for service in the U.S. Air Force, Dr. Smith worked for a doctor in Cumberland, where he met his wife. After a year of dating, Dr. Smith and his wife of 53 years, Ann, were married and moved together to the Lake Charles Air Force base in Louisiana. Their daughter Jan was born on base as Smith trained and served as a doctor.

After completing his service with the Air Force, Dr. Smith moved to London and opened up his own practice. He routinely made dozens of house calls to London residents—both in the city and out in the country. Dr. Smith also offered OB services and often worked in the emergency room of nearby Marymount Hospital when other doctors were too busy.

After 38 years of dedicated service to the London community, Dr. Smith retired in 1998. Even in his retirement,