

ask unanimous consent to pass something called—a very easy thing—a clean extension of the FAA bill, something the Senate has done 20 times. This is the 21st time—4 years waiting to pass a reauthorization bill.

But for the first time in these 4 years, the Republicans objected to this extraordinarily routine request. Shortly, I will renew my request to pass our 21st short-term extension of the FAA. But before I do, I want to highlight the very painful consequences of failing to pass this bill, which we can only do by getting a clean extension.

By objecting to my request last week, Republican Senators made sure that 4,000 hard-working FAA employees were furloughed already. Hundreds of critical airport safety capacity air traffic control projects were brought to a halt. Payments were stopped to hundreds of small businesses dependent upon reimbursement from the FAA for their work.

The Federal Government is being forced to forego almost \$30 million a day in aviation tax revenue that is critical, obviously, to supporting our overall airport infrastructure program. The introduction of the newest Boeing aircraft is being delayed because the FAA cannot certify that the planes operate safely.

I know in Washington we have a tendency to view these fights as purely policy disagreements that have no real impact on people. I stress that there is an enormous effect on people and businesses, large and small, and on the economy of the United States. Because some Republicans have refused to allow another clean extension of the FAA programs, something we have done 20 times in the last 4 years, we are inflicting real pain on very real people.

People are suffering. Small businesses are hurting. We are losing jobs and will lose a lot more. Even consumers are losing out on the airline ticket tax holidays.

The majority of the airline industry has greedily chosen to pocket those revenues rather than reducing ticket prices. In other words, they have a tax holiday because the expiration of the tax has already taken place a number of days ago. So they are taking this tax holiday, and rather than leaving at the present level the cost of a ticket for consumers—as Alaska Airlines is doing and Virgin Airlines is doing and one other airline is doing—they are taking the money to themselves, giving it to themselves.

I find that extraordinary. It reminds me of “Too Big to Fail”—the movie—the greed, the promise to help with small mortgages and they got all the money and didn’t spend a dime to help with small mortgages.

The damage we are doing to our aviation system is incredibly real. If we fail to act in a timely manner, it may be so devastating as to become irreversible. It makes sense when we think about it. If one were to operate on somebody and cut beyond a certain point, they can’t reverse the damage.

With so much pain being inflicted on so many, one may ask why my Republican colleagues have refused repeated requests to pass a clean extension—something we have done 20 times in the past 4 years.

They are willing, evidently, to hurt so many of these people for the benefit of one company. It is called Delta Airlines. As the chairman of the House Transportation Committee has stated publicly, the House inserted language on the Essential Air Service Program to leverage the Senate on including provisions relating to the National Mediation Board.

What do I mean? What they sent to us was all about essential air service. But that is not what it is about at all. The chairman, my counterpart in the House told me many times that essential air service is not a big deal to him. He doesn’t particularly have a dog in this hunt. We need to do some reform on it, which we offered to do. He didn’t mention a thing about the National Mediation Board. That is the only thing that motivates the House.

Delta Airlines is nonunion. The other airlines, for the most part, are union. Delta Airlines has had four elections in the last several years to unionize. Each time the company has prevailed over the union. So one might ask: Why is it that they are so strongly suggesting they need this National Mediation Board, which they changed in their bill.

It had been changed 2 years ago to say the number of votes that were cast were the number of votes that were reflected. In their bill, they want to say that anybody who does not vote in a union certification election, by definition, has voted no. I have never heard of that in America anywhere else. It is a rather ridiculous ploy.

This is not policy, this is pettiness. It has become the typical “my way or the highway” thinking of the House Republicans.

I note that we have forgone almost \$150 million in tax revenues by failing to act. It will go up by about \$25 million a day, which, when we think about it, would come close to paying for the whole Essential Air Service Program anyway, in just a week or so. Again, by the end of the week, we will have lost more revenue used for aviation infrastructure spending than on the entire Essential Air Service Program cost all of last year. It is embarrassing.

I wish my Republican colleagues would have defended the prerogatives of the Senate. Instead, some chose to back the House leadership.

Last week, as my friend from Utah—who is here now—outlined so honestly, Senate Republicans are not permitting the Senate to pass a clean extension because they want the Senate to accept language altering 85 years of labor law and legal precedent.

I wish I understood why the policy objections of one company—Delta Airlines—mattered so much to so few and also mattered so much more than the

livelihood of thousands of American workers who have or will be furloughed.

Last year, the CEO of Delta made \$9 million. Whether that was a salary or salary plus options, I know not. Delta paid its top executives almost \$20 million. Yet it is fighting to make sure its employees cannot organize—they already had four elections, and in all four Delta has prevailed—for fear they may secure a few extra dollars in their paychecks.

At the same time, it is pushing for special interest provisions in the FAA bill. Delta is not shy. Delta announced it was abandoning air services to 26 small, rural communities—leaving many of them, obviously, without any air service. One only has to live in a small, rural community or a State such as mine to understand what that means and what the cost truly is.

Delta then had the gall to announce publicly it would seek EAS subsidies to continue this service. Maybe Mr. Anderson and his colleagues can forgo some of their own salaries to help subsidize the air service. That is not my business. Maybe they could use some of the millions of dollars they are collecting in a tax holiday windfall to pay for this service. That is not my business, but it is theirs, and it is shameful.

Let me be clear. House Republicans and their Senate allies have thrown nearly 4,000 FAA employees out of work already, stopped critical airport safety projects, hurt hundreds of small businesses, and gutted the Aviation Trust Fund—or began to—so Delta Airlines—that one company—doesn’t have to allow its employees to organize in a fair or timely manner, if they chose to.

The needs of one company should not, in any deliberative body, dictate the safety and soundness of our aviation system. We need to pass a clean extension that will get people back to work and businesses and their employees back to work and build out our airport infrastructure.

It is so simple to pass a clean extension bill. We have done it so often. We have done it 20 times. The one time where there was some policy attached was 2 years ago, when the House and the Senate totally agreed on what was in the extension, and it passed. But it is such a simple thing to do. By not doing it, it is holding up our whole process.

UNANIMOUS CONSENT REQUEST—H.R. 2553

Therefore, I ask unanimous consent that, as in legislative session, 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; that the bill, as amended, be read the third time and passed; and that 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, Madam President.

The PRESIDING OFFICER. Objection is heard.

Mr. HATCH. Madam President, I will take a few minutes to explain why I am, once again, objecting to the legislation offered by my dear friend from West Virginia, my Finance Committee colleague. I wish to make it absolutely clear that a long-term FAA reauthorization is a priority for this country, and it is a personal priority for me.

Once again, I point out that I have worked with Chairman BAUCUS on reporting a Finance Committee title to the bill that passed the Senate earlier this year. The current lapse in FAA taxes and expenditures authority from the Airport and Airway Trust Fund is a detrimental situation brought on by the Senate majority's refusal to discontinue granting excessive favors for big labor and their refusal to cut any wasteful spending.

As I have said, I share House Transportation and Infrastructure Committee Chairman MICA's frustration that favors to organized labor have overshadowed the prospects for a 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 National Mediation Board rules changed that standard so all it takes to unionize is a majority of employees voting. This means the NMB wants to count an employee who doesn't vote as voting for big labor. Somehow, organized labor is able to claim 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 undoes 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 to unionization. Instead, it restores the longstanding ability of airline employees to make decisions for themselves. The House bill only undoes the NMB action that was taken to reverse 70 years of precedent for narrow political gain.

In addition to an impulse to cater to big labor, the Senate majority also is resistant to any attempt to cut any government spending, no matter how wasteful that spending may be. The House bill I am going to ask unanimous consent for in a few minutes has aroused the ire of the majority because it contains a provision that would limit essential air service eligibility to communities that are located 90 or more miles from a large- or medium-hub airport. This would save \$12.5 million a year. That is right, million with an "m", not a "b" or a "t."

The majority is resisting a provision that already passed this body as part of the Senate's long-term reauthorization bill that would save \$12.5 million a year, and they are willing to put the FAA's finance at risk in the process. The House bill I am going to offer also contains an additional proposal to limit essential air service subsidies for communities where the cost per passenger is greater than \$1,000. This provision would affect a grand total of three airports in the whole country. It is my understanding these three airports would also have ceased to receive EAS subsidies under another provision in the Senate-passed, long-term FAA bill that limited subsidies to airports averaging 10 or more passengers a day.

To sum this up, our friends on the other side, the Democrats, are holding this up over wasteful spending and handouts for President Obama's big union allies.

The point is, the Senate majority has cut the FAA off from its primary source of financing and created confusion for travel companies and tax-paying passengers by objecting to a short-term extension measure that doesn't do one single thing that is not done by a bill that passed the Senate by unanimous consent on April 7 of this year.

I wish to briefly discuss and hopefully clear away some of that confusion. Passengers who bought tickets while the taxes were still being collected may be entitled to a refund if they are traveling during a period in which the taxes have lapsed. I wish to make it clear that the inability of the Senate majority to process legislation should not constitute an additional burden to the already beleaguered travel industry. It is the responsibility of the IRS to refund ticket taxes, and while I recognize they want to do the right thing for taxpayers, I encourage the IRS to work closely with the travel industry. The travel industry is not responsible for the lapse in FAA taxes, and they should not bear extra costs because of that.

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 farther down the road is not a viable alternative to actually doing what is in the best interests of all parties.

As a Senate conferee to the FAA bill, I stand ready to do everything I can to get to work with my House and Senate colleagues on a long-term FAA reauthorization, as soon as they are willing to get down to work.

UNANIMOUS CONSENT REQUEST—H.R. 2553

Madam President, as in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2553, which was received from the House. I ask unanimous consent that the bill be read the 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 (Mrs. HAGAN). Is there objection?

Mr. ROCKEFELLER. Madam President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Vermont.

Mr. LEAHY. Madam President, have the yeas and nays been ordered on the Mueller nomination?

The PRESIDING OFFICER. No.

Mr. LEAHY. I ask for the yeas and nays on the Mueller nomination.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. LEAHY. Madam President, how much time remains until the vote on the Mueller nomination?

The PRESIDING OFFICER. Four minutes.

Mr. LEAHY. Madam President, I hope all Senators will step forward and vote for this nomination. I can think of no reason why they should not. Director Mueller is typical of many in our government who serve the people of America tirelessly, without any gain to themselves but instead for what is best for all Americans and for our country. Director Mueller has worked—along with the thousands of individuals at the Department of Justice and the FBI who work around the clock every day to keep America safe to protect us from crime and to protect us from terrorists. Unfortunately some people try to lump together and deride government employees. The fact is the people at the FBI and Department of Justice are very brave men and women, many of whom put their lives on the line for us day by day, and we ought to acknowledge that.

Bob Mueller is the public face of the FBI, as its long-serving Director. Amazingly, he and Ann, his wife of many years, along with their grown children, are able to separate that their private life from the public life. Like so many who serve this country, Director Mueller's public life takes an inordinate amount of his time, and I think it is a testament to his dedication that he was willing to do this job for another two years, but it is also important to acknowledge the sacrifice of his wife Ann and his children. I think all Americans share in the good fortune that when the President asked Director Mueller to step forward and serve for another 2 years, he answered the call.

I also want to compliment President Obama. He knew he had the opportunity to name somebody who would be there as long as he, Barack Obama, may be President, whether he serves one term or two, and beyond. Instead, the President, as he has often done, did what he thought was best for the country.

Director Mueller is a fine public servant, and I would urge all Senators to vote "aye" on this nomination.

Madam President, how much time remains?