

Yes, we might pass legislation like the IM-PACT Act this week. But the American people demand and deserve bolder action and bigger results from their Congress.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BRADY) that the House suspend the rules and pass the bill, H.R. 4994, as amended.

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

A motion to reconsider was laid on the table.

AIR PASSENGER FEE LIMITATIONS

Mr. HUDSON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5462) to amend title 49, United States Code, to provide for limitations on the fees charged to passengers of air carriers.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5462

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

SECTION 1. LIMITATION ON FEES CHARGED TO PASSENGERS OF AIR CARRIERS.

(a) IN GENERAL.—Subsection (c) of section 44940 of title 49, United States Code, is amended to read as follows:

“(c) LIMITATION ON FEE.—

“(1) AMOUNT.—Fees imposed under subsection (a)(1) shall be \$5.60 per one-way trip in air transportation or intrastate air transportation that originates at an airport in the United States, except that the fee imposed per round trip shall not exceed \$11.20.

“(2) DEFINITION OF ROUND TRIP.—In this subsection, the term ‘round trip’ means a trip on an air travel itinerary that terminates or has a stopover at the origin point (or co-terminal).”.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply with respect to a trip in air transportation or intrastate air transportation that is purchased on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. HUDSON) and the gentlewoman from Texas (Ms. JACKSON LEE) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. HUDSON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

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

There was no objection.

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

I rise in strong support of H.R. 5462, a bill I introduced to address executive overreach affecting the traveling public.

Specifically, this bill would lower fees for certain airline passengers by clarifying congressional intent and setting a mandatory cap on the fees that TSA collects for round trips.

Since 9/11, aviation user fees have helped to defray security costs and ensure that our vital transportation network remains safe. However, when the Bipartisan Budget Act increased these fees, TSA took the language to mean that it was authorized to collect an even higher amount than Congress intended, and it eliminated its own long-standing cap on round trip fees.

Bipartisan Members of the House and Senate, including the authors of the Bipartisan Budget Act, agree that TSA is not authorized to collect these higher fees from travelers, which will add \$60 to \$70 million annually to the cost of air travel.

H.R. 5462 looks to correct this overreach and save American taxpayers from having to shell out millions of dollars in extra fees. Reducing the burden on airline passengers benefits everyone—from helping families save money when taking a vacation to cutting costs for our small businesses whose employees travel for work.

I urge my colleagues to support the bill, and I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 5462.

At the outset, I would like to commend the chairman of the Subcommittee on Transportation Security, Representative HUDSON, for the bipartisan approach he has taken with this legislation. I know that Mr. THOMPSON and Mr. RICHMOND have joined him on this legislation, and I have as well.

H.R. 5462 seeks to remove any confusion about a key provision of the Bipartisan Budget Act of 2013 as enacted into law in December 2013. Section 601 of that law provided for the aviation security fee that the Transportation Security Administration collects to increase to \$5.60 per one-way trip.

We know that since 9/11 this department was created, and the fees have been utilized to continue to protect the homeland, fees that are assessed on the airlines and utilized by the Transportation Security Administration, but we are attempting to make sure that the process is fair. The language did not specifically cap the fee for a round trip ticket, but common sense would tell us that Congress intended the passenger fee for a round trip to be twice that of a one-way trip, or \$11.20.

Regrettably, TSA has missed this intent, resulting in some passengers being assessed excessive fees.

We have the responsibility here in the United States Congress to provide the kind of oversight that treats the Transportation Security Administration fairly: providing them with resources; ensuring that they are protecting the traveling public; ensuring that their TSOs are trained; and, as well, acknowledging the important work that they do. But we have, likewise, a responsibility to the traveling public, and we must balance that with making sure that the fees that are assessed are not excessive.

The legislation before us today clarifies that the passenger security fee should be capped for a round trip at twice the rate assessed for a one-way trip.

Mr. Speaker, for the better part of 5 months, the Committee on Homeland Security and others in Congress have been engaged in a back-and-forth with TSA on this issue. It is my sincere hope that, with this guidance and the enactment of this legislation, this will resolve this issue, once and for all, for the American flying public. Again, as I indicated, it is important to be balanced and fair.

Simply put, this straightforward, bipartisan legislation will ensure that passengers are no longer charged air transportation fees above and beyond what Congress envisioned and intended.

Let me again thank Chairman HUDSON for his leadership on this issue and for the give-and-take that has gone on.

I do want to add two points to my closing remarks as I urge my colleagues to support H.R. 5462 so that TSA can no longer charge passenger security fees above and beyond what is reasonable and what Congress has intended.

I think it is important—and I know Mr. HUDSON will agree with me—the work of the Transportation Security Administration and the improvement of training that we have seen in TSO officers in the line of defense, if you will, that they serve in the Nation's airports.

I want to acknowledge an incident that allegedly occurred, or occurred, with a FAM officer in Nigeria. I want to express to the Federal Air Marshals my concern for that issue and that incident. To the particular air marshal who was in the line of duty and his having been attacked with a hypodermic needle, we express our concern, and we are pleased that there are continued negotiations regarding the process of those FAMs going through international airports.

Lastly, I would say—and I hope that we will engage in this discussion—I know Chairman HUDSON is having a number of meetings. We are all aware, on the backdrop on the debate we will have tomorrow on ISIL, of the potential of the impact on the homeland. We know that we have about 100 American passport individuals who have left for the foreign fighters.

I am looking to introduce in very short order legislation that indicates No Fly for Foreign Fighters Act of 2014, which gives greater details and assessment of the No Fly List, the watch list, to make sure that those with American passports who have gone to the fight cannot be on our airlines; so I am looking forward to working with the committee on this issue.

I only offer that, Mr. Speaker, because of the important work of the Transportation Security Subcommittee, and the responsibility that we have here on the securing of the

homeland really is a strong component of the Transportation Security Subcommittee.

You have been a leader along with the ranking member. I look forward to working with you, and I believe that the Homeland Security Committee and the Homeland Security Department are key factors in securing the homeland in the backdrop of this new threat of ISIL as all of the other committees work together on making sure that Americans are safe.

I conclude by asking my colleagues to support H.R. 5462 and to support the idea of a fair and balanced assessment on passenger security fees.

Mr. Speaker, at the outset, I would like to commend the Chairman of the Subcommittee on Transportation Security, Representative HUDSON, for the bipartisan approach he has taken with this legislation.

H.R. 5462 seeks to remove any confusion about a key provision of the "Bipartisan Budget Act of 2013." As enacted into law in December 2013.

Section 601 of that law provided for the aviation security fee that Transportation Security Administration collects to increase to \$5.60 per one-way trip.

The language did not specifically cap the fee for a round-trip ticket but common sense would tell us that Congress intended the passenger fee for a round-trip to be twice that of a one-way trip or \$11.20.

Regrettably, TSA has missed this intent, resulting in some passengers being assessed excessive fees.

The legislation before us today clarifies that the passenger security fee should be capped for a round-trip at twice the rate assessed for a one-way trip.

Mr. Speaker, for the better part of five months, the Committee on Homeland Security and others in Congress have been engaged in back-and-forth with TSA on this issue.

It is my sincere hope that enactment of this legislation will resolve this issue, once and for all, for the American flying public. Mr. Speaker, simply put, this straightforward, bipartisan, legislation will ensure that passengers are no longer charged air transportation fees above and beyond what Congress envisioned and intended.

I urge all Members to support H.R. 5462 so that TSA can no longer charge passengers security fees above and beyond what is reasonable and what Congress intended.

I yield back the balance of my time.
Mr. HUDSON. Mr. Speaker, I yield myself such time as I may consume.

I would like to thank Ranking Member RICHMOND, Chairman MCCAUL, Ranking Member THOMPSON, and Ranking Member JACKSON LEE for their work on this issue, and I appreciate the comments the gentlewoman had tonight. I would echo that I appreciate the bipartisan nature in which she works on issues on the Homeland Security Committee. I appreciate the relationship we have had. I respect the gentlewoman very much. I appreciate the advice that she has given me, and I appreciate the cooperation under which we have worked throughout this Congress.

I think this product that we bring to the floor today is an example of bipar-

tisanship of the best kind—where we can come together, Republicans and Democrats, and work for the betterment of the American people. I thank the gentlewoman for that very much.

Mr. Speaker, I would also like to submit a letter from the airline industry in support of this bipartisan bill.

SEPTEMBER 16, 2014.

Hon. MIKE MCCAUL,
House of Representatives,
Washington, DC.

Hon. RICHARD HUDSON,
House of Representatives,
Washington, DC.

Hon. BENNIE THOMPSON,
House of Representatives,
Washington, DC.

Hon. CEDRIC RICHMOND,
House of Representatives,
Washington, DC.

DEAR CHAIRMAN MCCAUL, CHAIRMAN HUDSON, RANKING MEMBER THOMPSON AND CONGRESSMAN RICHMOND: On behalf of Airlines for America (A4A), I am writing to reiterate our strong support for H.R. 5462 that would require the Transportation Security Administration (TSA) to cap the September 11th Security Fee (\$5.60 per one-way trip) for a round-trip at twice that of a one-way trip (i.e., \$11.20).

In an effort to streamline the passenger security fee and eliminate a "per-enplanement" fee structure, Congress applied a flat fee of \$5.60 per one-way trip under the Bipartisan Budget Act of 2013 (Pub. L. 113-67). The intent was to simplify the fee assessment and cap the passenger security fee for a round-trip at twice that of a one-way trip, as has been TSA's long-held policy. Unfortunately, when TSA implemented the higher fee on July 21, 2014, the agency eliminated the round-trip cap.

While the Act simplified the fee structure, Congress otherwise intended to leave the pre-existing regulatory structure in place. This is unmistakably clear from the limited revisions to the statute. Congressional intent has been emphatically underscored by the Members of Congress who were responsible for drafting these revisions, House Budget Committee Chairman Paul Ryan (R-WI) and Senate Budget Committee Chairwoman Patty Murray (D-WA), in a letter to TSA an Administrator John Pistole (May 6, 2014). This change was made against the backdrop of the existing cap on the fee for a round-trip that was twice the maximum one-way fee.

Under H.R. 5462, which would require TSA to honor the round-trip cap, passenger security fees would be limited to \$5.60 per one-way trip and \$11.20 per round-trip. Airlines and their passengers are already paying more than their fair share of federal taxes and fees. The passenger security fee increase that took effect in July will cost airline passengers—who paid a near-record \$2 billion in aviation security taxes in 2013—over \$1.2 billion annually or \$12.6 billion over the next decade. As a result of the passenger security fee increase, government-imposed taxes and fees now constitute \$63, or 21 percent, of the cost of a typical \$300 domestic round-trip ticket. To add insult to injury, eliminating the round-trip cap will result in airline passengers paying about \$60 million more per year than Congress intended.

Thank you for your leadership and for fighting for the traveling public on this important issue. We stand ready to help ensure swift, bipartisan approval of H.R. 5462 by the House.

Sincerely,

NICHOLAS E. CALIO.

Mr. HUDSON. As the chairman of the Transportation Security Sub-

committee, I am committed to finding commonsense solutions that reduce taxes and make air travel more accessible, leading to more frequent trips, increased tourism, and more dollars invested in our local economies.

I urge my colleagues to vote "yes," and I yield back the balance of my time.

Mr. MCCAUL. Mr. Speaker, I strongly support H.R. 5462, and I am proud to be an original cosponsor of this important bipartisan legislation. This bill clarifies Congressional intent on the matter of security fees incurred by airline passengers and corrects the Transportation Security Administration's misinterpretation of the Bipartisan Budget Act's minor modifications to these fees.

TSA should not collect additional passenger security fees beyond what Congress has authorized. H.R. 5462 is common sense, bipartisan legislation to clarify the fee structure that Congress intended and protect the traveling public from millions of dollars in excess charges on their flights.

I applaud Subcommittee Chairman HUDSON, as well as Ranking Member THOMPSON and Ranking Member RICHMOND for working together on a bipartisan basis to address this problem. I urge my colleagues to support this bill.

Mr. RYAN of Wisconsin. Mr. Speaker, earlier this year, the Transportation Security Administration (TSA) ignored the clear Congressional intent of the Bipartisan Budget Act (P.L. 113-67) (BBA) and began collecting aviation security fees beyond the round-trip limitation that has existed since the Aviation Security Act of 2001. TSA had every opportunity to work with Congress to adjust the fee collection structure, but they unfortunately chose to ignore both the intent of the BBA and the concerns of individual members.

H.R. 5462 re-institutes the round-trip cap through statute, ensuring that passengers will not be made to pay a security fee in excess of what is authorized by Congress. Because the Congressional Budget Office has updated its baseline projection to incorporate TSA's incorrect implementation of the BBA, H.R. 5462 has a cost. However, passage of the bill will return security fee receipts to the level originally estimated by the CBO upon passage of the BBA.

I thank my colleague, Mr. HUDSON, for introducing this bill and I fully support its passage.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. HUDSON) that the House suspend the rules and pass the bill, H.R. 5462.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HUDSON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

FIGHTING EBOLA

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)