Senator MCCAIN now wants to extend that same strategy to the health insurance industry? Our Nation's health care system has enough problems, and we don't need to exacerbate them by implementing Senator MCCAIN's dangerous new deregulation idea.

□ 1030

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PASTOR). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the additional motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

FEDERAL AVIATION ADMINISTRATION EXTENSION ACT OF 2008, PART II

Mr. COSTELLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6984) 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. 6984

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 ''Federal Aviation Administration Extension Act of 2008, Part II''.

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 ''September 30, 2008'' and inserting ''March 31, 2009''.

(b) TICKET TAXES.—

(1) PERSONS.—Clause (ii) of section 4261(j)(1)(A) of the Internal Revenue Code of 1986 is amended by striking ''September 30, 2008'' and inserting ''March 31, 2009''.

(2) PROPERTY.—Clause (ii) of section 4271(d)(1)(A) of such Code is amended by striking ''September 30, 2008'' and inserting ''March 31, 2009''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2008.

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 ''October 1, 2008'' and inserting ''April 1, 2009'', and

(2) by inserting ''or the Federal Aviation Administration Extension Act of 2008, Part II'' 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 the date specified in such paragraph and inserting ''April 1, 2009''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2008.

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 (4);

(B) by striking the period at the end of paragraph (5) and inserting ''; and''; and

(C) by inserting after paragraph (5) the following:

''(6) $1,950,000,000 for the 6-month period beginning on October 1, 2008.''.

(2) OBLIGATION OF AMOUNTS.—Sums made available pursuant to the amendment made by paragraph (1) may be obligated at any time through September 30, 2009, 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, 2008, 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 2009 were $3,900,000,000; 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 ''September 30, 2008,'' and inserting ''March 31, 2009,''.

SEC. 5. EXTENSION OF EXPIRING AUTHORITIES.

(a) Section 40117(l)(7) of title 49, United States Code, is amended by striking ''September 30, 2008.'' and inserting ''April 1, 2009.''.

(b) Section 41743(e)(2) of such title is amended by striking ''2008'' and inserting ''2009''.

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

(1) by striking ''November 30, 2008,'' and inserting ''March 31, 2009,''; and

(2) by striking ''December 31, 2008,'' and inserting ''May 31, 2009,''.

(d) Section 44303(b) of such title is amended by striking ''March 31, 2009,'' and inserting ''May 31, 2009,''.

(e) Section 47107(s)(3) of such title is amended by striking ''October 1, 2008.'' and inserting ''April 1, 2009.''.

(f) Section 47115(j) of such title is amended by inserting ''and for the portion of fiscal year 2009 ending before April 1, 2009,'' after ''2008,''.

(g) Section 47141(f) of such title is amended by striking ''September 30, 2008.'' and inserting ''March 31, 2009.''.

(h) Section 49108 of such title is amended by striking ''October 1, 2008,'' and inserting ''March 31, 2009,''.

(i) Section 161 of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 47109 note) is amended by striking ''fiscal year 2008,'' and inserting ''fiscal year 2009 before April 1, 2009,''.

(j) Section 186(d) of such Act (117 Stat. 2518) is amended by inserting ''and for the portion of fiscal year 2009 ending before April 1, 2009,'' after ''2008,''.

(k) Section 409(d) of such Act (49 U.S.C. 41731 note) is amended by striking ''September 30, 2008.'' and inserting ''September 30, 2009.''.

(l) The amendments made by this section shall take effect on October 1, 2008.

SEC. 6. FEDERAL AVIATION ADMINISTRATION OPERATIONS.

Section 106(k)(1) of title 49, United States Code, is amended—

(1) by striking ''and'' at the end of subparagraph (C);

(2) by striking the period at the end of subparagraph (D) and inserting ''; and''; and

(3) by inserting after subparagraph (D) the following:

''(E) $4,516,364,500 for the 6-month period beginning on October 1, 2008.''.

SEC. 7. AIR NAVIGATION FACILITIES AND EQUIPMENT.

Section 48101(a) of title 49, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting ''; and''; and

(3) by adding at the end the following:

''(5) $1,360,188,750 for the 6-month period beginning on October 1, 2008.''.

SEC. 8. RESEARCH, ENGINEERING, AND DEVELOPMENT.

Section 48102(a) of title 49, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (11)(K);

(2) by striking the period at the end of paragraph (12)(L) and inserting ''; and''; and

(3) by adding at the end the following:

''(13) $85,507,500 for the 6-month period beginning on October 1, 2008.''.

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. 6984.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 6984, the Federal Aviation Administration Extension Act, Part II. I want to thank Chairman OBERSTAR for bringing this legislation to the floor today, as well as Chairman RANGEL and Ranking Members MICA and PETRI.

The Aviation Trust Fund was created to fund the development and improvement of our airport and airway system, make critical investments to the air traffic control facilities, and to ensure the safety of the flying public.

The trust fund provides revenue for the airport improvement program, which provides grants for construction and safety projects at airports; the facilities and equipment account, which funds technical improvements to the air traffic control system; and a research, engineering and development account. The fund also partially pays for the salaries, expenses, and operations of the FAA.

This trust fund is currently operating under a short-term extension that expires on September 30, 2008. In

order to continue to provide essential safety and capacity improvement funds to our airports, we must pass this extension.

While the House passed H.R. 2881, the FAA Reauthorization Act of 2007, which is a long-term authorization for the FAA programs, the Senate has yet to pass its version of the bill. Until H.R. 2881 becomes law, it is important that we extend the FAA's programs on a short-term basis.

To ensure continued FAA operations, H.R. 6984 would extend not only the aviation taxes and expenditure authority, but also the AIP contract authority until March 30, 2009.

Specifically, H.R. 6984 provides $1.95 billion in AIP funding for airports, which is based on the level of AIP funding we authorized in H.R. 2881 for fiscal year 2009, and is consistent with the fiscal year 2009 congressional budget resolution. These additional funds will allow airports to proceed with necessary safety and capacity enhancement projects.

Mr. Speaker, aviation is too important to our Nation's economy, contributing $1.2 trillion in output and approximately 11.4 million U.S. jobs, to allow the taxes or funding for critical aviation programs to expire.

While our economy has slowed and economic factors have created difficult times for the airlines and their passengers, Congress can provide some stability to the aviation system by passing this extension this week. I urge my colleagues to support the bill.

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

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

Mr. Speaker, in September 2007, the House considered and passed the FAA Reauthorization Act of 2007, H.R. 2881, which reauthorizes the FAA for the next 4 years.

Unfortunately, however, the Senate has not come to any agreement on its bill and so we are here today considering a fifth extension. H.R. 6984 would extend the taxes, programs, and funding of the Federal Aviation Administration through March of 2009.

This bill extends FAA funding and contract authority for 6 months, funds the airport improvement program at $1.95 billion through March of next year, extends the war risk insurance program, extends the small community air service development program, and extends application of the rule for measuring highway miles to determine eligibility for essential air service subsidies.

The bill will ensure that our national aviation system continues to operate until a full FAA reauthorization can be enacted by the next Congress. As I have indicated many times since the passage of the House FAA reauthorization bill just over a year ago, we need to pass a long-term bill so we can meet the growing demands placed on our Nation's infrastructure. Modernizing our antiquated air traffic control system and repairing our crumbling infrastructure needs to be one of our top priorities when Congress reconvenes in 2009. In that connection, I would observe recent statistics which indicate that our friends in China are spending some 9 percent of their GNP on infrastructure. We here in the United States are spending about 2.5 percent, most of that on maintenance, and we are falling behind even in that regard. In 20 years, who is going to be better prepared to conduct a modern economy, somebody who is spending 9 percent of their GNP building first-class infrastructure, or someone who is barely maintaining what they already have?

We need to step up to bat. This bill will do us good in the aviation sector, but we have a big job ahead of us in infrastructure generally as a Nation.

Clearly, there is much work to be done. This 6-month extension gives us time to revisit the FAA reauthorization bill early in the 111th Congress. I urge our colleagues in the other body to take up a comprehensive FAA reauthorization package as early as possible in the next year.

I support this extension as the best alternative to keep the FAA and the national airspace system running safely until the 111th Congress can take up and pass a bipartisan, bicameral bill that the President can sign. We should all commit to quickly passing a 4-year bill as quickly as possible next year.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 6984, the "Federal Aviation Administration Extension Act of 2008, Part II".

The previous long-term Federal Aviation Administration ("FAA") reauthorization act, the Vision 100—Century of Aviation Reauthorization Act (P.L. 108–176) expired on September 30, 2007. On September 20, 2007, the House passed H.R. 2881, the "FAA Reauthorization Act of 2007", to reauthorize FAA programs for fiscal years 2008 through 2011.

Unfortunately, the Senate has been unable to complete action on a long-term FAA reauthorization bill. As a result, Congress has passed a series of short-term FAA extension acts. The current authority for aviation programs and taxes expires next week, on September 30.

H.R. 6984 provides a 6-month extension of aviation programs and taxes, through March 31, 2009.

H.R. 6984 provides $1.95 billion in contract authority for the Airport Improvement Program ("AIP"). The $1.95 billion provided for the first six months of fiscal year 2009 will enable airports to move forward with important safety and capacity projects, and is sufficient to meet all Letter of Intent ("LOI") commitments. When annualized, this level of AIP funding equals $3.9 billion, consistent with both the House and Senate FAA reauthorization bills, and the fiscal year 2009 Concurrent Budget Resolution.

The bill also authorizes appropriations for FAA Operations, Facilities and Equipment ("F&E"), and Research, Engineering, and Development ("RE&D") programs.

In addition, H.R. 6984 extends the aviation excise taxes through March 31, 2009. These taxes are necessary to support the Airport and Airway Trust Fund, which in recent years has provided about 80 percent of the FAA's budget. With an uncommitted cash balance of just $1.4 billion estimated as of the end of fiscal year 2008, any lapse in the aviation taxes could put the solvency of the Trust Fund at risk.

In addition to extending the aviation taxes, H.R. 6984 extends the FAA's authority to make expenditures from the Airport and Airway Trust Fund, through March 31, 2009.

To allow aviation programs to continue under the same terms and conditions as were in effect during the previous authorization period, H.R. 6984 also extends several other provisions of Vision 100.

I thank Chairman RANGEL, Chairman of the Committee on Ways and Means, for his assistance in ensuring the continued operation of aviation programs. I also thank my Committee colleagues, Ranking Member MICA, Subcommittee Chairman COSTELLO, and Subcommittee Ranking Member PETRI, for working with me on this critical legislation.

I strongly urge my colleagues to join me in supporting H.R. 6984.

Mr. CLYBURN. Mr. Speaker, I want to add a few words about the Disadvantaged Business Enterprise (DBE) and the Airport Concessions Disadvantaged Business Enterprise (ACDBE) Programs. These programs are critically important tools in our Nation's ongoing efforts to eliminate discrimination against minority and women owned businesses. Sadly, the evidence makes clear that race and sex discrimination are still realities for many of the business owners who are working hard to support their families, grow their businesses and contribute to our national economy.

Many disparity studies detailing discrimination against minority and women business owners have been released in every region of the country. While each study is a little bit different, taken together, these studies illustrate that discrimination impacts business owners in every minority group including African-Americans, Hispanic-Americans, Asian Americans and Native Americans. The studies also show discrimination against women of every racial group. While hundreds of such studies have been conducted, I will mention just six of the many airport-related studies that have been produced, including: Dallas/Fort Worth International Airport Board Disparity Study Final Report, MGT of America, October 17, 2000; Final Report: Broward County Small Disadvantaged Business Enterprise (SDBE) Disparity Study, MGT of America, Inc., April 3, 2001; The City of Phoenix, Minority-Women-Owned and Small Business Enterprise Program Update Study: Final Report, MGT of America, April 21, 2005; Race, Sex and Business Enterprise: Evidence from the State of Maryland, NERA Economic Consulting, March 8, 2006; Race, Sex and Business Enterprise: Evidence from Denver, CO, NERA Economic Consulting, May 5, 2006; and Final Report for Development and Revision of Small, Minority and Women Business Enterprise Program, Nashville International Airport, (BNA), Griffin and Strong, PC, September 19, 2007. Let me be clear, these six studies represent a fraction of the airport-related studies that have been conducted—and yet even this small cross-section demonstrates the national scope of the problem and the breadth of its impact. These studies are too long to insert in the record in their entirety under House rules. However, I would

note that these studies were submitted to the record on September 11, 2008 in a hearing before the U.S. Senate Committee on Small Business and Entrepreneurship.

Disparity studies provide us with both statistical and anecdotal evidence. In other words, these studies illustrate both the broad-based statistical impact of discrimination and the personal accounts of discrimination by those who suffer its effects. It is the combination of these two types of data that helps us see how discrimination works and the problems it causes. The anecdotal accounts of discrimination provided in these studies demonstrate the various different ways that discrimination happens. Sometimes, discrimination is caused by prime contractors that simply refuse to work with businesses that are not part of established business networks—the old boy network, if you will. Other times, discrimination occurs in the bid process through bid shopping, uneven and untimely notice, and intentionally deceitful practices by prime contractors that approach DBEs and ACDBEs and ask them to prepare elaborate quotes and bids with no intention of actually using their services.

In other situations, the discrimination happens in access to capital. Just last week on September 11, 2008, the Chair of the Airport Minority Advisory Council, Don O'Bannon, provided testimony before the Senate Small Business Committee outlining the severe difficulty that minority and women owned businesses confront when attempting to obtain working capital. This is not all. Different forms of discrimination reach into every aspect of the efforts by minority and women businesses to participate in airport-related business. There has been discrimination by suppliers, by government officials, by trade associations and in all of the more informal networks through which businesses obtain work. Of course, in the private sector where many of these businesses must obtain the lion's share of their work, there are rarely programs like the DBE and ACDBE programs and, as a result, discrimination has an even larger impact.

The bottom line is this: The DBE and ACDBE programs are still vital to leveling the playing field for minority and women entrepreneurs in airport-related industries. I look forward to working with my colleagues to maintain and strengthen these programs to ensure that we continue the critical work of leveling the playing field to ensure that all American businesses have a fair chance to participate in the airport-related business opportunities.

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

Mr. COSTELLO. Mr. Speaker, I have no further requests for speakers, and so I yield back the balance of my time and urge passage of this legislation.

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. 6984.

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.

PROVIDING FOR CONSIDERATION OF H.R. 5244, CREDIT CARDHOLDERS' BILL OF RIGHTS ACT OF 2008

Mr. WELCH of Vermont. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1476 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1476

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 5244) to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions of the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services; and (2) one motion to recommit with or without instructions.

SEC. 2. During consideration of H.R. 5244 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

SEC. 3. The chairman of the Committee on Armed Services may insert in the Congressional Record at any time during the remainder of the second session of the 110th Congress such material as he may deem explanatory of defense authorization measures for the fiscal year 2009.

The SPEAKER pro tempore. The gentleman from Vermont is recognized for 1 hour.

Mr. WELCH of Vermont. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. SESSIONS). All time yielded during consideration of the rule is for debate only. I yield myself such time as I may consume. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on H. Res. 1476.

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

There was no objection.

Mr. WELCH of Vermont. Mr. Speaker, H. Res. 1476 provides for consideration of H.R. 5244, the Credit Cardholders' Bill of Rights Act of 2008 sponsored by Congresswoman MALONEY. This rule provides for 1 hour of general debate controlled by the Committee on Financial Services. It also provides one motion to recommit with or without instructions.

Mr. Speaker, it is entirely appropriate that today, with the extraordinary spectacle of Wall Street titans coming to Congress hat in hand asking taxpayers for $700 billion, that we take up consideration of a bill of rights for Americans who hold credit cards. It is impossible for any of us who care to observe not to see the connection between the need for stronger consumer protections in the credit card industry today and the careless, reckless dismantling of consumer protections in the housing and financial markets in the past 30 years now known by the infamous term of ''deregulation.''

Mr. Speaker, as we know, credit serves a vital function in our economy. You cannot have a functioning capitalist economy without a functioning credit system. But the question that we face as elected representatives of the people who sent us here is whether or not we will act to provide a critical consumer protection to the credit markets and the protection to consumers who depend on them, or will we continue to leave this laissez-faire to the rules made up as they go along by the people in charge on Wall Street.

If this Congress had insisted on upholding consumer protections on Wall Street, if it had not simply stood aside to the proponents of the wild west, anything-goes markets that eviscerated the regulations, and instead kept consumers safe and the markets stable and strong, then we may well have averted the crisis that this House is now considering.

Maybe we would not be facing this extraordinary threat to the strength of the middle class who is working hard, paying their bills, but hanging on by their fingernails.

The challenge our economy faces now is largely a result of Wall Street abusing the credit system that we all need. And now ballooning credit card debt presents a similar threat to American consumers and possibly the markets.

Today, the House of Representatives will have the opportunity to adopt legislation sponsored by Congresswoman MALONEY that would prevent the reoccurrence of a crisis in credit cards that is happening in our housing industry.

Let's just look at the situation of consumer credit as it exists today. In 2007, Mr. Speaker, 5.2 billion credit card solicitations were put in the mail, 36 solicitations per household. There are 1.22 billion credit cards in the United States. Outstanding consumer credit in the United States is approaching $1 trillion, $969.9 billion, to be precise, and the average credit card debt per household that carries a balance as opposed to those who simply use the credit card as a convenience to pay bills, that average balance is $17,103.

Does that sound sustainable and does this sound familiar?

Congresswoman MALONEY's bill, H.R. 5244, institutes essential and overdue protections for the market and for the consumer by guarding against growing unmanageable debt and provides critical safeguards for consumers who have been relentlessly taken advantage of by credit card companies.