

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. SMITH of New Jersey. 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.

AIRPORT AND AIRWAY EXTENSION ACT OF 2016

Mr. SHUSTER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4721) to amend title 49, United States Code, to extend authorizations for the airport improvement program, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4721

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Airport and Airway Extension Act of 2016”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—AIRPORT AND AIRWAY PROGRAMS

Sec. 101. Extension of airport improvement program.

Sec. 102. Extension of expiring authorities.

Sec. 103. Federal Aviation Administration operations.

Sec. 104. Air navigation facilities and equipment.

Sec. 105. Research, engineering, and development.

Sec. 106. Funding for aviation programs.

Sec. 107. Essential air service.

TITLE II—REVENUE PROVISIONS

Sec. 201. Expenditure authority from Airport and Airway Trust Fund.

Sec. 202. Extension of taxes funding Airport and Airway Trust Fund.

TITLE I—AIRPORT AND AIRWAY PROGRAMS

SEC. 101. EXTENSION OF AIRPORT IMPROVEMENT PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Section 48103(a) of title 49, United States Code, is amended by striking “and \$1,675,000,000 for the period beginning on October 1, 2015, and ending on March 31, 2016” and inserting “and \$2,645,218,579 for the period beginning on October 1, 2015, and ending on July 15, 2016”.

(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, 2016, 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 period beginning

on October 1, 2015, and ending on July 15, 2016, the Administrator of the Federal Aviation Administration shall—

(A) first calculate such funding apportionments on an annualized basis as if the total amount available under section 48103 of such title for fiscal year 2016 were \$3,350,000,000; and

(B) then reduce by 21 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 title 49, United States Code, is amended in the matter preceding paragraph (1) by striking “March 31, 2016,” and inserting “July 15, 2016.”

SEC. 102. EXTENSION OF EXPIRING AUTHORITIES.

(a) Section 41743(e)(2) of title 49, United States Code, is amended in the first sentence by inserting “and \$3,948,087 for the period beginning on October 1, 2015, and ending on July 15, 2016,” before “to carry out this section”.

(b) Section 47107(r)(3) of title 49, United States Code, is amended by striking “April 1, 2016” and inserting “July 16, 2016”.

(c) Section 47115(j) of title 49, United States Code, is amended by striking “March 31, 2016” and inserting “July 15, 2016”.

(d) Section 47124(b)(3)(E) of title 49, United States Code, is amended by striking “and not more than \$5,175,000 for the period beginning on October 1, 2015, and ending on March 31, 2016,” and inserting “and not more than \$8,172,541 for the period beginning on October 1, 2015, and ending on July 15, 2016.”

(e) Section 47141(f) of title 49, United States Code, is amended by striking “March 31, 2016” and inserting “July 15, 2016”.

(f) Section 186(d) of the Vision 100—Century of Aviation Reauthorization Act (117 Stat. 2518) is amended by striking “March 31, 2016,” and inserting “July 15, 2016.”

(g) Section 409(d) of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 41731 note) is amended by striking “March 31, 2016” and inserting “July 15, 2016”.

(h) Section 411(h) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 42301 prec. note) is amended by striking “March 31, 2016” and inserting “July 15, 2016”.

(i) Section 822(k) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 47141 note) is amended by striking “March 31, 2016” and inserting “July 15, 2016”.

(j) The amendments made by this section shall take effect on March 31, 2016.

SEC. 103. FEDERAL AVIATION ADMINISTRATION OPERATIONS.

Section 106(k) of title 49, United States Code, is amended—

(1) by striking paragraph (1)(E) and inserting the following:

“(E) \$7,824,891,355 for the period beginning on October 1, 2015, and ending on July 15, 2016.”; and

(2) in paragraph (3) by striking “March 31, 2016,” and inserting “July 15, 2016.”

SEC. 104. AIR NAVIGATION FACILITIES AND EQUIPMENT.

Section 48101(a)(5) of title 49, United States Code, is amended to read as follows:

“(5) \$2,254,357,923 for the period beginning on October 1, 2015, and ending on July 15, 2016.”

SEC. 105. RESEARCH, ENGINEERING, AND DEVELOPMENT.

Section 48102(a)(9) of title 49, United States Code, is amended to read as follows:

“(9) \$131,076,503 for the period beginning on October 1, 2015, and ending on July 15, 2016.”

SEC. 106. FUNDING FOR AVIATION PROGRAMS.

The budget authority authorized in this Act, including the amendments made by this

Act, shall be deemed to satisfy the requirements of subsections (a)(1)(B) and (a)(2) of section 48114 of title 49, United States Code, for the period beginning on October 1, 2015, and ending on July 15, 2016.

SEC. 107. ESSENTIAL AIR SERVICE.

Section 41742(a)(2) of title 49, United States Code, is amended by striking “and \$77,500,000 for the period beginning on October 1, 2015, and ending on March 31, 2016,” and inserting “and \$138,183,060 for the period beginning on October 1, 2015, and ending on July 15, 2016.”

TITLE II—REVENUE PROVISIONS

SEC. 201. EXPENDITURE AUTHORITY FROM AIRPORT AND AIRWAY TRUST FUND.

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

(1) in paragraph (1)—

(A) by striking “April 1, 2016” in the matter preceding subparagraph (A) and inserting “April 1, 2017”; and

(B) by striking the semicolon at the end of subparagraph (A) and inserting “or the Airport and Airway Extension Act of 2016 or any specified extension;”, and

(2) by adding at the end the following:

“(7) SPECIFIED EXTENSION.—For purposes of paragraph (1), the term ‘specified extension’ means any provision of law enacted after the date of the enactment of this paragraph and before April 1, 2017, but only to the extent that such provision of law provides for the extension (including authorization of additional amounts) of an existing authority (determined as of the date of the enactment of this paragraph) for a period ending not later than March 31, 2017, under one or more of the following:

“(A) Section 106, 41742, 41743, 47104, 47107, 47114, 47115, 47116, 47117, 47124, 47141, 48101, 48102, 48103, or 48114 of title 49, United States Code.

“(B) Section 186(d) or 409(d) of the Vision 100—Century of Aviation Reauthorization Act.

“(C) Section 140(c)(1), 411(h), or 822(k) of the FAA Modernization and Reform Act of 2012.”

(b) CONFORMING AMENDMENT.—Section 9502(e)(2) of such Code is amended by striking “April 1, 2016” and inserting “April 1, 2017”.

SEC. 202. EXTENSION OF TAXES FUNDING AIRPORT AND AIRWAY TRUST FUND.

(a) FUEL TAXES.—Section 4081(d)(2)(B) of the Internal Revenue Code of 1986 is amended by striking “March 31, 2016” and inserting “March 31, 2017”.

(b) TICKET TAXES.—

(1) PERSONS.—Section 4261(k)(1)(A)(ii) of such Code is amended by striking “March 31, 2016” and inserting “March 31, 2017”.

(2) PROPERTY.—Section 4271(d)(1)(A)(ii) of such Code is amended by striking “March 31, 2016” and inserting “March 31, 2017”.

(c) FRACTIONAL OWNERSHIP PROGRAMS.—

(1) TREATMENT AS NON-COMMERCIAL AVIATION.—Section 4083(b) of such Code is amended by striking “April 1, 2016” and inserting “April 1, 2017”.

(2) EXEMPTION FROM TICKET TAXES.—Section 4261(j) of such Code is amended by striking “March 31, 2016” and inserting “March 31, 2017”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Oregon (Mr. DEFAZIO) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to

include extraneous materials on H.R. 4721.

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

There was no objection.

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

I rise in support of H.R. 4721, the Airport and Airway Extension Act of 2016.

This bill extends the authorization of the Federal Aviation Administration programs through July 15, 2016. The bill also extends the revenue collection authorities for the Airport and Airway Trust Fund through March 31, 2017. The current FAA authorization expires at the end of this month.

Without this bill, the authority to collect aviation taxes will lapse, depriving the trust fund of more than \$30 million per day. That is \$30 million a day for air traffic control, airport development, and other aviation programs that can never be recovered.

Additionally, airports will be unable to receive grant money that has already been awarded to them, putting dozens of construction projects across the country at risk of delay, cost overrun, or cancellation.

H.R. 4721 will avoid these unnecessary consequences while Congress works to finish a long-term aviation bill.

On February 11, the Transportation and Infrastructure Committee approved H.R. 4441, the Aviation Innovation, Reform, and Reauthorization Act, or the AIRR Act.

The AIRR Act provides the transformational reform we need to modernize our antiquated air traffic control systems; to ensure the system is safe and efficient; and to ensure the U.S. leads the world in aviation.

The AIRR Act takes ATC out of the Federal bureaucracy and establishes an independent, not-for-profit corporation to provide and modernize ATC service. This corporation will be governed by an independent board and representatives of the public interest. This independent entity will provide a service. It will not be given the public airspace.

And the FAA will continue to be our Nation's aviation safety regulator. Let me stress that the FAA will continue to be the Nation's aviation safety regulator and that Congress will have full oversight over that entity.

The bill includes protections for general aviation and for service to rural communities. This structure gets ATC away from political infighting and from an FAA management structure that has wasted billions of dollars in trying to modernize the system.

I believe this reform will benefit passengers first, our communities, all system users, and will ultimately save taxpayers and the traveling public billions of dollars.

The AIRR Act also streamlines the FAA certification process so as to improve America's competitiveness and to protect jobs. It includes a robust safety title, protects investment in air-

port infrastructure, and promotes passenger service reforms.

We have worked every step of the way under an open process in order to address concerns and find common ground to move forward. In the markup, the committee approved 44 amendments, mostly on a bipartisan basis, to make the AIRR Act a better bill; but our work isn't done yet. With so much at stake, it is critical that we get this reform right.

We are working with Members in the House to get the ball over the goal line. Last week, Members of the Senate Commerce Committee introduced its FAA reauthorization bill, and I look forward to working with Chairman THUNE. We have worked well with the Senate Commerce Committee on the highway bill, on passenger rail reform, and on a Surface Transportation Board reauthorization. I believe we can be successful on an aviation bill as well.

I am confident that we can produce a transformational FAA bill that will restore our global leadership position in aviation and ensure that the United States has the safest, most efficient aviation system in the world. In the meantime, we need to pass this short-term extension, and I urge all of my colleagues to support it.

I reserve the balance of my time.

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

Here we are in the first or second short-term extension of the FAA, hopefully the last. The Senate has introduced a bill and I have had an opportunity to review the Senate bill. If you put the bills side by side, you will find very substantial agreement. In fact, there is very substantial agreement in the House over many of the critical provisions of the bill that relate to safety, to the future regulation of drones, to flight attendant risk, and numerous other provisions that were agreed upon during the markup.

The one major disagreement between the House and the Senate bills is the same disagreement that exists here in the House, which is over the privatization of the air traffic operations in this country.

I am not going to regurgitate the entire debate again here on the floor. The point is, with both bills being so similar, absent privatization, we could move well within the temporary extension.

In fact, we could probably have a bill done—well, we are not here very much. Congress is having, I think, a record few number of legislative days this year—but whenever we are going to be around again. I think there is a week in April and maybe a couple of days in May when we are going to be here and we could get this done. That seems to me to be the more prudent course.

The chairman and I do agree on what needs to be addressed at the FAA. First off, the biggest problem the FAA has is the United States Congress—the stupid shutdowns, sequestration, and other things which have interrupted critical

work, including procurement, and which have certainly interrupted the orderly operation of the air traffic control system.

How do we protect the FAA from Congress and idiots who want to shut down the government?

That is a tough one. I propose mandatory spending. The FAA is virtually self-funding. With the current tax structure and without adopting a controversial new private fee structure that would be put through by the non-profit corporation, the existing tax structure can pay for virtually 100 percent of the FAA, as it is, on an ongoing basis. If we adopted some efficiencies with a couple of other reforms, it would be in very, very robust shape and we would no longer have to rebut the idiocy of government shutdowns.

Now, there are certainly other parts of the government I care about that shouldn't be shut down, but at least mandatory spending here, like with Social Security checks and veterans' benefits, would say no, this is critical; it will continue even if, for some reason, Congress is so dysfunctional as to shut down funding for the government.

Secondly, procurement. Congress has been trying to reform procurement at the FAA since 1996. Unfortunately, back then, Congress didn't mandate procurement reforms. They merely gave the FAA license to depart from Federal procurement procedures if they so wished. In the end, unfortunately, either through the initiative of the FAA's or perhaps of some of the people down at the Office of Management and Budget, the procurement reforms were not done. In fact, they ended up with a system that is pretty much the same as the other, which is perhaps even less functional than those of other Federal agencies.

Finally, personnel. Again, in 1996—20 years ago—Congress, in recognizing this problem, gave the FAA the opportunity, the discretion, to adopt different personnel procedures, particularly as it relates to the mid-level bureaucratic bulge in the agency which does lead to some analysis, paralysis, and other problems that slow down needed measures or actions by the FAA.

I offered a very simple amendment that addressed those three things. It shouldn't be controversial. It says let the FAA fund itself with the existing tax structure and make that mandatory spending so we never shut them down again. Let's have procurement reforms and personnel reforms that are mandatory.

□ 1700

Unfortunately, that amendment failed and, instead, this privatization proposal prevailed. But that now has brought us to this point where, what is the path forward?

Okay. We are now going to extend this agency temporarily until just before the longest summer break in history for Congress. Well, I guess back in

the 1940s and 1950s they used to take the summers off. But at least since the invention and installation of air-conditioning, it is the longest summer break in history.

So we have to get it done before then. Otherwise, Congress won't be back until sometime in September for a couple of days when it is not likely to do any major legislation.

The stability and the predictability that we need with the FAA, the reforms we need—not just the ones I mentioned, but the reforms in drones, the reforms to give flight attendants the same mandatory rest hours and many, many other provisions—that are in agreement between the House and the Senate should not have to wait.

So I would hope that we won't drag this out until just before Congress adjourns and, instead, that we move forward with all dispatch after the Senate acts this week, if the Senate acts this week—you never can predict the Senate—and begin to correlate the few differences that I see between the bills.

Then, at some point, I think it will be time to give up on the privatization proposal and move forward and put this bill into place.

I reserve the balance of my time.

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

Mr. Speaker, just a couple of points to point out. Again, we talk about privatization, but this is a not-for-profit corporation that is going to be governed by the stakeholders.

The government will have representatives, and the others that use the system will be on there to make sure that this entity operates in the most efficient, safe manner possible. Just to point out, over 50 countries around the world have done this and they have done it successfully.

As the gentleman points out, in the bill that we passed, there is much agreement, but there are significant differences on this point.

The gentleman also points out, which I agree with, Congress is part of the problem. It is not just the bureaucrats at FAA. It is the way Congress funds things.

His solution to mandatory spending, though, I would oppose significantly because that takes the Congress out of the equation. It gives the FAA money.

They will get it automatically without Congress going through appropriations or any kind of real oversight by Congress. If it comes down to it, it will be very difficult to change. The track record is very, very clear.

As the gentleman points out, over time we have reformed over and over and over, given the FAA the ability to do things that other agencies don't have.

But to paraphrase my good friend and colleague from Oregon who has said this a number of times, the only agency worse than the Department of Defense for procurement is the FAA. They just can't get it right. And Congress is an accomplice in that failure.

So, again, that reform I think will go great distances to make this a modern FAA system, to be able to get it to operate with the GPS-based systems, give us much more capacity, improve the airspace, decrease the time it takes to fly places for the traveling public, and decrease the amount of energy burned up, which will be good for the environment.

Again, I will continue to work with my colleagues and with the Senate to try to do something, which, really, its time has come, to significantly reform the FAA and do something that, again, over 50 countries have done. Britain, Germany, Australia, New Zealand, our allies around the world have done it successfully and with very, very safe results.

I reserve the balance of my time.

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

Mr. Speaker, well, let's just set the record straight. Only two countries have privatized. That is Canada and Great Britain.

In the case of Great Britain, the government and the taxpayers had to come in and bail out the corporation. In the case of Canada, it was a very prolonged transition, 7 or 8 years, which would set back NextGen for a generation. So those were not without their problems.

There is a MITRE report, which looks at all of the other conversions around the world which were government corporations, not private corporations. So there are only two that have gone to private corporations.

All the other countries that have changed over have gone to government corporations, and they also had transition issues. I mean, it is very instructive.

We haven't held hearings on the MITRE report or the recent GAO report that point to the potential for disruption and seeing that this proposal won't cause the sorts of disruptions that happened in other countries.

On the issue of mandatory spending, we would still, as the authorizers, have the authority to direct that agency much more so than we will have if we give it to a private corporation.

According to the most recent CBO report, they deem that this corporation will be mandatory spending and it will be a private corporation which will have the authority to tax.

So we are giving authority to a private corporation to establish some sort of a fee or tax structure—they can't tax; so it will be fees of some sort—a fee for the amount of space that you take up in an airplane when you are flying over the country—who knows what those fees will be—we don't know—which would be potentially disruptive and potentially disadvantage other users of the system, which is why you have all the regional airlines that fly 62 percent of the flights every day opposed to this bill.

You have Delta Air Lines, the largest airline, opposed to bill. You have the

Aircraft Owners and Pilots Association opposed to this bill. You have business aviation opposed to this proposal because they don't know what this fee structure will be and how it might or might not discriminate against them.

So what I propose is that you keep the existing structure, which everybody can live with. Now, the airlines don't like it because every time I buy an airline ticket and I pay the excise tax, the airlines say that is their money.

I say no. That is actually a tax that is levied on me, as a passenger, which goes to the government. It is not their money.

But they think they can create a system where it won't be taking money out of their pocket, which they say the excise taxes do. But I don't know where the \$10 billion or so a year is going to come to.

Then, of course, the Office of Management and Budget also in this report found last week that, with mandatory spending by this private corporation, there will be a \$19.848 billion deficit over a 10-year period.

Let me repeat that. Mandatory spending by a private corporation assessing some sort of new fee structure on users of the system, including passengers, and the OMB says that that would increase the Federal deficit by \$19.848 billion.

Of course, the majority is always free to waive the rules and they can ignore that. I mean, the rules have been waived numerous times to create more deficit around here, just by the discussion on the other side that they want to address the deficit whenever we eliminate taxes, waive the rules, and pretend that actually eliminating taxes will raise money or it is budget-neutral.

I guess, in this case, they could waive the rules and say the mandatory spending by the private corporation that will lead to additional deficit doesn't matter and it doesn't exist.

I reserve the balance of my time.

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

Mr. Speaker, I thank the gentleman for pointing out the potential for a prolonged period to get to NextGen.

We forget it has been a prolonged period. For over 20 years, we have been trying to get NextGen in the current system, and we haven't been able to get it.

It is the GAO, it is the Inspector General of the Transportation Department, and it is numerous reports that have said there is no end in sight as to when we can get NextGen, a GPS-based system.

Let me just point out—the gentleman mentioned Canada, which is a model we are looking at very closely. We certainly have made it to be an American model. But what has Canada done?

Canada, in this type of system, a not-for-profit corporation—which this corporation will not be able to raise taxes,

will not be able to put taxes. It will go to a user fee-based system.

What has Canada done? They have decreased the cost of those user fees by 30 percent over the last 20 years, a 30 percent decrease.

What they are doing this year is that the Canadian Nav Can will launch its first batch of satellites, and over the next 13, 14 months, until the next year of 2017, they will launch 70-plus satellites. They will have visibility of 100 percent of the world's global airspace.

Today all of us together see about 30 percent. The Canadians will do this based on a system that we are trying to move toward to implement. So it has been a great success for Canada. It has lower costs. They are going to have a system that is deployed. It is safe.

The only good news about Canada doing it is that they are one of our best allies. It is not the Russians and the Chinese doing it. If they were doing it, we would be hell-bent on trying to get this done.

Let me just point back to, this is a system that the stakeholders will be in charge of at the board level. The FAA will still be the regulatory agency.

So, again, this is something that is a long time coming. The Clinton administration tried to do it. The Bush administration tried to do it.

The time has come. We should do this. We should not let the Canadians have the ability that we don't have, even though they are our allies.

I reserve the balance of my time.

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

We have been down this path somewhat exhaustively, except we haven't held exhaustive hearings to bring in the stakeholders, poke at this idea, see if there are alternatives and other ways to make the FAA into a more efficient agency.

Actually, the Canadians are not launching a satellite. They are putting a module on a satellite, and they are allowing people to actually license in or lease in with them, which the FAA could do.

That is not the critical part of the infrastructure we need here in the U.S. That satellite-based system will not be able to improve the ground-based system that we have here in terms of our very, very busy airports. We land more planes in a day at LaGuardia than Canada lands in—I don't know how many days.

So the issue of our system and more efficiency in our system depends on many things, including one thing which is a glaring omission in both the House and Senate bills: runways, aprons, terminals. Guess what. Both the House bill and the Senate bill stiff the airports.

We haven't allowed them to assess a reasonable increase in the passenger facility charge in many, many, many years. So even if this system becomes more efficient, one way or another, at some point, you can't get more planes into LaGuardia without building an-

other runway. That is not going to happen. So we can't even talk about that.

There are other places where we could improve efficiency with another runway, where you could improve efficiency with more terminal space, more gates, more apron. Yet, the airports are not being allowed to assess a user fee to get there.

I actually was an original advocate for the passenger facility charge many years ago when I saw the unfairness of the previous system.

I live in Springfield, Oregon, across the river from Eugene. Eugene has the airport on their property. They had to build a new airport, and they could only assess the fees in taxes against the people of Eugene. Yet, people from Corvallis, people from Springfield, people from Roseburg, all use that airport.

So I thought it would be only fair to assess a passenger facility charge for those sorts of improvements, which I probably enjoy more than most people, flying more than most people. But we haven't allowed an increase in that, and certainly the costs of construction have not gotten any cheaper.

Many of the airports are bonded out. They don't have the capability of issuing more bonds without more revenue flow, but we seem to be ignoring that.

So if you want to look at the system to increase efficiency as a whole and to help the passenger experience, you have got to look at the system as a whole, and I am afraid we are a little bit short there.

Back to the corporate model, we don't know what the user fees will be, which, again, is why business aviation, general aviation, the Nation's largest airline and the regional airlines, which fly 62 percent of the airplanes every day, are all opposed to this black hole.

□ 1715

Suddenly we are going to have a private corporation that assesses some sort of user fee, which is raising more than \$10 billion a year to pay for itself, and then the gentleman says that safety will remain with the FAA. It will, with no funding.

So it is a crisis that every once in a while, you know, idiots take over, and we shut down the government, and that messes up air traffic control, and then we go into sequestration. But it is okay if they shut down every inspector in the FAA and everything else that goes into safety in the FAA and everything that goes into certification at the FAA because that will all remain with the vestigial agency over in the general fund with no funding source, because the assumption is all of the existing excise taxes are going to be repealed and replaced by new, unknown user fees by the private entity.

So what is that new system and how and where is the money going to come from for safety, for certification and all the other critical functions of the FAA? That is left to the total discretion of Congress, with no funding

source. At least today you can look at that and say: Well, we are paying for 93 percent of it through taxes that are being raised, that are dedicated; all we have got to do is come up with 7 percent. But now it will be: Wow, we have got to come up with 100 percent to fund those inspectors and those certifiers and all those people over there. Wow, this is great; let's bifurcate the agency. Plus the communications problem.

And, by the way, the certifiers will have to certify the new systems that the private corporation is proposing to put in place, so the certifiers are now laid off because of a dumb government shutdown but, hey, they can move ahead over here. Well, no, they can't move ahead. They can't deploy any new systems because they are user fee-based, and these people over here are general fund-based.

So I do not believe this solves the problem. I think it would be better to say, if you want to do this, do it the way President Clinton did propose, which is a government corporation. He did not propose privatization. Virtually the vast majority of the countries in the world have gone with government corporations. If you do that, you don't have some of the bizarre problems that they are trying to work around here with the Constitution, which prohibits giving regulatory authority to a private entity.

Well, they work around that by saying everything the corporation wants to do has to be approved by the Secretary, who, by the way, will have a giant new office of experts to advise him or her on whether or not to approve the new fee structure, whether or not to approve the new routes, whether or not to approve this or that or anything that is regulatory in nature. That all still has to go back to the Secretary, who, by the way, is subject to Congress and the appropriations process and political appointment.

We aren't solving the problem. If this goes forward, you are not solving the problem. I posit that you are creating more.

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

Mr. SHUSTER. Mr. Speaker, how much time is remaining on our side?

The SPEAKER pro tempore. The gentleman from Pennsylvania has 11½ minutes remaining.

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

Mr. Speaker, I will say, point out for the Record, correct the Record, first, the gentleman is correct: Canada is not launching satellites. They are launching modules to go on satellites by the corporation that they own about half of to deploy this GPS-based system. So, the gentleman is correct. Technically they are not satellites, but they are components to go on satellites which will, in fact, see 100 percent of the global airspace, which America should be doing.

The next thing I would like to correct is we have had numerous hearings

on this. We have had over half a dozen hearings. In fact, we had one just before we marked the bill up. We have had over 12—I think maybe even 14 or 15—roundtable discussions with both sides of the aisle and stakeholders from all over the industries who sat there and talked to us about what they thought is good and what is bad.

The concern about safety—as I said, safety stays in government, and today the FAA safety certification portion of it is paid by the general fund. That is appropriate. The other fees, the taxes, we plan to eliminate most of those taxes, eliminate those taxes and go to a user fee-based system.

There is plenty of money there. That will go to run the ATC system. This way it will be in a user fee-based system, which history has shown us what Canada has done. History has shown us, I think, in many, many cases, when you take something outside the government that can go outside the government, it is run more efficiently. We will get out of the starts and the stops of the appropriations process, of the government shutdowns, of the 23 extensions last time.

This will be a better program. And the Secretary and the FAA will still maintain that regulatory oversight, which, in fact, means that Congress will maintain regulatory oversight. And I don't know when Congress has not had oversight and, in many cases, screwed up many of the private industries in this country by our overreach and our oversight by putting rules and regulations in place that don't work. In the case of the FAA, we rolled those back in many cases, let them go outside the Federal Government human resources rules and regulations. What did they do? They just kept on doing the same old thing.

So this is an opportunity for us, again, with extensive hearings, with extensive experience around the world, looking at people who have done it successfully. Again, I believe the time has come for us to do this, to make this a modern aviation system that I believe will improve safety, although we have an incredibly safe system today.

It will reduce the cost for the traveling public. It will make their flight times faster, more efficient, and it will be good for the environment. I don't see, really, anything in this that many, many Members of this House can't embrace.

I will continue to talk about it and continue to push it because I really believe the time is now to have a modern air traffic control system that will be the envy of the world, just as our aviation system, our airlines, the development of our airlines, and our manufacturers have been for years. If we don't do it, I think we stand to diminish ourselves in the world.

Ladies and gentlemen, we invented aviation. We ought to make sure that we continue to be the leaders in the world when it comes to aviation, whether it is flying planes, building

planes, or controlling the airspace in the most efficient and safe way.

Again, I urge all my colleagues to support this short-term extension that is on the floor today.

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

Mr. LEVIN. Mr. Speaker, this short-term bill to extend the FAA authorization for three months and tax revenue for one year gives us more time to negotiate bipartisan reforms that are needed. While I will support this extension, I'm concerned that Republicans are using this bill to buy time for privatization.

Let me be clear: we should not privatize the FAA. Privatizing the FAA would put control of our skies in the hands of a private corporation that put profits over passenger safety. It gives that private corporation the power to tax the flying public who have no alternative. It would increase complexity and lead to higher costs for passengers. It would reduce air service to small and rural communities. And it hands a private corporation billions of dollars' worth of taxpayers' property and other assets—free of charge.

Capt. Chesley Sullenberger, the US Airways pilot who landed his disabled aircraft on the Hudson River in 2009, agrees. He told POLITICO: "There ought to be other, better ways to make sure that air traffic control has long-term, consistent funding for capital improvements other than eviscerating access to the air traffic control system for anyone other than airlines."

I think we can all agree that there are improvements that can and should be made to the FAA, and this bill gives us time to work toward them. But we should not cloak those improvements in a bill that gives up Congress's jurisdiction and harms taxpayers.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. SHUSTER) that the House suspend the rules and pass the bill, H.R. 4721.

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.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 22 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of Georgia) at 6 o'clock and 30 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4596, SMALL BUSINESS BROADBAND DEPLOYMENT ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 3797, SATISFYING ENERGY NEEDS AND SAVING THE ENVIRONMENT ACT

Mr. STIVERS, from the Committee on Rules, submitted a privileged report (Rept. No. 114-453) on the resolution (H. Res. 640) providing for consideration of the bill (H.R. 4596) to ensure that small business providers of broadband Internet access service can devote resources to broadband deployment rather than compliance with cumbersome regulatory requirements, and providing for consideration of the bill (H.R. 3797) to establish the bases by which the Administrator of the Environmental Protection Agency shall issue, implement, and enforce certain emission limitations and allocations for existing electric utility steam generating units that convert coal refuse into energy, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

S. 2426, by the yeas and nays;

H. Con. Res. 75, by the yeas and nays;

H. Con. Res. 121, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

DEVELOPING A STRATEGY TO OBTAIN OBSERVER STATUS FOR TAIWAN IN THE INTERNATIONAL CRIMINAL POLICE ORGANIZATION

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 2426) to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan in the International Criminal Police Organization, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 381, nays 0, not voting 52, as follows:

[Roll No. 111]

YEAS—381

Abraham	Amash	Barr
Aderholt	Amodei	Barton
Aguilar	Ashford	Bass
Allen	Barletta	Beatty