for 1 minute and to revise and extend his remarks.)

Mr. MENENDEZ. Mr. Speaker, the budget is not just a question of numbers. It is a question of values. With Republicans ready to yet again propose a $150 billion tax cut for the wealthy, they have made their values very clear. They value giving a millionaire a tax break while our seniors struggle to pay for their prescription drugs. They value giving the wealthy a tax cut while mortgaging our children's future to pay for it.

We Democrats have a different set of values. We value the commitment we have made to preserving Social Security and Medicare. We value the years of hard work our seniors have labored to build this country and the right they have to be able to enjoy their golden years without having to choose between the drugs they need and the retirement that they deserve. We value our Nation's children, who deserve a debt-free future, which is why we Democrats are fighting to use the surplus to pay down the national debt.

That is why this budget is a question of values, and that is why we Democrats are ready to fight alongside our Nation's working families for the values they deserve.

WENDELL H. FORD AVIATION INVESTMENT AND REFORM ACT FOR THE 21ST CENTURY

Mr. REYNOLDS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 438 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 438

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 1000) to amend title 49, United States Code, to reauthorize programs of the Federal Aviation Administration, and for other purposes. All points of order against the conference report and against its consideration are waived.

The SPEAKER pro tempore (Mr. OSE). The gentleman from New York (Mr. REYNOLDS) is recognized for 1 hour.

Mr. REYNOLDS. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purposes of debate only.

(Mr. REYNOLDS asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. REYNOLDS. Mr. Speaker, yesterday the Committee on Rules met and granted a standard rule for consideration of the conference report to accompany H.R. 1000, the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century. As is customary for all conference report rules, the rule waives all points of order against the conference report and against its consideration.

Mr. Speaker, Robert Louis Stevenson once wrote, ''For my part, I travel not to go anywhere but to go. I travel for travel's sake. The great affair is to move.''

This Nation's proud history is filled with the deeds and adventures of great explorers and brave pioneers whose journeys were often more fascinating than their destinations.

As we continue to explore, pioneer and grow, the people of a young nation no longer travel just for adventure or, as Stevenson opined, solely for travel's sake. We began traveling for a much simpler purpose. We traveled to get somewhere.

We never stop finding a way to do it safer, faster and cheaper.

Whether it was the trailblazers of the Old West laying rails across a new frontier or immigrants from the Old World digging the ditches of a new canal; the growth, prosperity and opportunities of this great Nation have been intertwined with our ability, as a people, to move.

Throughout that history, this Congress has been called upon for its leadership and sometimes its help to make certain that the transportation needs of this country and its citizens were met safely, efficiently, and adequately.

Often that work is not easy, and I commend the gentleman from Pennsylvania (Mr. SHUSTER) for his efforts and his diligence.

Mr. Speaker, air travel is as critical to our Nation's economy as its future, just as surely as wagon trains and railroads were to expanding our land and our prosperity.

Issues affecting airline, airport and aviation safety have been of paramount concern over the years, and this Congress has been working to find the solutions to those issues and problems.

Our Nation's travelers have rightfully called for a greater safety and an end to needless delays and uncertain schedules. The airline industry has called out for increased safety measures, much-needed radar modernization and funding for airport construction projects.

The Wendell H. Ford Aviation Investment and Reform Act for the 21st Century provides for critical changes to improve competition, reforms the Federal Aviation Administration, helps small communities and large airports alike, and most important, makes our skies safer.

Mr. Speaker, the safety of our skies and our citizens must remain a paramount concern of this Congress. This bill goes a long way toward improving airline safety by increasing investment for FAA's facilities and equipment budget by almost 50 percent so that the agency can modernize our antiquated air traffic control system.

Additionally, H.R. 1000 provides the FAA sufficient funding to hire and retain the air traffic controllers, maintenance technicians and inspectors necessary for the safety of the aviation system.

Mr. Speaker, this bill helps airline passengers and their families by strengthening the provisions of the Aviation Disaster Family Assistance Act that was created following the tragic Value Jet and TWA 800 crashes.

Those terrible tragedies left already fearful family members without timely or accurate information, something that should never happen again.

Additionally, this bill spurs needed competition on behalf of American consumers. In my own district in Upstate New York, the high cost of air travel has been an ongoing concern, as we earned the dubious distinction of being one of the costliest areas in the Nation to travel by air. This region of the State, as do others across the Nation, needs greater airline competition and lower airline costs.

H.R. 1000 addresses much of that concern, by setting a dated elimination of slot restrictions at O'Hare, LaGuardia and Kennedy Airports, allowing smaller communities better access to New York and Chicago, as well as immediate access for regional jets.

The bill also creates a new funding program to help small, underserved airports market and promote their air service and for the first time funds general aviation airports.

As our reliance on air travel for business and commerce, vocations and vacations continues to grow, this bill provides the assistance needed for burgeoning airports across the Nation.

In my own region, the Buffalo and Rochester Airports will see funds from the Airport Improvement Program more than double, as will most others across the United States.

Mr. Speaker, this bill not only accomplishes a great deal on behalf of competition, growth, and safety in America's aviation system, it is a product of deliberation and consensus reflecting both the complexities and agreement of the two Houses of this Congress, as well as the executive branch.

In conclusion, I would like to commend the gentleman from Pennsylvania (Mr. SHUSTER) of the Committee on Transportation and Infrastructure, and the gentleman from Minnesota (Mr. OBERSTAR), the ranking member, for their hard work on this measure. I urge my colleagues to support this rule and the underlying bill.

Mr. Speaker, at this point I would like to insert into the RECORD a series of correspondence between the chairman and the ranking member of the Committee on Rules and the Committee on Transportation and Infrastructure concerning application of section 106 of the conference report to accompany H.R. 1000.

COMMITTEE ON RULES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 10, 2000.

Hon. BUD SHUSTER,
Chairman, Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

DEAR BUD: The Rules Committee is planning to meet on March 14th to grant a rule for the Conference Report to accompany H.R. 1000, the Wendell H. Ford Aviation Investment and Reform Act of the 21st Century (AIR21). Since the conference report contains provisions establishing new points of order in the rules of the House and Senate, we would appreciate you responding to the enclosed questions prior to the hearing. Your responses will help us to develop a legislative history that will assist in the implementation of the points of order contained in the legislation. Thank you for your cooperation.

Sincerely,

DAVID DREIER.
JOSEPH MOAKLEY.

QUESTIONS TO CHAIRMAN SHUSTER REGARDING THE APPLICATION OF SECTION 106 OF THE CONFERENCE REPORT TO ACCOMPANY H.R. 1000

1. How is the Chair to interpret the language in section 106 of the conference report with regard to a limitation amendment to a general appropriation bill? In particular, how should the Chair interpret ''cause total budget resources in a fiscal year for aviation investment programs described in subsection (b) to be less than the amount required by subsection (a)(1)(A) for such fiscal year''? (Section 106(c)(1))

2. Is there statutory discretion for the FAA to reprogram funds in the event of an amendment that limits funding for a project? If so, where is the statutory discretion?

3. How is the Chair to interpret the language in section 106 of the conference report with regard to a supplemental appropriations bill or a continuing resolution?

4. How is the Chair to interpret the language in section 106 of the conference report with regard to an ''across-the-board'' cut?

5. What calculations would the Chair have to undertake in determining whether the point of order applies to a bill, joint resolution, amendment, motion or conference report?

6. To what extent should the Chair rely on estimates from outside entities? (e.g. Budget Committee, CBO, OMB).

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, CONGRESS OF THE UNITED STATES, HOUSE OF REPRESENTATIVES,
Washington, DC, March 14, 1999.

Hon. DAVID DREIER,
Chairman, Committee on Rules, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to your letter of March 10, 2000, regarding the Conference Report on H.R. 1000, the Wendell H. Ford Aviation Investment and Reform Act of the 21st Century (AIR 21), attached are responses to the questions you sent to develop a legislative history that will assist in the implementation of the points of order contained in the legislation.

Please let us know if you need any further information. With warm personal regards, we remain,

Sincerely,

BUD SHUSTER,
Chairman.
JAMES L. OBERSTAR,
Ranking Democratic Member.

Attachment.

1. How is the chair to interpret the language found in section 106 of the Conference Report with regard to a limitation amendment in a general appropriations bill? In particular, how should the chair interpret ''cause total budgetary resources for a fiscal year for aviation investment programs described in subsection (b) to be less than the amount required by subsection (a)(1)(A) for such fiscal year''? (Section 106(c)(1))

The points of order in (c)(1) and (c)(2) should not restrict the ability of Members to offer amendments on appropriations bills that would have the effect of limiting funding for an aviation project or activity that would otherwise be funded from the Trust Fund.

The aviation statutes permit great flexibility in the permissible uses of funds (see question 2, infra). Therefore, if the Congress adopted an otherwise valid funding limitation on any aviation project or activity, then the aviation statutes permit sufficient flexibility such that the funds that would otherwise have been obligated on that project could be obligated on another project. As a result, a project limitation amendment would not ''cause total budget resources'' to be below the level specified by subsection (a)(1)(A) and would not be subject to the point of order in subsection (c)(1).

However, it is possible that a limitation amendment could be offered to an appropriations bill that would trigger the point of order. For example, a limitation amendment to reduce funding for aviation investment programs below the guaranteed levels would be subject to a point of order.

It is intended that these points of order will be triggered when action is taken that would cause the total budgetary resources that have been or will be made available from the Trust Fund or for capital programs to be less than the amounts specified in AIR 21. With respect to the point of order in section (c)(1), the intent of the word ''cause'' is that this point of order should lie against any specified legislative action (or proposal) that would have the direct or indirect effect of reducing the amount that has been or will be made available to be obligated from the Trust Fund below the level specified in subsection (a)(1)(A). A similar analysis would be used for the point of order in section (c)(2).

2. Is there statutory discretion for the FAA to reprogram funds in the event of an amendment that limits funds for the project? If so, where is the statutory discretion?

Yes, the FAA has statutory discretion to reprogram funds to other projects. Sections 48101 and 44502 of title 49 provide a broad authorization for the use of Facilities and Equipment funds. If such funds are prohibited from being used for a certain project, then the FAA may use those funds for a variety of other authorized purposes within the Facilities and Equipment program. Sections 48103 and 47104 of title 49 provide a similarly broad authorization for the use of Airport Improvement Program (AIP) funds. In addition, section 47117(f) (as redesignated by section 104(g) of AIR 21), permits any amount of obligation authority that cannot be used by the airport sponsor to which it has been apportioned to be used instead for other airport development projects through the AIP discretionary grant program.

3. How is the Chair to interpret the language in section 106 of the Conference report with respect to a supplemental appropriations bill or a continuing resolution?

The points of order in section 106 apply to any bill, joint resolution or conference report. They make no exception for supplemental appropriations bills or continuing resolutions.

Section 106 would apply to a supplemental appropriations bill, but would only be incurred if that bill would either cause total budgetary resources out of the Aviation Trust Fund to fall below that year's estimated taxes plus interest, or if the sum of the appropriations for the capital programs fell below the levels set forth in AIR 21.

With respect to a continuing resolution, the points of order in section 106 are intended to ensure that the amounts intended to be made available for a fiscal year are in fact made available. Therefore, if a continuing resolution is adopted making short-term funding available for FAA programs, it is not expected that any points of order in Section 106 would be at issue. However, if a continuing resolution were to attempt to undermine the funding guarantees in AIR 21, then the points of order in section 106 would be at issue.

4. How is the Chair to interpret section 106 with respect to an across-the-board cut?

The points of order in Section 106 would apply to any bill making an across-the-board cut if it would undermine the funding guarantees in AIR 21.

5. What calculations would the Chair have to undertake in determining whether the point of order applies to a bill, joint resolution, amendment, motion or conference report?

In a bill making general appropriations for transportation programs, the Chair would need to make a series of simple calculations to determine whether either or both points of order apply.

For the point of order in subsection (c)(1), the Chair would first need to determine the amount of total budget resources being made available. Subsection (b)(1) defines the term ''total budget resources'' and these headings are easily identifiable in each appropriations bill. Obviously, any amounts would need to be netted against any provisions which reduce the amounts made available in the bill.

After the Chair determines the amount of total budget resources being made available, he would need to compare it to the level of receipts plus interest for that year. Subsection (b)(2) defines the term ''level of receipts plus interest'' to mean the level of excise taxes and interest estimated to be credited to the Trust Fund in the President's Budget baseline projections for that year.

In general, for the point of order in subsection (c)(2), the Chair will need to determine whether the sum total of budget resources for Facilities and Equipment and Grants-in-Aid for Airports provided in that same, or previous measures, for that fiscal year is at least equal to the sum of the authorized levels for those programs for that fiscal year. The authorized levels for Facilities and Equipment and Grants-in-Aid for Airports are found in sections 48101 and 48103, respectively, of title 49, United States Code.

6. To what extent should the Chair rely on estimates from outside entities? (e.g. Budget Committee, CBO, OMB)

For the routine evaluation of the points of order, the Chair would rely on estimates from all appropriate entities. To the extent a dispute arises over the level of receipts and interest in the President's Budget, it is intended that the Chair be advised of amounts and levels by the Congressional Budget Office.

FOLLOW-UP QUESTIONS FROM CHAIRMAN DREIER AND RANKING MEMBER MOAKLEY

1. The first point is the question #1, where you mention ''direct and indirect effect of reducing the amount that has been or will be made available to be obligated from the Trust fund . . .''. Please elaborate on what you mean by an indirect effect? Are you talking about an indirect effect that is based in aviation funding (such as an FTE amendment) or do you mean an indirect effect based on more general discretionary spending?

2. The second point is in question #3, where you state how the point of order would apply to a continuing resolution. you seem to state that a short term continuing resolution would not be affected by the section 106 points of order. Short term C.R.s are meant to be a noncontroversial band-aid so Congress can work on the larger appropriation bills. However, your last sentence in your response to question #3 states that if a C.R. ''were to attempt to undermine the funding guarantees in AIR 21, then the points of order in section 106 would be at issue.'' Would our typical short term C.R. ''undermine funding guarantees,'' or do you mean the long term, year-long C.R.s?

RESPONSES TO FOLLOW-UP QUESTIONS FROM CHAIRMAN SHUSTER AND RANKING MEMBER OBERSTAR

Follow up to Question #1

We believe that the point of order would be triggered by any action that would directly or indirectly cause budget resources to be less than set forth in AIR 21. We mean indirect to refer to any action that might be taken which would undermine the funding guarantee. There are many ingenious ways that could be devised to undermine the funding guarantee, and we want the point of order to apply to any action which would accomplish this.

For example, an amendment which would have the effect of deeming an operations account activity to be a facilities and equipment account activity would be an indirect way of undermining the guarantee.

Follow-up to Question #3

Technically, the points of order in Section 106 of AIR 21 apply to any continuing resolution funding FAA programs. In the circumstance of the typical short-term continuing resolution making appropriations for days or a few weeks at the start of a fiscal year while Congress completed its work, we would not raise, nor would we object to a rule waiving the points of order. In the case of a longer continuing resolution, we would have to evaluate them on a case-by-case basis. As we have stated, the intent of the points of order is to prevent undermining the funding guarantees in AIR 21. We would look at any longer CR to determine if it would in practice undermine the funding guarantees.

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

Ms. SLAUGHTER. Mr. Speaker, I thank my colleague for yielding me this 30 minutes and yield myself such time as I may consume.

Mr. Speaker, this resolution waives all points of order against the conference report and its consideration.

Mr. Speaker, I support the underlying bill and want to praise the chairman and the ranking member of the Committee on Transportation and Infrastructure, as well as the chairman and the ranking member of the Subcommittee on Aviation, for the extraordinary work that they have done to ensure that America's aviation system will remain safe and competitive as we enter the 21st century.

Generations of taxpayers have spent millions of dollars ensuring that our aviation system is the envy of the world, but that superiority is by no means certain unless we act.

Many communities now find themselves cut off from the booming economy as a result of the inability to move their goods and services where they need to go. This problem has enormous economic implications for certain regions of the country, including my own. I have said it before and I will say it again, that economic development cannot occur without affordable, accessible air transportation.

My district of Rochester, New York, and, of course, my great interest in Buffalo is the largest per capita exporting city in the United States and last year 1.2 million people flew out of our airport.

My district, Rochester, contains Fortune 500 companies such as Eastman Kodak, Xerox Corporation, Johnson & Johnson, and Bausch and Lomb. Of equal importance are the hundreds of small and mid-sized high technology firms that have been growing in our region over the past several years. These companies are now critical to the lifeblood of our community, but many firms are either moving out or choosing to expand in other regions of the country due to exorbitant airfares and the inability to get a decent flight schedule.

A relatively young and growing Rochester-based firm recently wrote to me that high airfares to and from Rochester are the primary reason that it froze professional positions in its local office and opted instead to expand its mid-Atlantic offices.

□ 1030

Trends like this can and do enormous damage to any community. Rochester is like many mid-sized communities that somehow got left out of the benefits promised by deregulation. To be blunt, deregulation failed us. During the 1960s, 13 air carriers served our region, affording consumers choices and creating a competitive environment and produced reasonable fares. Now there is one dominant carrier, four additional carriers and a few very small ones that effectively serve our region, and my constituents pay some of the highest air fares in the country.

Major airline carriers have clipped the wings of any start-up carrier, and while more than one carrier may service our region, they do not compete among themselves on most routes. The result has been the creation of a de facto monopoly on individual routes that are gouging business people and consumers when they fly. For example, Mr. Speaker, one can fly from Rochester to Chicago round trip for $1,200 to the penny on any airline serving Rochester that will take you there.

Congress can and must level the playing field for start-up carriers so that they can compete with the major carriers. Low-cost airlines formed after deregulation are the primary source of price competition in other areas of the country, and Rochester is a prime example of what happens without this pressure.

Two years ago I pledged to my constituents to confront this problem head on in the Congress. I authored legislation and called on the Department of Transportation and the Department of Justice to get tough on the predatory behavior of major carriers. I have testified numerous times before my House and Senate colleagues and conducted hearings in Rochester with Secretary of Transportation Rodney Slater.

As we are here today, the Department of Justice has launched a full-blown antitrust investigation into the behavior of the major carriers. The Department of Transportation for the first time in 20 years is looking at measures to prevent anticompetitive behavior. Thirty-six States' Attorneys General are pressing their State courts into action, and comprehensive legislation before us today will provide additional airport capacity and help to improve large and small airports to ensure that we have fair competition.

Moreover, a new start-up airline, JetBlue, will be serving Rochester in the coming year. I was pleased to be in Buffalo for their inaugural flight to New York City, and I was also pleased to help ensure JetBlue's access to the slot-controlled John F. Kennedy Airport in New York City and look forward to the relief their flights will provide in our community.

Let me speak a moment about the slot issue, although this has been alleviated in this report. Slots refer to the landing and take-off rights for each flight. The slot provisions included in the underlying bill are critical to this debate, and I am delighted that the measure begins to undo the damage created by the current system.

Currently, major carriers have a stranglehold on these slots, effectively preventing low-cost carriers from entering the market. In the 18 years since airline deregulation, major airlines have increased their grip on access to slots at major airports. The four slot-controlled airports in the country, LaGuardia and Kennedy Airports in New York, O'Hare in Chicago and National Airport near Washington, the dominant airlines use their control of slots to squeeze out the smaller carriers and consumers are being crushed in the process.

When these slots were first distributed, DOT made clear to the airlines the slots were government property owned by the American people. The government reserved the right to reclaim them at a future date to promote fair competition. With the growing move by large airlines to consolidate slots, this action is long overdue, and I am delighted to see it in this bill.

Mr. Speaker, again, I want to commend the chairman and ranking member of both the Committee on Transportation and Infrastructure and the Subcommittee on Aviation for their extraordinary work and for standing firm in the conference on our behalf. I will not call for a recorded vote. I urge my colleagues to support the legislation that the resolution makes in order.

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

Mr. REYNOLDS. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. HYDE).

(Mr. HYDE asked and was given permission to revise and extend his remarks.)

Mr. HYDE. Mr. Speaker, I thank the gentleman for yielding, and I thank the gentleman from Pennsylvania (Mr. SHUSTER) for deferring to me because I have to be in a markup. I really appreciate the courtesy.

Mr. Speaker, I cannot support this conference report, as my friend from Pennsylvania knows. My concerns about this bill are the same as those I have expressed for many years. I believe this bill will increase safety hazards for those flying into O'Hare and for my constituents who live under O'Hare's increasingly congested flight paths. I believe this will help create massive gridlock and delays at O'Hare and across the Nation.

Compressing more aircraft operations into the extremely limited capacity at O'Hare compromises safety and poses a significant risk of an air tragedy. I do not now dispute the fact that demand has grown. However, this demand has outgrown the capacity of O'Hare to safely handle this growth.

We know that at current levels of operations, we are shoehorning too many flights into O'Hare, creating recurrent near misses and near catastrophes at an overloaded airport. To paraphrase one senior pilot, ''O'Hare is an accident waiting to happen.''

Adding more flights will only increase the already unacceptable safety hazards at O'Hare. The only way to shoehorn more flights into the airport is to increase the operations frequency in bad, low visibility weather, typically by squeezing the operations closer together in time and space; that is, reducing separation distances between aircraft, converging triple arrivals in fog and rain. Murphy's law tells us that it is only a matter of time before this increased jamming of flights results in a disaster.

The only way to safely address the Chicago metro region's critical capacity shortfall is to build a third airport. A third airport is the only safe, sound and effective response of the public's need for more flights.

To those who argue that lifting of the slot rule will increase competition, I challenge you to show the specific facts that demonstrate that lifting the slot rule will actually increase competition. We have had a slot exemption on the books since 1994 to allow new competition at O'Hare, 6 years, yet the overwhelming majority of added flights under this exemption have gone to the affiliates of two major airlines.

So, if you want to increase competition, why not do it in the safest, and I emphasize safest, most logical effective way possible. The answer to effectively creating real time competition in the Chicago region is a new regional airport of sufficient size to allow new entrants to come in with a critical mass of flight operations. That means the capacity to grow and accommodate thousands of flights daily, capacity that can only be obtained at a new metro Chicago airport.

Mark my words: Congress' action in lifting the slots will create an air traffic logjam of nightmare dimensions at O'Hare. We all know O'Hare already has a national reputation for delays. Thousands of stranded travelers frequently sleep overnight on temporary army cots at ''Camp O'Hare.'' Yet Congress' action in lifting the slot limits will cause these already intolerable delays to skyrocket, not only for passengers on new flights, but for passengers on all the flights into and out of O'Hare.

Mr. Speaker, there will come a day when the chickens come home to roost on the failures in this bill. It is my fondest wish that I will not have to be the one standing in this House in the wake of a major catastrophe at O'Hare to tell my colleagues ''I told you so.''

Another unfortunate aspect of this bill is it is a tax increase. It raises the passenger facility charge on each ticket from $3 to $4.50. So those of you that campaign as tax slashers, ax the taxes, had better explain this to your folks, because this is a tax increase.

O'Hare field will have flight increases in the year 2002 while LaGuardia's increases do not occur until 2007. I cannot explain this differential. I can only speculate.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Mr. Speaker, I thank the gentlewoman for yielding me time.

Mr. Speaker, I would just like to reply to a few of the statements made by my colleague the gentleman from Illinois (Mr. HYDE).

First of all, in regards to the safety at O'Hare airport, the high density rule was never put in place because of safety, it was put in place for other reasons. About 6 or 7 months ago at a public hearing I had the Secretary of Transportation and also the head of the FAA, and I asked them about safety concerns at O'Hare airport. Both of them made mention of the fact that the high density rule was never put in place for any kind of safety rules whatsoever, it was put in place for other reasons. They had both recommended that the high density rule be removed at O'Hare airport. I asked them if removing the high density rule in the year 2000 would create any safety problems. Both of them testified, absolutely not.

The gentleman from Illinois (Mr. HYDE), who has opposed the lifting of the high density rule, was successful in having us move the date from 2000 back to 2002. There was a slow phase-in period at O'Hare airport from 2000 to 2002, and we can thank the lobbying by the gentleman from Illinois (Mr. HYDE) on behalf of that for that being in the bill.

The gentleman mentioned the increase in the passenger facility charge going from $3 to $4.50. We on the Federal level simply give the local airport authorities the ability to increase this passenger facility charge. We do not impose a new tax upon the flying public. But this increase in the PFC really will aid and assist the residents around O'Hare airport more than anyone else because it will enable us to soundproof more homes, more schools, more churches around O'Hare airport.

Also the lifting of the high density rule will allow us to put more flights into O'Hare airport when people are not sleeping. At the present time, because of the high density rule, many flights have been scheduled during the night hours and the early morning hours. Lifting the high density rule will spread the flights out more during the course of the daytime operation of O'Hare airport, thereby giving the sleeping quality around O'Hare a considerable increase.

So I understand the objections of the gentleman from Illinois (Mr. HYDE), but I think if you look at it in the short run and the long run, it is not only good for competition, it is really good for all the residents around O'Hare Airport.

Mr. REYNOLDS. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania (Mr. SHUSTER), the chairman of the Committee on Transportation and Infrastructure.

Mr. SHUSTER. Mr. Speaker, the House passed AIR 21 by an overwhelming vote of 316 to 110. Then we went to conference with the Senate, and the Senate had several significant objections to the bill. For several months we negotiated in good faith.

As a result of that negotiation, the very leaders of the Senate who were opposed when we went into the conference, and I refer specifically to the distinguished chairman of the Committee on Appropriations, Senator STEVENS, the distinguished chairman of the Committee on the Budget, Senator DOMENICI, the distinguished chairman of the Appropriations Transportation Subcommittee, Senator SHELBY, the leaders in opposition as a result of our negotiating and compromising in good faith, have all become vigorous supporters of this legislation, and, indeed, cast their vote last week in the Senate for this legislation. Indeed, the vote in the Senate was an overwhelming 82 to 17.

But we did have to compromise. We had to compromise, and, as Henry Clay said many years ago, compromise is honorable, because in compromise, while you always give up something, you get something in return.

This legislation, with the overwhelming support it now has, does several things. First, we guarantee that the budget resources provided each year for the Aviation Trust Fund will equal this year's estimated receipts and interest. In other words, we unlock the Aviation Trust Fund, and, of course, without any tax increase.

Second, we guaranteed that the capital accounts, facilities and equipment,

and the grants in aid to airports, will be fully funded each year from the trust fund. Now, this carries out the intent of Congress in establishing the trust fund, that the capital needs be met before the trust fund revenue can be used for operating accounts.

Third, the program has been structured in a way to ensure a significant general fund contribution, although the exact amount of that contribution will be left up to the Committee on Appropriations. This was an area of significant compromise.

□ 1045

The House did not achieve our guaranteed general fund contribution that we wanted; but in another way, we created a mechanism by which general fund money can be available.

Fourth, the conference report contains strong and enforceable mechanisms to ensure that the funding guarantees are honored. Again, this was an area of compromise. The House dropped its insistence on off-budget or firewalls and agreed to use points of order as an enforcement mechanism.

Now, this agreement to use points of order was predicated on the commitment of the House leadership not to waive those points of order in situations where the guarantees would be undermined. In a March 8 letter to the gentleman from California (Mr. DREIER), the chairman of the Committee on Rules, the Speaker of the House wrote, ''I support these funding guarantees. I will oppose efforts to undermine these guarantees during the full term of the bill. If such an effort were to occur, I would oppose waiving any points of order enforcing the funding guarantees. The House-passed position on this matter was off-budget status for the aviation trust fund. In agreeing to the conference report, the House conferees made significant procedural concessions to the Senate premised on my assurance that as Speaker, I would oppose efforts to waive the section 106 points of order against any bill, joint resolution, amendment, motion or conference report, or amendment thereto. I am determined to follow through on this commitment, and I know I can count on the support of the Committee on Rules.''

In response, in reply to the Speaker's letter, the gentleman from California (Mr. DREIER) indicated his full support for the Speaker's position. He stated, and I quote, ''In recognition of the fact that section 106(C)(3) was removed from the conference report, you can count on my full support for your position.''

While the funding guarantees and the enforcement mechanisms should in and of themselves provide sufficient assurance that the increased aviation funding called for in AIR 21 will materialize, our overall agreement on the conference report provided additional assurances. Both the House and Senate leadership have agreed to ensure that the fiscal year 2001 budget resolution fully fund AIR 21, both trust fund and general fund, for the full term of the bill, while not reducing funding for other transportation function 400 programs.

This ensures that the Committee on Appropriations will receive an allocation sufficient to fund aviation in fiscal year 2001 at about $12.7, $2.7 billion over the enacted fiscal year 2000 levels.

In closing, let me thank the chairman of the Committee on Rules and our leadership for this strong support. I understand the Speaker, once again, along with the majority leader, will be vigorously supporting this legislation.

Let me say to my good friend, the gentleman from Illinois (Mr. HYDE), he is absolutely right. There would be safety problems at O'Hare, but those safety problems would exist if this bill does not pass. It is the passage of this bill which provides for increased safety for O'Hare through modernization of the air traffic control system; and indeed, for that reason, the bill should be passed. It helps O'Hare; and indeed, there is no tax increase in this bill. What we do, particularly those of us who are conservative Republicans like my good friend, the gentleman from Illinois, we turn back to the local authorities, the local elected officials, the local airport authorities. It is their decision to decide whether or not there should be an increase in passenger facility charges. That is good conservative orthodoxy, and it is one more reason why this legislation should be passed.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, I am glad to have the opportunity to speak in favor of the AIR 21 conference report today. I want to commend the leadership of the gentleman from Pennsylvania (Mr. SHUSTER), the chairman of the Committee on Transportation and Infrastructure; the gentleman from Minnesota (Mr. OBERSTAR); the gentleman from Tennessee (Mr. DUNCAN); and the gentleman from Illinois (Mr. LIPINSKI) for driving this through the hurdles and the barriers. They have done a tremendous job, I believe.

As a Member of Congress from New Jersey and a frequent flyer, I am often reminded of the shortfalls in our Nation's aviation infrastructure. There are many days when I spend far more time on the tarmac at Newark International Airport than in the air. Despite the hard work and the immense effort of the men and women who work there, every year Newark Airport is one of the worst airports in the Nation in delays. This long-standing problem with delays can only be solved with airport improvements and investment.

For people like me who use Newark International Airport, these new funds translate into other tangible improvements. For example, new airport improvement program funds can be used to improve Newark's existing runways and make improvements that will reduce delays. More funding for the facilities and equipment program will mean improved air traffic control equipment for a facility in desperate need of a new tower.

Additionally, about $3.8 billion will be provided for hub airports like Newark, which will allow it to acquire new radar like the ASDE–3 radar due to come on-line soon. Increased funding also translates to more noise abatement projects.

When it comes to addressing the priorities of America's airports, air noise has long taken a back seat behind infrastructure and technology concerns. We must move methodically on this complex issue. But to the human beings who live near airports, this matter could not be more important. I am talking about the quality-of-life issues near airports. It is time to make it a priority.

Most importantly, increasing the budget of the FAA operations will allow the agency to more efficiently design and implement important airspace-critical initiatives. That is why the National Airspace Redesign must be made a national priority.

Mr. Speaker, I implore the House not to move expeditiously on the subject of airport noise while we are trying to redesign the system. This is what makes sense. This is the safe way to go.

Completion and implementation of the redesign of the entire air traffic control system will result in fewer delays and fewer headaches for those on the ground. Having begun in New Jersey and Newark, the comprehensive airspace redesign is essential to Newark and its surrounding airports.

That is why I have offered the amendment to the House report that expresses the sense of the Congress that the administrator of the Federal Aviation Authority should complete and begin implementation of a comprehensive national airspace redesign as soon as practicable. This amendment has been included in the conference report.

Mr. Speaker, I urge all to vote in favor of this conference report. We owe it to our constituents who must deal with air noise traffic daily, day in and day out.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio (Mr. TRAFICANT).

(Mr. TRAFICANT asked and was given permission to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, I want to start out by commending the gentleman from Pennsylvania (Mr. SHUSTER), the chairman of the Committee on Transportation and Infrastructure, and the gentleman from Minnesota (Mr. OBERSTAR), the ranking member of the committee, the two most effective combination leaders in the House. I know why the gentleman from Pennsylvania is: he is a Pitt grad. I cannot figure out what the secret of the gentleman from Minnesota is yet.

I want to commend the gentleman from Tennessee (Mr. DUNCAN), my very good friend, and the gentleman from Illinois (Mr. LIPINSKI), who has done a great job.

I am here for a little promotion, and I am here to talk about some business. This is good for America. The chairman has finally opened up some money. I pushed hard for general aviation because I have a small airport, and I want to get money for my district.

Second of all, I have now developed the longest runway between Newark and Chicago, Pittsburgh, Cleveland, Canada, and Louisville, Kentucky that has hardly no commercial flight. I am open for a cargo hub. I beat the hell out of Japan and China, and if my colleagues want me to stop doing that, give me a call. I want them to drop their cargo off in Youngstown.

Now, to my business. According to the Flight Safety Foundation, the number one cause of airplane disasters is situational awareness. Pilots do not know where they are. The Traficant amendment, which I thank my colleagues for including, includes the study and the utilization of a new technology called Enhanced Visual Laser Guidance Systems.

Now, I say to the gentleman from Illinois (Mr. JACKSON), here is how it works. The pilot is 20 miles out, he sees a red light blinking, he is too far right. He sees a green light blinking, he is too far left. He goes to where he sees the amber light, he goes right at it, and he lands in the same spot every time if it is zero density, no visibility.

Now I want to talk about the disastrous deaths of the people on that Arkansas flight. I say to the gentleman from Pennsylvania, this is the testimony: the pilot said he approached in dense fog. He circled towards the runway. At the last minute, he visually saw the runway and made that split second decision that he believed he could land his craft safely. He misjudged and made a bad decision. The plane landed long, which meant he landed further on the runway than he normally would have had he had visibility. But second of all, he hit a light stanchion, the light stanchion destroying the plane, bursting into flames, all died.

The Traficant amendment says it costs nothing to put it on an airplane. It is put in each airport. If it is deadbang fog, the pilot will see that runway, and there is no need for light stanchions. The cold cathode lights do not reflect and the lights can even be seen.

Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. SHUSTER), the Pitt graduate, for accepting my language; and I thank the gentleman from Minnesota (Mr. OBERSTAR), although he did not listen to my speech. I am still trying to figure out how he is so effective with the gentleman from Pennsylvania (Mr. SHUSTER).

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

Ms. SLAUGHTER. Mr. Speaker, I yield 5 minutes to the gentleman from Maine (Mr. BALDACCI).

Mr. BALDACCI. Mr. Speaker, I thank the gentlewoman from New York for yielding me this time. I also would like to congratulate the gentleman from Pennsylvania (Mr. SHUSTER), the chairman of the committee; the gentleman from Minnesota (Mr. OBERSTAR), the ranking member; and the gentleman from Tennessee (Mr. DUNCAN), the subcommittee chairman; and the gentleman from Illinois (Mr. LIPINSKI), the ranking member.

As a member of the Subcommittee on Aviation, this has been one of the most important issues for us to address, especially in Maine. Deregulation of the airlines has benefited many America communities; but in many places it has created some challenges, no more so than in Bangor, Maine, where we were fortunate enough to hold a Subcommittee on Aviation hearing with the gentleman from Tennessee (Mr. DUNCAN) and the gentleman from New Hampshire (Mr. BASS) and other Members that were there to listen to the testimony of Bangor International Airport and listen to the hardships the communities have in trying to make sure not only that they get quality service but they get service to make sure that every part of America has an opportunity at quality and dependable jet service.

Bangor has been very challenged by that deregulation. The declining availability of flights has caused other problems: increased reliance on small, noisy and uncomfortable prop planes, and people are forced to drive to Manchester or Boston, far away, in order to get connective flights.

This legislation is going to be able to double the appropriations that those kinds of airports get so that they can provide the improvements to be able to draw carriers, get dependable service, and make sure that the people whom we represent get that quality service and dependable service, without having to make those long, arduous trips and endangering public health and safety.

This bill is going to be able to address it. It is going to be a 3-year authorization. It is going to double that appropriation that was there before, not only to the primary airports in Bangor, Presque Isle, and in Portland, but also general aviation airports. It is going to make sure that a lot of those small general aviation airports get the needed infusion of resources to do an even better job.

Also, it does reinforce the importance of the trust fund. I think our work on the Committee on Transportation and Infrastructure has been to resurrect those trust fund laws to make sure that the taxes, whether it is on roads, rails or air, are going into a trust fund and those resources are going back to what those taxes and fees were first assigned for. I think this does that.

I compliment the committee and the bipartisan nature of our work. I am really pleased at the work by Secretary Slater and by FAA Administrator Jane Garvey.

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The bipartisan nature of our committee and the working partnership of it I think is truly a model for other committees in this Congress.

I compliment all of those, including the staffs of both sides who have worked so hard to bring this about, because it could not have been done without them. It may look easy, but it is a lot of hard work by an awful lot of people.

So it is critical that we maintain our focus on a balanced transportation infrastructure. I believe that this legislation does this. I encourage all Members to support this, it is badly needed, and to make sure we get this out there as soon as possible.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. JACKSON).

(Mr. JACKSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. JACKSON of Illinois. Mr. Speaker, I want to thank the gentlewoman for yielding time to me.

Mr. Speaker, I rise today and urge a no vote on this rule. This up and coming Saturday in my congressional district, several thousand people will be marching, not only against this conference report but against the use of the passenger facility charge in the city of Chicago and in the northeastern Illinois region.

This conference report increases the passenger facility charge from $3 to $4.50. However, it fails to ensure that PFC funds earned will be used in the way Congress originally intended.

The stated purpose of the PFC act was to, and I quote, ''enhance safety * * * or capacity of the national air transportation system; reduce noise * * * from airports; and furnish opportunities for enhanced competition among or between the carriers.''

Appropriate use of PFCs has been an ongoing problem since they were instituted in 1990. The city of Chicago currently collects the $3 ticket tax to the tune of about $100 million a year, although much of this revenue stream is not being used as Congress intended, to increase capacity.

Instead, the city has used PFCs in a number of ways:

To finance a $2.2 billion cosmetic facelift at O'Hare Airport. And even without the flight restrictions offered, the lifting of those flight restrictions offered in this legislation, that $2.2 billion has not increased capacity at O'Hare Airport by one new flight;

To finance a $700 million terminal expansion at Midway Airport. The airport of the gentleman from Illinois, its longest runway is 6,446 feet, and therefore, no Series V or VI airplanes will ever land there. The $700 million at his airport for terminal expansion will not increase the size of the aircraft that land at his airport by 1 foot.

There are future plans to use PFCs in my city to finance highways leading to O'Hare Airport. Why should passengers flying on airplanes be paying for highways with passenger facility charge dollars? Because the traffic jams getting to the airport because of the growth in the northeastern part of our city and State is all concentrated in one area, with none of it working its way south.

Rather than using Federal taxes to enhance capacity, safety, or competition, Chicago is also spending $1.7 billion to enhance existing monopolies, without creating room for even one new flight, capacity being defined using at least four factors: runway length, space between runways and taxiways, airspace, spacing between aircraft, weight and restriction of the aircraft. Absolutely none of this money in the city of Chicago is being used for runway length or runway expansion. I associate myself with the remarks of the gentleman from Illinois (Mr. HYDE).

So despite soaring ticket prices, service by airlines to and from O'Hare is being systematically reduced, particularly to smaller cities. Due to rising fares and reduced services, the major airlines at O'Hare Airport are posting record profits, led by whooping 63 percent earnings gained by United Airlines in the fourth quarter of last year.

That is in part because then Congressman Rostenkowski pushed legislation through which created a $3 passenger facility charge or ticket tax, no matter what they choose to call it in this Congress it is a tax, to pay for a new airport, an airport that was never built.

However, the Governors of our State, Jim Edgar and Jim Ryan, quickly proposed building a new airport in and around my congressional district, where the growth and economic impact would greatly benefit my constituents.

Instead of using the resources for a much needed purpose, these resources are going to enhance existing monopolies at existing monopolistic airports. I urge my colleagues to vote no on this rule.

Mr. REYNOLDS. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. BOEHLERT).

(Mr. BOEHLERT asked and was given permission to revise and extend his remarks.)

Mr. BOEHLERT. Mr. Speaker, I rise in strong support of the rule and the conference report on AIR–21.

I would like to start by taking this opportunity to commend the gentleman from Pennsylvania (Mr. SHUSTER), the gentleman from Minnesota (Mr. OBERSTAR), the gentleman from Tennessee (Mr. DUNCAN), the gentleman from Illinois (Mr. LIPINSKI), and the other members of the conference committee for moving this legislation forward to ensure that our Nation's aviation system remains the finest and the safest in the world. That is our overarching objective, to maintain an aviation system that continues to be the finest and safest in the world.

AIR–21 offers a certain and responsible level of funding for aviation infrastructure funding. It also offers some good news for the environment.

I would like to draw my colleagues' attention to a provision that will, for the first time, provide Federal assistance to help airports address increasingly difficult air quality problems. I introduced legislation last year known as the Airport Air Quality Improvement Act. I am proud to say that this legislation has been incorporated into AIR–21 and is now part of the conference agreement.

My legislation is a pilot program under which the Secretary of Transportation is to issue grants to ten airports for the acquisition of low emission vehicles, equipment, and related infrastructure support. Grant selection will be targeted at airports submitting plans that will achieve the greatest pollution reductions per dollar of funds provided.

The ten airports selected would be required to match the up to $2 million Federal grant for each on a 50/50 basis. These airports will be located in areas not attaining Federal Clean Air Act standards.

Airports are now frequently the single largest source of pollution within their State or region. The operation of cars and trucks and buses and vans may account for up to 50 percent or more of airport emissions. This pilot program will promote the expanded use of natural gas and electric vehicles and equipment at our Nation's airports, helping to reduce smog-forming pollutants, greenhouse gases, and toxic air contaminants.

I am particularly pleased that this approach has not only drawn the support of our committee's bipartisan leadership, but also has been supported by groups including the National Conference of Mayors, the Union of Concerned Scientists, the Natural Gas Vehicle Coalition, the Electric Vehicle Association of the Americas, and virtually all of the major automobile manufacturers.

I would like to take a moment to acknowledge the leadership of the Natural Gas Vehicle Coalition in assembling the group of diverse interests which worked hard to make this initiative a reality. My staff and I look forward to working with the Secretary of Transportation, the FAA administrator, and their staffs toward the prompt and successful implementation of this Clean Air Act program.

Mr. Speaker, I would also like to point out that AIR–21 includes another provision that I have championed to provide whistle-blower protection for both FAA and airline employees so they can reveal legitimate safety problems without fear of retaliation.

I have worked closely with my colleague, the gentleman from South Carolina (Mr. CLYBURN), over the past two congresses to ensure that aviation workers can blow the whistle on safety problems without looking over their shoulders and fearing retribution.

I am proud to see this much needed protection included in the conference agreement. AIR–21 makes sense for the flying public, it makes sense for the Nation's airports, and it makes sense for the environment. That is a winning combination. I urge my colleagues to support this legislation.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. LIPINSKI), the ranking member of the Subcommittee on Aviation.

Mr. LIPINSKI. Once again, Mr. Speaker, I thank the gentlewoman from New York for yielding this time to me.

I would like to address some of the issues that the gentleman from Illinois (Mr. JACKSON) brought up. He is very much interested in building a third airport in the Chicagoland area in order to create economic development and job creation within his congressional district, which I understand and which I appreciate.

But we do not build an airport to create economic development and cause job creation, we build an airport because we need additional capacity. Obviously, no one believes, other than a small group of people, that we need additional capacity in the Chicagoland area at the present time. Not one single carrier, passenger or freight, has been willing to go into a third airport located within the area of the gentleman from Illinois (Mr. JACKSON). We all know that the carriers are the ones who really wind up footing the largest portion of the bill to create a new airport.

The gentleman talks about the misuse of the PFC. I believe this statement is totally and completely untrue. The PFC has been utilized for what it is supposed to be utilized for. Some areas of the country have tried to utilize it for other purposes. In this new AIR–21 bill, we have tightened what the PFC can be utilized for. In my own community around Midway Airport and around O'Hare Airport, it has been used extensively for noise reduction in homes, in churches, in schools.

The gentleman talks about not having competition at O'Hare Airport. At O'Hare Airport we have the two largest carriers in the world operating, American and United Airlines. They are in a fierce competition. Their competition drastically reduce prices at O'Hare Airport. They have flights from Chicago to Washington National starting at 6:30 a.m. running until 8 p.m. each and every day, every hour on the hour and every hour on the half-hour. This is terrific, terrific competition. The lifting of the high density rule will improve this competition.

And last but not least, it was not Dan Rostenkowski that pushed through the House of Representatives a PFC. The man who spearheaded it, the man who saw the wisdom in doing it, the man

that had the vision to do it, is sitting right behind me. At the time he was the chairman of the Subcommittee on Aviation. Today he is the ranking member of the full Committee on Transportation and Infrastructure, the gentleman from Minnesota (Mr. OBERSTAR). I also worked with him, but he was the man that did it. Dan Rostenkowski was busy taking care of tax matters at that time.

Mr. REYNOLDS. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. KELLY).

(Mrs. KELLY asked and was given permission to revise and extend her remarks.)

Mrs. KELLY. Mr. Speaker, I rise today in support of the rule and the conference report.

Though the effort to get this rule and conference report to the floor has been a lengthy one, let there be no mistaking that our fundamental purpose here for undertaking this initiative is to ensure the safety of the traveling public.

The legislation before this body today represents a level of commitment to this purpose that is unprecedented. While safety has always been a priority while formulating aviation policy, it is clear that efforts to provide adequate resources for this intention have fallen sometimes very short, having seen firsthand the antiquated equipment many of our air traffic controllers must use in keeping our skies safe, for instance, at Stewart Airport in my district.

I cannot overstate the importance of making sure that the days of reliance on this ancient and antiquated equipment must be limited.

By ensuring a strong and viable funding source for aviation investment, this bill marks a significant stride in making safety a priority in practice, not just in rhetoric.

I commend the gentleman from Pennsylvania (Mr. SHUSTER), the gentleman from Tennessee (Mr. DUNCAN), and the gentleman from Minnesota (Mr. OBERSTAR) for their leadership on this issue, and I encourage my colleagues to join me in supporting the rule and the bill.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio (Ms. JONES).

Ms. JONES of Ohio. Mr. Speaker, I thank my colleague, the gentlewoman from New York (Ms. SLAUGHTER), for yielding this time to me. I rise in support of the rule.

What does AIR–21 mean to the Eleventh Congressional District of Ohio? It is paramount to the continued service delivery of goods and services for our Nation's travelers. Further, I believe it is a step in the right direction for America.

I come from the city of Cleveland, that houses the Cleveland-Hopkins Airport. My father worked for 38 years as a skycap for United Airlines. I watched as a child the growth and expansion of Cleveland Hopkins Airport. But currently, it is unable to perform simultaneous landings because of inadequate runway space.

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I know Cleveland is not the only city with limited runway space, and I would urge my colleagues who even represent small and medium-sized airports to support this rule and legislation. It will provide money for runways and other equipment at airports. It ensures the FAA has funding to hire and retain air traffic controllers, maintenance technicians, and safety inspectors. It authorizes funding to improve the training of airport screeners and requires cargo airlines to install collision avoidance systems on aircrafts.

This is the first comprehensive legislation we have had in recent memory that addresses many of these issues. Specifically, I am very happy that this will be the first time that explicitly racial discrimination in air travel will be prohibited. It is a long time coming, and it ought to be handled.

Furthermore, other projects that will be protected, it will protect funding for letters of intent and makes it clear that it is not necessary that an airport assess a passenger facility charge in order to get a letter of intent.

Because of the shortness of time and the number of people who would like to speak, I just urge my colleagues to vote in favor of the rule.

Mr. REYNOLDS. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Pennsylvania (Mr. SHERWOOD).

Mr. SHERWOOD. Mr. Speaker, I rise in support of the rule on this vital piece of legislation, the conference report on AIR 21. Specifically, I want to thank the gentleman from Pennsylvania (Chairman SHUSTER) and the gentleman from Tennessee (Mr. DUNCAN) and the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Illinois (Mr. LIPINSKI), ranking members, for including provisions in this bill that will bring fairer treatment to families of victims involved in airline disasters on the high seas. These provisions will have a similar effect to the intent of my bill, the Airline Disaster Relief Act, which passed the House 412 to 2.

This compromise language will allow families who have lost loved ones in aviation disasters over international waters to seek more categories of compensation previously ineligible under the 1920s Death on the High Seas Act.

It specifically addresses the inequities faced by families like those in Montoursville, Pennsylvania, a town in my district who lost 22 family members in the TWA Flight 800 disaster of July 1996.

The time has come to create one level playing field and one process for airline crash claims. The current treatment of land and sea crash victims as separate and unequal must come to an end. I want to thank the gentleman from Pennsylvania (Chairman SHUSTER) and the gentleman from Tennessee (Mr. DUNCAN) for their efforts to bring justice out of disaster.

A small part of the legacy that the victims of TWA–800 will have through the efforts of their families is that the laws of the greatest Nation on Earth will be changed for the better. With passage of this bill, no longer will a parent be told by our Nation's legal system that longitude and latitude will determine the value of their children.

I want to thank my colleagues for their compassion for the families of airline crash victims and the excellent work that they accomplished in crafting this bill.

I urge my colleagues to pass this rule and this bill. It is the just and right thing to do.

Ms. SLAUGHTER. Mr. Speaker, I yield 2½ minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, every Member here owes appreciation to the gentleman from Pennsylvania (Mr. SHUSTER), the gentleman from Minnesota (Mr. OBERSTAR), to the gentleman from Tennessee (Mr. DUNCAN), and the gentleman from Illinois (Mr. LIPINSKI) for today's bill.

What we are doing with this bill is to try to do with AIR 21 what we are trying to do with TEA 21. It is time to do for air what we are trying to do for surface transportation. Our committee has guaranteed the integrity of the Aviation Trust Fund and, therefore, the improvements in our airports that the American people have long awaited.

If you see large increases in this bill, such as the 50 percent increase for the FAA, it will seem less large when we consider the antiquated and obsolete nature of our traffic control system.

This bill is wonderfully comprehensive. There is not a Member here who will not be affected, because the reach is to small and large jurisdictions alike.

There has been increasing pressure on large hubs and airports. Members are aware of the pressure at National, Dulles, and Baltimore because they use these airports themselves and feel that pressure. Two measures directly affect these airports.

I do regret that the slots at National, an already overburdened airport, were raised to 24. I am pleased and very grateful that our committee tried to keep them to six, because this is a greatly overtaxed airport, surrounded by residences and businesses.

I want to thank our conferees for resisting the proposal of the Senate, the other body, for 48 slots. So, it is now only 24 slots. As much as I regret that number, I know the kind of fight our conferees had to make in order to get only 24.

I certainly want to say how grateful I am that the committee has eliminated the requirement that Federal appointees to the Metropolitan Washington Airports Authority here in this region, be confirmed before receiving any Federal money or proceeding with new facilities. The Members have seen what that has meant in delays to reviving these airports, particularly National and Dulles. It has been very painful for all concerned.

We have made it easier for millions of Americans who use these airports and for Members themselves, by allowing this airport region to operate as other airports do. I very much appreciate the work of the committee and of the conferees in particular.

Mr. REYNOLDS. Mr. Speaker, may I inquire how much time is remaining on both sides of the aisle.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The gentleman from New York (Mr. REYNOLDS) has 6 minutes remaining. All time has expired for the gentlewoman from New York (Ms. SLAUGHTER).

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

Mr. Speaker, to close, this bill not only accomplishes a great deal on behalf of competition, growth, and safety in America's aviation system, it is a product of deliberation and consensus, reflecting both the complexities and agreement of the two Houses of this Congress as well as the Executive Branch.

Mr. Speaker, I urge my colleagues to support this rule and the underlying bill.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. REYNOLDS. Mr. Speaker, pursuant to House Resolution 438, I call up the conference report on the bill (H.R. 1000) to amend title 49, United States Code, to reauthorize programs of the Federal Aviation Administration, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 438, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of March 8, 2000, at page H649.)

The SPEAKER pro tempore. The gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Minnesota (Mr. OBERSTAR) each will control 30 minutes.

Mr. OBEY. Mr. Speaker, it is my understanding that both the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Minnesota (Mr. OBERSTAR) support the conference report. If that is the case, then under rule XXII, I ask that I be assigned one-third of the time in opposition.

The SPEAKER pro tempore. The Chair understands that the gentleman from Pennsylvania (Mr. SHUSTER) supports the conference report. Does the gentleman from Minnesota (Mr. OBERSTAR) also support the conference report?

Mr. OBERSTAR. Yes, I do, Mr. Speaker.

The SPEAKER pro tempore. Under clause 8(d)(2) of rule XXII, one-third of the time will be allotted to the gentleman from Wisconsin (Mr. OBEY) in opposition.

Each of the three gentlemen will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. SHUSTER).

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

Mr. Speaker, I rise in strong support of this conference report. The greatest aviation system in the world is hurdling toward gridlock and potential catastrophes in our skies, and this bill will make those skies safer, reduce flight delays, and increase competition by modernizing our air traffic control system and improving our airports.

But we would not be here today but for the tremendous bipartisan support in this House and the gentleman from Minnesota (Mr. OBERSTAR), the gentleman from Tennessee (Mr. DUNCAN), the gentleman from Illinois (Mr. LIPINSKI), and the unanimous support of our committee as AIR 21 worked its way through the House and passed overwhelmingly 316 to 110.

When we went to the Senate, we found that there was very strong opposition by some to certain provisions of our legislation. Indeed, the distinguished chairman of the Committee on Appropriations, Senator STEVENS, opposed it; the distinguished chairman of the Committee on Budget, Senator DOMENICI, opposed it; and the distinguished chairman of the Appropriations Transportation Subcommittee, Senator SHELBY, opposed it.

Because of their strong opposition, we negotiated in good faith, and we negotiated to remove and change the provisions that the appropriators found objectionable. As a result of that, I am so pleased to report that those very Senators who started out in opposition to the House bill, because of our compromises, ended up vigorously supporting the bill.

So I am a bit mystified, I must admit, that we still seem to have some opposition from appropriators in the House after the negotiations we conducted with the leading appropriators in the Senate and got their strong support. They voted for the bill as well as the chairman of the Committee on the Budget.

I also would be remiss if I certainly did not mention the strong support of both the majority leader and the minority leader in the Senate as well as Senator GORTON, Senator ROCKEFELLER, Senator HOLLINGS, and Senator WARNER, recognizing some of the problems we have here locally with the Reagan National Airport. So as a result of negotiation and good faith, these very Members who started out in opposition came around to support this bill.

By unlocking the Aviation Trust Fund, this conference report provides $40 billion over the next 3 years for aviation investment programs, $33 billion of which is from the trust fund, and $7 billion from the general fund. As a result, funding for airport improvement will increase by more than 50 percent without any tax increase. This will allow allocations for commercial passenger airports, and cargo airports to double. This money can be used to improve safety and increase capacity, leading to more air service and lower fares.

I also want to emphasize with regard to the problem we had on slots, again, we compromised in good faith. In Chicago, we delayed the increase in slots, and not only did so, but also provided for more capability for small airports to be able to have access to O'Hare.

In Washington, Reagan Airport, where the Senate was proposing 48 more slots, we cut it in half to 24. This could allow a growing airport, like Bloomington, Illinois, to obtain nonstop service to Reagan National and western hubs, like Salt Lake City, to obtain nonstop service there. So we acted in good faith there. We also sat down and, indeed, in my office met with Members of the New York delegation and worked out a compromise there.

So while this bill is not everything we would like it to be, it is not everything that passed this House overwhelmingly, it is indeed a compromise, a compromise which has extraordinary bipartisan support.

For the first time, general aviation airports will receive their own individual allocations. The bill also increases funding for air traffic control modernization by almost 50 percent. This money will be used to buy radar, computers, and other navigation equipment that is needed to ensure a safe and expeditious flight.

Indeed, beyond the money that is so badly needed, we provide fundamental reform in this bill. We create for the first time a chief operating office of the air traffic control system. We provide a five-member oversight board to oversee air traffic control.

So the reform provisions in this bill are very important, along with the increased investment required to modernize and take care of the extraordinary expansion which we see. We have gone from 230 million passengers a year flying before deregulation, 600 million last year, 665 million this year, and over a billion passengers flying commercially in America by the end of this decade. That does not even touch upon the extraordinary growth in cargo, which is projected to more than double, having already increased by 74 percent over the past 10 years.

□ 1130

The bill also gives State and local governments the flexibility and the

discretion to increase passenger facility charges by up to $1.50. And, again, this is a compromise. The House said $3; the Senate said zero. We arrived at this enormously complicated scientific compromise of $1.50.

It is important to emphasize particularly to my fiscally conservative, like-minded colleagues that this is conservative orthodoxy. We are returning to local government, to locally elected airport authorities, this decision. It is not a decision being made here in Washington. It is one that lets them make that decision. Beyond that, these standards should allow the FAA to process PFC applications expeditiously without first undertaking a lengthy rulemaking.

But this bill, as I have emphasized, is more than money. It deals with modernization and reform. And while we phase out the slots, as I have already mentioned, we do it in a way that takes into consideration, in a compromise, the interests of the New York delegation, the Illinois delegation, and the Virginia delegation. And so, indeed, in that respect, it is as well a compromise.

In addition, the important safety initiatives in this bill are of great importance, requiring the installation of collision avoidance devices on cargo aircraft, installing emergency locator devices on small jet aircraft, penalties for the use of bogus parts, whistleblower protection for the airline and FAA employees.

In the negotiation on the most contentious budgetary issues, which we finally worked out and now have the vigorous support of both the budget and the appropriators in the Senate on, the key elements of that compromise are as follows: there is a strong and enforceable guarantee that the budget resources provided each year from the airport and airway trust fund will equal that year's trust fund receipts and interest, as estimated by the President's budget. In other words, the Aviation Trust Fund is unlocked, just as we did with the highway trust fund. We now put the trust back in the trust fund.

There is a strong and enforceable guarantee that the capital accounts, the facilities and equipment and AIP, will be fully funded each year from the trust fund. This carries out the original intent of the Congress in establishing the trust fund, that capital needs be met before trust fund revenue can be used for operating accounts.

Now, there is no guaranteed general fund contribution. We gave in on this point. Thus, the FAA will have to compete with other agencies for its operating budget requirements. However, the program has been structured in a way that will result in a significant general fund contribution each year, although the exact amount will be determined by the appropriation committees, not by us.

The House dropped its insistence on off-budget or fire walls, even though those provisions passed this House overwhelmingly 316 to 110. In a good compromise effort we dropped it and agreed to use points of order to enforce the guarantees. The House Republican leadership has promised not to waive these points of order, and I entered their statements in the record during the debate on the rule.

The Committee on Appropriations will retain full control and oversight over the appropriated accounts and will be able to shift funds between the capital accounts. I am pleased that both the Senate and House leadership have agreed to ensure that the fiscal 2001 budget resolution fully funds the AIR 21 trust fund and general fund for the full term of the bill. This means that there will be no reduction in funding for Coast Guard or Amtrak. While this result is not all that the House wanted, it is a fair compromise and one that the chairman of the Senate Committee on the Budget and Committee on Appropriations also support.

Indeed, I am again reminded of the great Henry Clay's statement that honorable compromise is the way to get things done. Everybody loses something, but everybody gains something as well; and that is what we bring here today.

And, finally, I take great pride in the fact that this is a totally bipartisan bill. When AIR 21 passed the House by an extraordinary vote, both the Speaker, the majority leader and the minority leader voted for it. I can again report today that the Speaker and the majority leader on our side vigorously support this bill. It is an example of strong bipartisan support to do what is right for the American people.

I urge a ''yes'' vote on the conference report.

Mr. Speaker, to the weary air traveler who is spending more time sitting in airports rather than flying on airplanes, help is on the way. At last, our aviation system is going to get the help it needs. With AIR 21, the money the traveling public pays in ticket taxes will finally be dedicated solely to improving the safety and efficiency of our aviation system. This legislation will make our skies safer, modernize air traffic control, reduce flight delays, and boost airline competition. This legislation will revitalize our overburdened aviation system.

The Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (AIR 21) is a three-year bill that will increase aviation investment by $10 billion over current levels, with the lion's share of the funding going to radar modernization and much-needed airport construction projects. The total authorized funding for federal aviation programs for 2001–2003 will be $40 billion over the next three years, $33 billion of which will be guaranteed from the trust fund, while $6.7 billion will be available to be appropriated from the general fund.

AIR 21 will benefit all sectors of the airport and airway system.

AIR 21 WILL MAKE OUR SKIES SAFER

Increases the FAA's facilities & equipment budget by almost 50 percent so that the agency can modernize our antiquated air traffic control system;

Increases investment for runways and other equipment at airports that will enhance safety;

Provides the FAA sufficient funding to hire and retain the air traffic controllers, maintenance technicians, and safety inspectors necessary for the safety of the aviation system;

Creates a cost-sharing program for airports and airlines to purchase air traffic control equipment;

Authorizes funding to improve the training of airport screeners;

Makes runway incursion prevention devices and wind shear detection devices eligible for AIP funding;

Requires cargo airlines to install collision avoidance systems on their aircraft;

Provides whistleblower protection for both the FAA and airline employees so they can reveal legitimate safety problems without fear of retaliation;

Ensures that funding is available to raise safety standards at small airports.

AIR 21 IMPROVES COMPETITION

Provides substantially more money to build terminals, gates, taxiways, and other infrastructure to stimulate competition at airports;

Increases access and competition to Chicago O'Hare by abolishing slots in 2002;

Increases access and competition to New York LaGuardia and Kennedy airports by abolishing slots in 2007;

Creates 24 new slots at Washington Reagan National Airport. Twelve of the new slots may be used for flights within the 1,250 mile perimeter; 12 may be used for flights outside of the perimeter.

AIR 21 PRESERVES THE ENVIRONMENT

Increases funding for noise abatement projects;

Streamlines environmental laws;

Establishes guidelines for air tours over our national parks.

AIR 21 HELPS SMALL COMMUNITIES

Increases funding for non-hub airports from $500 thousand to $1.0 million per year;

For the first time, funds general aviation airports;

Doubles the small airport fund;

Creates a new discretionary set-aside for reliever airports;

Authorizes a contract tower cost-sharing program so that small airports can get the benefits of air traffic control services;

Creates an incentive program to help airlines buy regional jets if they agree to use them to serve small airports;

Creates a new funding program to help small, under-served airports market and promote their air service;

Phases out slot restrictions to provide smaller communities better access to New York and Chicago.

AIR 21 IMPROVES LARGE AIRPORTS

Doubles the amount of the annual passenger funding for primary airports (airports with 10,000 or more passengers per year);

Raises the cap on the amount of annual funding that a large airport can receive from $22 million to $26 million;

Doubles the funding for cargo airports;

Raises the cap on the Passenger Facility Charge (PFC) $1.50 so that an airport has the flexibility to proceed on its own with those improvement projects that cannot be funded through the Federal Airport Improvement Program. PFC's can only be used to fund airport projects that increase safety and competition or for noise abatement.

AIR 21 HELPS PASSENGERS AND PILOTS

Reforms the management of the FAA's air traffic control system by creating an oversight board similar to the one established in the recent IRS reform legislation;

Strengthen the provisions of the Aviation Disaster Family Assistance Act that was created following the Valujet and TWA 800 crashes;

Allows pilots to appeal an emergency revocation of their license to the safety board.

AIR 21 REFORMS THE FEDERAL AVIATION ADMINISTRATION

Important changes are made in the management structure of the FAA to ensure that money is spent wisely.

A management board is created to oversee the air traffic control modernization program. The Secretary would be expected to consult with Congress in choosing members of this board, although formal advice and consent is not required.

AIR 21 RESTORES THE TRUST IN THE AVIATION TRUST FUND

Ensures that aviation taxes are preserved for aviation improvements.

Funds aviation capital programs at their full levels.

Results in a general fund contribution of $6.7 billion.

AIR 21 CONFERENCE AGREEMENT FUNDING LEVELS '01–'03

[Compared to FY 2000 enacted level (dollars in millions)]

	Enacted		Authorized		'01–'03 Total
	2000	2001	2002	2003	
Operations	5,893	6,592	6,886	7,357	20,835
Airport Improvement Program (AIP)[1]	1,896	3,200	3,300	3,400	9,900
Facilities and equipment	2,045	2,657	2,914	2,981	8,552
Research, engineering, & development (RE&D)[2]	156	237	249	255	741
FAA total budget resources	9,991	12,686	13,349	13,993	40,028

[1] Amount for AIP in FY 2000 is the enacted obligation limitation, as reduced by the Government-wide across-the-board cut contained in the FY 2000 Consolidated Appropriations Act. The authorized level of contract authority provided by AIR 21 for FY 2000 is $2.475 billion.

[2] RE&D is not authorized in FY 2003. Amount shown above for FY 2003 is an estimate.

The gentleman from Oklahoma (Mr. WATKINS) requested $3.9 million to strengthen the runway and taxiways at the McAlester Regional Airport in McAlester, Oklahoma.

These improvements are required for the airport to accommodate C–130 aircraft associated with activities at the defense ammunition center located in McAlester.

This is the type of project that we now expect to be constructed under the increased AIP program.

Section 132 of the conference report allows DOT to approve 20 innovative financing projects at small- or non-hub airports for the following types of projects: (1) Payment of interest, (2) Commercial bond insurance, (3) Flexible non-federal share, and (4) Use of AIP entitlement funds to service debt on an earlier terminal development project.

The fourth proviso in this section—concerning the use of entitlement dollars for terminal debt—was added to the final conference report in lieu of a similar provision (included in the original House-passed air-21 bill at Mr. MICA's request) to assist Daytona Beach International Airport in coping with it's terminal debt service.

It is therefore my view that Daytona Beach Airport is well positioned to be selected as an innovative financing project under section 132.

Mr. Speaker I would like to thank all the House conferees who made such significant contributions to our deliberations. The gentleman from Alaska (Mr. YOUNG), the gentleman from Wisconsin (Mr. PETRI), the gentleman from Tennessee (Mr. DUNCAN), the gentleman from Illinois (Mr. EWING), the gentleman from California (Mr. HORN), the gentleman from New York (Mr. QUINN), the gentleman from Michigan (Mr. EHLERS), the gentleman from New Hampshire (Mr. BASS), the gentleman from Indiana (Mr. PEASE), the gentleman from New York (Mr. SWEENEY), the gentleman from Minnesota (Mr. OBERSTAR), the gentleman from West Virginia (Mr. RAHALL), the gentleman from Illinois (Mr. LIPINSKI), the gentleman from Oregon (Mr. DEFAZIO), the gentleman from Illinois (Mr. COSTELLO), the gentlewoman from Missouri (Ms. DANNER), the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), the gentlewoman from California (Ms. MILLENDER-MCDONALD), the gentleman from Iowa (Mr. BOSWELL), the gentleman from Georgia (Mr. CHAMBLISS), the gentleman from Connecticut (Mr. SHAYS), the gentleman from South Carolina (Mr. SPRATT), the gentleman from Texas (Mr. ARCHER), the gentleman from Illinois (Mr. CRANE), the gentleman from New York (Mr. RANGEL), the gentleman from Wisconsin (Mr. SENSENBRENNER), the gentlewoman from Maryland (Mrs. MORELLA), the gentleman from Texas (Mr. HALL).

I would like to thank the staff who worked so hard to ensure the success of this legislative effort:

From the Committee on Transportation and Infrastructure: Jack Schenendorf, Mike Strahn, Roger Nober, David Schaffer, Rob Chamberlin, Adam Tsao, John Glaser, Chris Bertram, Sharon Barkeloo, David Ballof, Stacie Soumbeniotis, Tricia Loveland, Colleen Corr, Michele Mihin, Kathy Guilfoy, Alex Del Pizzo, Tricia Law, Scott Brenner, and Jimmy Miller.

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From the House Legislative Counsel: David Mendelsohn and Curt Haensel.

From the Senate: Jim Sartucci, Keith Hennesey, Mark Buse, Ann Choiniere, Mike Reynolds, Sam Whitehorn, Kerry Ates, Brett Hale, and Julia Kraus.

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

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

Mr. Speaker, this legislation is nothing less than a great tribute to our chairman, the gentleman from Pennsylvania (Mr. SHUSTER). He has been a warrior for keeping faith with the traveling public, whether highways, transitways or airways, and for fully investing the trust funds, the revenues that we agreed to tax people for to deposit in trust funds for surface and air transportation; to make sure that those funds are invested as intended in the compact between the traveling public and its government.

He has been a champion, and I salute him for the success he has achieved here in negotiating between the Senate and the House, the role that we together played with the administration in coming to this agreement, and to achieving this outcome that will result in significantly greater investment in aviation from those taxes derived from the traveling public.

It is also fitting that this is a tribute to former, now retired, Senator Wendell Ford. It was my great pleasure to work with Senator Ford for many years on aviation issues, during which I came to have a great appreciation for his dedication to improving air travel, capacity, safety, and security. His persistent country, down-home wisdom and his folk humor kept us always on track and on message, and he deserves the recognition of having this bill, ultimately this law, named in his honor.

Aviation is the most rapidly growing sector of our Nation's economy. It is, in fact, a $600 billion sector of our economy. It is the element that makes America a leader worldwide in technology. Every modern nation on the face of this earth, every industrialized country, every country seeking to be an industrialized nation patterns its aviation development after the United States.

They want to acquire our air traffic control technology, they want to fly to our shores, to our airports, and operate in our airspace. They want to be a partner with us, whether it is code sharing or in development of new technology or investment in airports. We are the leader. But we will not be the leader if we do not make the investments in modernizing the air traffic control system, if we do not make the investment in expansion of our airport capacity. We will not be able to handle the growth that is projected toward a billion air travelers in the U.S. airspace alone.

Today, worldwide, over a billion people travel by air, but 650 million of those travel in the U.S. airspace. That means that nearly two-thirds of all air travel in the entire world occurs in the U.S. airspace, and that is the safest airspace in the world. And it does not happen by accident. It happens because year after year the FAA does its job overseeing the airlines, the airlines do their part, and our air traffic control system maintains safety in the air and on the ground for aircraft maneuvering at airport terminals.

But we cannot expect to make those investments in expansion of airside capacity, in runways and taxiways, or in the efficiency of the air traffic control system without sustained investment, without a dedicated revenue stream; and this legislation gives us that dedicated revenue stream.

Mr. Speaker, I want to make just one comment about the high-density rule which was discussed during debate on the rule. Lifting of the high-density rule under this legislation, ultimately, in 2 years at O'Hare, will mean new

service, with new economic impact at O'Hare in the amount of over $1.3 billion. It will produce net consumer benefits of well over $630 million.

The gentleman from Illinois (Mr. LIPINSKI), the ranking member of the Subcommittee on Aviation, has spent long hours crafting the language we know today as the modification of the high-density rule. And I give him great credit for his dedication, his hard work, his perception of what needs to be done and how to accommodate the concerns of airport neighbors to minimize noise impact but also maximize the capacity of this world's greatest airport, this treasure that we know as O'Hare. The gentleman deserves great credit and appreciation from all who travel through that airport and whose lives and livelihoods are dependent upon it.

Affected airlines, when the HDR is ultimately lifted, will be able to freely set schedules in cooperation with each other, with the FAA, and with the airport. Availability of gates and air traffic control flow management will act as controls on the number of flights a carrier will schedule for a particular time period. Under no circumstance will the FAA allow more departures or arrivals than controllers can safely manage. In other words, the 130 per-hour arrival and departure rule will remain in effect, but it will be managed in the interest of safety not on the basis of some other considerations.

That is extremely important. This airport must be freed from these constraints so that our national air traffic system can operate to its maximum capacity, which it will do when, ultimately, the high-density rule is lifted.

Mr. Speaker, this conference report is an important step toward restoring faith with the American people. This bill, the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (AIR 21), unlocks the aviation trust fund and ensures that we will make critical investments in our nation's transportation system and future economic growth and development.

The demand for aviation has grown dramatically over the last several decades, a trend that is expected to continue for the foreseeable future. In 1998, 656 million passengers flew commercially, twice the number that flew in 1980. Over the next ten years, this number of passengers is expected to grow to almost 1 billion a year. In addition, the air cargo market is growing faster than any other sector of the aviation industry.

It is crucial that the capacity of the U.S. aviation system keep pace with this ever growing demand and it is our job to make sure there is sufficient funding to provide for the needed capacity. Unfortunately, aviation funding levels have fallen short of late and demand is growing faster than the system can handle.

We have seen evidence of this in the increasing number of delays experienced in the last few years. In 1999, the U.S. recorded more flight delays than in any year. Delays through October 1999 were up 22.6% over 1998. Delay is costly: in 1999 alone, delay cost the airline industry and the air travelling public over $6 billion. If we don't act now and ensure adequate funding for our air traffic control system (ATC) and the nation's airports we will reach gridlock in our aviation system.

In the U.S. the General Accounting Office (GAO) has estimated the capital development needs at the country's 3,304 airports to be $10 billion annually. The current sources of funding leave an annual gap of $3 billion. Moreover, this estimate does not take into account the needs that will soon arise, such as accommodating larger aircraft; addressing airport access issues and terminal expansion; dealing with environmental problems; and providing for technological advances, such as GPS/WAAS.

Taking care of the airport needs alone will not be enough to ensure that our aviation system will be able to accommodate the growing demand. We must also make sufficient investments in our ATC system. Modernizing the ATC system is a very demanding and costly enterprise. The FAA operates over 30,000 pieces of equipment: 470 air traffic control towers, 176 terminal radar control facilities (TRACONS) and 21 enroute centers (ARTCCS). The U.S. air traffic control system is the world's most vast and complex, operating 24 hours a day, 365 days a year. It serves half the people using commercial airlines in the entire world. As I have said before, modernizing the ATC system is like rebuilding your car, while driving down the freeway at 65 miles an hour.

Modernizing our ATC system is not only important for capacity or efficiency purposes, but for safety. Currently, the U.S. ATC system is the safest in the world, but maintaining this level of safety will require continued investments. As the airspace becomes more densely populated, we will need to improve the information available to controllers and pilots. More accurate navigation and surveillance equipment combined with automation tools will increase the margin of safety for every flight. Better weather detection and prediction equipment, common situational awareness for pilots and controllers, and improved communication systems will also raise the bar of safety in our air traffic control system. We must simultaneously maintain the current systems and ensure a safe transition to new technology.

Aviation safety and efficiency also requires that the FAA has the resources to hire, train and compensate the air traffic controllers, safety and security inspectors, and maintenance technicians to ensure that the system is operated safely, 365 days a year. This year, significant reductions in the operations budget of the FAA, which affects staffing, training and travel, are making it more difficult for FAA to inspect airlines and improve aviation safety and maintain security. The FAA cannot sustain high levels of aviation safety and security with such funding uncertainties and shortfalls.

AIR 21 begins to address the needs of our aviation system. This bill will ensure that the attention and focus our interstate highway system has received over the years is extended to aviation. As DOT Secretary Slater has said: ''Aviation will be to the 21st Century, what the Interstate was to the 20th.'' As we did in the 20th Century, it is time to meet the challenges of the new Century.

AIR 21 meets four pressing challenges of our aviation system: Enhancing capacity and access at our nation's airports; accelerating the modernization of the air traffic control system; promoting competition in the airline industry; and increasing safety in the aviation system.

H.R. 1000, with its provisions on both AIP and PFC's, will help fill the need for airport development. An AIP funding level averaging over $3 billion annually, along with the ability to raise PFC's by $1.50 for projects significantly reducing congestion, safety, noise or enhancing competition, will mean that there is a balanced financing package in place to ensure that airports will be able to meet the tremendous growth in aviation over the next ten years. AIR 21 also establishes a new entitlement program for general aviation airports that will help meet the needs of smaller communities.

Modernizing the air traffic control system has been a constant struggle for the FAA. There have been successes: the Voice Switching and Control System (VSCS), the Display System Replacement (DSR), and the Host and Oceanic Computer System (HOCSR) have been put in place successfully at 20 enroute centers across this country. But too often, other programs, like Standard Terminal Automations Replacement System (STARS) and Wide Area Augmentation System (WAAS), end up being delayed and overbudget.

There is no single answer to these problems. Accordingly, H.R. 1000 proposes a number of changes to improve the acquisitions systems at the FAA. First, by providing sufficient and stable budgets, averaging around $2.8 billion a year for air traffic control equipment—a dedicated revenue stream, paid for by air travellers—managers at the FAA will be able to plan and manage programs more efficiently. Tony Broderick, former FAA Assistant Administrator for Regulation and Certification, asked the key question in this regard: ''We would never expect a business to run efficiently if the funding stream fluctuated widely, so why do we expect this of FAA managers?''

With stable funding in place, and procurement and management flexibility for FAA managers, we will ask for more of them. An air traffic control management board, created by this bill, will increase the focus on FAA acquisitions managers' performance, holding them accountable for meeting schedule and budget targets. We cannot use problems at the FAA to justify inaction. Instead, we must make the necessary reforms and the necessary investments in safety and air traffic control equipment.

AIR 21 also takes steps to extend the benefits of deregulation to more of the American

traveling public. Deregulation has saved air travelers billions of dollars over pre-deregulation pricing. However, we also know that the quality and frequency of service to some communities has declined and that some consumers—because of single carrier dominance at major hubs—pay too much.

This bill creates a program to help small and medium size communities obtain and receive better air service. Secondly, it provides that large and medium hub airports that are dominated by one or two airlines must file a competition plan before they receive AIP grants or have a PFC application approved. Airports have already begun looking at ways to enhance competition through different leasing arrangements for gates, and requiring a competition plan should accelerate that process.

H.R. 1000 also sunsets the High Density Rule at three of the four slot-controlled airports in this country. This will help increase competition at these airports. A 1995 Department of Transportation study concluded that the net benefit to consumers from lifting the HDR at these three airports would be over $700 million a year from fare reductions and improved service. The largest benefits will be at Chicago O'Hare International Airport. Furthermore, as more effective air traffic management techniques are developed and new technology introduced, these annual benefits will grow.

All of these benefits of this bill will mean nothing if we fail to address safety issues. The funding increases in the bill will mean that FAA will have the resources to hire, train and compensate the air traffic controllers, safety and security inspectors, and maintenance technicians necessary to operate the system safely on a daily basis. In addition, funding will be set aside to help small airports enhance their safety standards. Further, no airport will be permitted to impose a PFC above $3 without ensuring that their ''airside'' safety needs are being met.

AIR 21 also addresses the problem of collisions between aircraft and other vehicles on the runway surface. H.R. 1000 would authorize $3 million annually, beginning in 2001, to ensure steady, persistent effort to reduce these incidents. H.R. 1000 also includes important safety legislation to provide whistle blower protection to FAA and airline employees so they can reveal safety problems without fear of retribution. Finally, cargo airlines would be required to install collision avoidance devices by December 21, 2002.

AIR 21 is the bill that will allow you to say that you have honored the agreement with a passenger who pays that tax. With your vote, you will help ensure that the U.S. has the safest, most secure and efficient aviation system in the world as the second century of aviation begins to be seen on the horizon.

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

Mr. OBEY. Mr. Speaker, I yield 5 minutes to the gentleman from Florida (Mr. YOUNG), the distinguished chairman of the Committee on Appropriations, to explain why this piece of legislation is a turkey and wrongheaded.

Mr. YOUNG of Florida. Mr. Speaker, I thank the gentleman for yielding me this time, and I want to join with the gentleman from Minnesota (Mr. OBERSTAR) in paying tribute to the chairman of the committee. He certainly has shown his effectiveness in getting this bill through the process.

I suppose it is difficult in an election year for Members to vote against projects that might show up in their districts sometime between now and the election. In fact, I would say to the gentleman from Pennsylvania (Mr. SHUSTER), that I probably would like to have some of the money in my own district. But, I am hoping, for a number of reasons, that we are not going to pass the bill this year.

I would like to say this. I know that the authorizing committee sometimes wonders where I stand. I believe that the funds that go into a trust fund for a specific purpose should be protected and should be used by that trust fund only for those purposes. By the same token, I am strongly of the opinion that the trust fund or the authorizing legislation should not be able to mandate other spending. We have a difficult enough time in keeping our spending numbers down as low as we can without mandating more spending. This bill mandates certain amounts of spending.

Every time we create a new entitlement, every time we create a new mandated spending program, we are taking every Member of this Congress a little more out of the process of what the Constitution guarantees as our responsibility and our jurisdiction. That process is to make appropriations decisions for the United States Government.

This bill guarantees an appropriation of $10.5 billion for the FAA for fiscal year 2001. The bill earmarks $6.2 billion of that amount for capital programs, which are desirable, especially in election years.

□ 1145

That leaves only $4.3 billion for the FAA's operating budget. The FAA requested $6.6 billion for that appropriation. So what we are talking about here is funding for the people that, frankly, run the safety operations of the FAA.

This is an expensive bill. Over the past 3 years, we have appropriated $28 billion for the FAA. Under this bill, we could be forced to provide $40 billion. That is $12 billion more.

I know that, in the budget process, all of this spending is going to go down as Federal expenditures. They will be scored. And those revenues will, therefore, not be available to reduce the Federal debt, to provide tax relief, or to address other budget initiatives.

In fact, this bill is a tax bill. This bill increases certain airport taxes. I am not sure that this Congress wants to be on record as increasing taxes.

Next year, a new President and a new Congress would have this much less money to put into new initiatives to provide for the safety of those who use airports and who fly in our airways.

Funding for airport construction grants under this bill will rise from $1.9 billion to $3.2 billion. And if that is not enough, as I said, the bill provides additional airport taxes, which would increase spending by another $700 million a year. So airport spending is going to approximately double overnight. I am not sure how wise it is to double a budget overnight.

Now, the electronics and software companies also like this bill. And I have no problem with them. I am not opposed to them. Those who pour concrete and build buildings and runways are going to like this bill. But I am concerned about the people who actually run the system, who provide the safety, who control the airplanes, who inspect the airplanes. I am concerned that their budget has been reduced dramatically because of this legislation.

Mr. Speaker, I have no illusions over what is going to happen here. Because when this bill was before the House before it went to conference, there was no doubt that the House strongly supported it. But I thought it was important to make the case today that this is just one more step toward more mandated spending, one more entitlement type program that takes Congress out of the mix and requires money to be spent in ways that Congress may or may not approve.

Mr. SHUSTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Tennessee (Mr. DUNCAN), the distinguished chairman of the Subcommittee on Aviation.

(Mr. DUNCAN asked and was given permission to revise and extend his remarks.)

Mr. DUNCAN. Mr. Speaker, I rise in strong support of this conference report.

This is indeed an historic occasion, and I believe that we are on the brink of passing legislation that does more for small- and medium-sized communities and their airports than any other aviation bill in the history of the Congress.

In addition, this bill makes major strides towards ensuring that our aviation system remains one of the safest and most efficient in the world and it does so without any earmarked pork barrel type projects. We do this by ensuring that aviation taxes paid for by passengers and airlines on tickets and fuel will be spent for aviation purposes as they were intended.

This has been a long, hard fight. We have been without a reauthorization bill for the FAA for over 2 years. We have had no long-term guaranteed funding of critical FAA programs during that time. The AIP program has been without funding since last year.

Now, through the efforts of the gentleman from Pennsylvania (Chairman SHUSTER) and those of the gentleman from Minnesota (Mr. OBERSTAR), the ranking member of the Committee on Transportation and Infrastructure, and the gentleman from Illinois (Mr. LIPINSKI), the ranking member of the Subcommittee on Aviation, we have guaranteed $3.3 billion of spending from this trust fund for FAA programs through 2003.

This was a team effort, Mr. Speaker, but I do not believe we would be here today without the great strong and effective leadership of the gentleman from Pennsylvania (Chairman SHUSTER). This bill is a real tribute to him, above everyone else.

I know that some people are concerned about the spending caps. Let me say two things about that. First, this money is desperately needed by an aging aviation infrastructure to reduce delays and allow our already stretched aviation system to catch up to the record number of passengers that traveled this past year and are predicted for the future, 656 million passengers this past year, one billion before this decade ends.

Aviation is the cornerstone of our Nation's economy. Everyone, even people who never fly, benefit from a strong aviation system.

Second, with respect to the spending caps, this bill still permits annual review and oversight of aviation programs and does not alter our current budgetary or appropriations structures. It gives the Committee on the Budget and the Committee on Appropriations the flexibility they have asked for. In fact, both the chairman of the Senate budget and appropriations committees voted for this very bill.

At the present, because of the willingness of everyone to work together, this bill is more fiscally conservative than the bill that passed this House several months ago by a vote of 316–110. At the present rate of growth, 10 new airports the size of Dallas/Ft. Worth, Atlanta Hartsfield, or Chicago/O'Hare would be needed to adequately absorb the increase in air passenger traffic.

According to the Air Cargo Association, in addition to this passenger growth, air cargo volume rose 50 percent last year and is increasing at a rate of 2½ times the increases in air passenger traffic. With all this growth, aviation delays are too high now and would be much higher without a bill such as the one we have before us today.

The airlines estimate that these delays will cost them over $4 billion in the next year.

I urge strong support for this bill.

The National Civil Aviation Review Commission has predicted that if we simply maintain the status quo, our aviation system will face gridlock early in this decade.

With these increases in travel, it is likely that people who wanted to fly could not fly without increased investment in aviation infrastructure. Flights would have to be limited in the very near future.

AIR 21 will ensure that proper investment is available to fund the necessary improvements to our aviation system.

By 2003, the bill raises the level of FAA operations to over $7 billion, the Airport Improvement Program to $3.4 billion, and the Facilities and Equipment account to $2.9 billion.

The increase in AIP funding will double the entitlement dollars for primary airports, double the minimum entitlement for small airports, and, for the first time, fund an entitlement for general aviation airports up to $150,000.

In addition to ensuring that our nation continues to have the safest, most secure, most efficient air service in the world, one of the most important benefits of this new funding will be the tremendous improvements in airport infrastructure at small and mid-size communities.

This bill doubles the small airport fund. This will give small and non-hub airports as well as general aviation airports more money to meet their needs.

In addition, the bill creates a new discretionary set-aside for reliever airports.

It authorizes a contract tower cost-sharing program so that small airports can get the benefits of air traffic control services, and creates an incentive program to help airlines buy regional jets if they agree to use them to serve small airports.

It also helps small communities by creating a new funding program to help small, underserved airports market and promote their air service. In addition the bill increases funding for the essential air service.

Phasing out the slot restrictions at New York and O'Hare will provide smaller communities better access to these large cities.

This provision will also act to increase competition when the slot restrictions are fully lifted in 2002 in Chicago and in 2007 in New York.

In addition, by providing substantially more money to build terminals, gates, taxiways, and other infrastructure, competition will be stimulated at other airports.

This bill also raises the cap on the Passenger Facility Charge from $3 to $4.50. Under this provision, each local airport continues to have the flexibility to determine whether it wants to charge this fee. By raising the cap, the locality also can determine how much up to the cap it wants to charge based on its individual needs. This new PFC provision can be implemented by the FAA without the need to institute a rulemaking proceeding.

AIR 21 also incorporates the National Park Overflights provisions based on a bill that I introduced. These provisions represent a strong compromise reached between all the parties involved in air tours over national parks. The provision will ensure that both air and ground visitors to our national parks will have the ability to experience and enjoy our national parks. I am personally proud of the work that went into these provisions and I thank Chairman YOUNG of the Resources Committee for his work on this issue also.

Finally, although everyone is talking about all the big things this bill does, it also does a lot of little things that merit mentioning.

We have raised the fine that can be imposed on unruly passengers, to $25,000. This will help to ensure the safety of the flight crew and other passengers on a flight.

We have also acted to improve the training of security screeners so that we can continue to assure the traveling public of its safety when it flies.

We have a provision requiring collision avoidance devices on cargo aircraft. This will ensure that cargo aircraft have similar technology that passenger aircraft have now to avoid collisions.

And we have changed the applicability of the Death on the High Seas Act so that it does not apply to airplane crashes within 12 miles of the United States. This will help to ensure that victims of tragic plane crashes over the water will have the same ability for recovery as those crashes over land.

AIR 21 has been a bipartisan project and has resulted in a bipartisan product that I truly believe is good for aviation.

In this bill, there is the promise of safety and efficiency in our nation's aviation infrastructure in the years to come.

That should be a promise we all can support.

I urge you to vote yes on the conference report for H.R. 1000.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska).

The Chair advises that the gentleman from Pennsylvania (Mr. SHUSTER) has 7 minutes remaining, the gentleman from Minnesota (Mr. OBERSTAR) has 13½ minutes remaining, and the gentleman from Wisconsin (Mr. OBEY) has 15½ minutes remaining.

Mr. OBEY. Mr. Speaker, I yield myself 7 minutes. Mr. Speaker, I have a great deal of respect for the gentleman from Pennsylvania (Mr. SHUSTER), and I have a great deal of respect and affection for the gentleman from Minnesota (Mr. OBERSTAR). He is a good friend of mine. But I simply cannot, in good conscience, abide in any way this legislation before us today.

Five years ago, when the majority party took control of this institution, we were told that we were going to see a new day and that we were going to see a high degree of fiscal responsibility and balance. Instead, this bill for the second time throws that promise out the window.

Two years ago, this House voted to require large increases in spending for highways and they put that requirement ahead of every other priority in Government.

Now, I am a strong supporter of the trust funds and I am a strong supporter of highway construction and airport construction, but I do not believe that that ought to be a higher priority than education, than health care, than cancer research, than environmental cleanup, than support for our farmers or support for our national defense. And yet, the House voted to put highways ahead of all of those 2 years ago.

Now, today it is taking us down that path for a second time and it is saying that our highest priority before all others is the funding of concrete to build new airports.

Now, I want to see new airport construction. The problem with this bill is that it pretends that it is only directing the spending of trust fund money, but, in reality, it also directs the spending of non-trust fund money.

Here is how it does it: It appropriates about $40 billion over the next 3 years to the FAA. It guarantees that $3.3 billion of that will have to be spent on bricks and mortar, on construction items. And it leaves us in this situation: It means that, if we do not then fully fund the remainder of that $40 billion out of non-trust fund monies in the appropriations process, that then the operations portion of the budget for the flying public will be severely

crippled and shortchanged. And, obviously, we do not want to be in the position to do that.

The Committee on Appropriations is effectively denied by this legislation the ability to trade off the funding that we spend for operation versus construction by taking a bit out of the construction portion of the budget to fund operations. And the result is that that means that we are going to inevitably require reductions in many of the programs I have just mentioned.

Let me explain why. I am the one of the biggest supporters I know of for highway construction and airport construction. But this proposal requires the 64 percent increase in just 1 year for airport entitlements without examining competing needs in education, biomedical research, veterans' health care, or anywhere else.

An extra billion dollars that is taken by this bill to fund airports is a billion dollars that we cannot use to fund 3,000 NIH grants for research and cancer and diabetes. It is a billion dollars that we cannot provide for special education. It is a billion dollars that prevents us from putting a dent in the $112 billion of renovation needs of our schools. It is a billion dollars that we cannot use to fund 9,000 security officers in our schools with the worst violence and drug problems.

What is happening is that this bill is being passed without regard to what is happening to the budget in the Committee on the Budget. And what is happening there is that the majority party is planning to mark up a FY 2001 budget resolution that provides only $289 billion in appropriation room for the coming year on the domestic side of the ledger. That is some $25 billion below the amount requested by the President, and it is some 2 percent below a freeze level.

Now, if we are going to provide outlays for highway and transit that are $3 billion this year above last year and $4.8 billion, or 19 percent, above by the year 2003, that means that other cuts are going to be required on other programs. And that seems to me that we should not want to do that.

If we take a look at this bill, under this bill, aviation outlays would escalate by 3 percent in 2001 and 41 percent by 2003. And all of that is supposed to take place in the context of a budget which will provide a cut below freeze level.

If we pass this bill today, I do not want to hear anyone who votes for it saying that they were for making more room for cancer research or for making more room for education or for making more room for defense, because they will be denying the Committee on Appropriations the flexibility that we need to try to meet all of those problems.

I would point out one additional problem with this legislation. It allows the Senate and the President to determine what the internal rules of the House of Representatives are going to be because it puts into law changes in House rules. It puts into law two new points of order that are aimed at precluding any current or future Member of the House from offering any bill, conference report, motion, amendment, or resolution that would alter aviation funding guarantees for the next 3 years in any way whatsoever.

Do we really believe that this institution ought to have to go to the President of the United States to get his permission to change our internal rules? I think that is outrageous.

It has been said that the leadership of both parties are in support of this bill today. If that is the case, then all it demonstrates is that the leadership of both parties are abdicating their responsibilities to the greater prerogatives and needs of this institution. And that is a crying shame, Mr. Speaker.

□ 1200

Mr. SHUSTER. Mr. Speaker, I yield 30 seconds to my good friend, the gentleman from Florida (Mr. MICA), a member of the committee.

Mr. MICA. Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. SHUSTER) for yielding me this time.

Mr. Speaker, it is my understanding, and I would like to enter into a colloquy with the chairman, that section 132 of the conference report allows DOT to approve 20 innovative financing projects such as allowing AIP entitlement funds to service debt on an earlier terminal development project at a small or nonhub.

Am I correct in understanding that the fourth provision in this section concerning the use of entitlement dollars for terminal debt was added to the final conference report to assist Daytona Beach International Airport in coping with its debt terminal service?

Mr. SHUSTER. Mr. Speaker, will the gentleman yield?

Mr. MICA. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. The gentleman is correct.

Mr. MICA. Then is it the chairman's belief that Daytona Beach International Airport is well positioned to be selected as an innovative financing project under this program?

Mr. SHUSTER. That is correct.

Mr. OBERSTAR. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I rise to pose a question to the chairman. In the conference report's joint explanatory statement, critical language directing the FAA administrator to ensure that all runways at civil airports have standard runway cost safety areas in accordance with the most cost-effective and efficient method appears out of sequence. This language, which ensures that future AIP runway grants include provisions of bringing runway safety areas in accordance with FAA regulations should be included in section 514 rather than 515. Is that the chairman's understanding as well?

Mr. SHUSTER. Mr. Speaker, will the gentleman yield?

Mr. OBERSTAR. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Yes, that is correct.

Mr. OBERSTAR. Mr. Speaker, I yield 4 minutes to the gentleman from Illinois (Mr. LIPINSKI).

(Mr. LIPINSKI asked and was given permission to revise and extend his remarks.)

Mr. LIPINSKI. Mr. Speaker, I rise today in strong support of the conference report for H.R. 1000, the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century.

This is a historical piece of legislation that will unlock the aviation trust fund ensuring for the first time that aviation taxes will be used to fund aviation infrastructure needs.

The United States has the best aviation system in the world. It also has the busiest aviation system in the world. Unfortunately, our aging air traffic control system and our aging airports are having difficulty keeping up with the increased demand.

That is why we need AIR 21, by guaranteeing that aviation taxes are spent on aviation infrastructure needs. AIR 21 significantly increases investment in our Nation's airports, runways and air traffic control system today so that our aviation system is ready for the increased demand of tomorrow.

Although AIR 21 increases funding for the Airport Improvement Program, AIP, by over 50 percent, this is still not enough to fund the many, many airport projects that are needed to prepare our national aviation system for the 21st century.

Therefore, AIR 21 also authorizes local airport authorities to raise their passenger facility charge from a maximum of $3.00 to up to a maximum of $4.50. The PFC is a critical source of funding for local airport authorities. The PFC revenues allow local airports to fund needed safety, security, capacity, competition, and noise projects that otherwise would have to wait for years for Federal AIP funds or may not be eligible for AIP funds at all.

AIR 21 also helps increase competition in the airline industry in a number of ways. Most significantly, AIR 21 phases out the high-density rule at three of the four slot-controlled airports in the Nation. Eliminating this artificial constraint in operations at Chicago O'Hare in 2002 and at New York's Kennedy and LaGuardia Airports in 2007 will provide immediate and substantial benefit for both consumers and communities.

Today, very few new entrants, low-fare carriers, are able to serve slot-controlled airports because it is extremely costly to either buy a slot or go through the political process of obtaining a slot exemption. The phaseout of the slot restrictions creates new opportunities for new entrant airlines at these airports. These will increase competition and lower fares for all consumers.

In addition, the phaseout encourages increased air service between the high-

density airports and small communities. Also, after slots are completely eliminated, carriers will have the scheduling flexibility to serve more designations from these three airports. As a result, carriers will have more opportunities to serve small and medium-sized communities because they no longer will have to worry about using their precious few slots on the most profitable routes.

Phasing out the slot restrictions at O'Hare, Kennedy, and LaGuardia is only one of many, many provisions in AIR 21 at improving air service to small communities. I am particularly proud of the fact that the EAS program has been improved, and I am particularly proud of the fact that we address the issue of the Bilateral Aviation Agreement between the United States and the United Kingdom.

Mr. Speaker, there are many, many more important provisions in AIR 21. I have highlighted only a few of them. I strongly urge my colleagues to vote in favor of the conference report for H.R. 1000. It will be a vote in favor of a strong, safe aviation system for the 21st century.

Mr. SHUSTER. Mr. Speaker, I yield 30 seconds to the distinguished gentleman from Michigan (Mr. EHLERS), a member of the committee.

Mr. EHLERS. Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. SHUSTER) for yielding, and I also thank him for his good service as chairman of the committee and solving first our surface transportation problems and now our air transportation problems.

This bill, as presented to us, deserves passage. I am very pleased with the contributions it will make to solving the problems in Michigan, with the construction of the new terminal at the Wayne County Metro Airport and also at the Grand Rapids Airport with the construction that they have, particularly rebuilding a new runway.

I am especially pleased because I live in terror that we will have a major mid-air collision sometime, and this bill will provide funding for a new air traffic control system which will solve that problem. I congratulate the chairman.

Mr. OBERSTAR. Mr. Speaker, I yield 1½ minutes to the gentleman from West Virginia (Mr. RAHALL), the ranking member of the Subcommittee on Ground Transportation.

Mr. RAHALL. Mr. Speaker, I join in commending the distinguished chairman of the full committee, the gentleman from Pennsylvania (Mr. SHUSTER); the ranking member, the gentleman from Minnesota (Mr. OBERSTAR); subcommittee chairman, the gentleman from Tennessee (Mr. DUNCAN); and the ranking subcommittee member, the gentleman from Illinois (Mr. LIPINSKI) for their tremendous efforts in bringing forward to the House today this Aviation Investment and Reform Act for the 21st Century, AIR 21.

This measure does indeed make an investment in America, a badly needed investment, and one that will not just benefit airport facilities located in major cities but rural parts of this Nation as well.

Rural parts of this Nation often neglected under this bill will have the ability to make greater contributions to local economic development activities, and the pending measure will help them achieve their true potential through Federal policy changes.

In this regard, I would like to highlight two provisions that I had a part in fashioning. The first will provide $75 million in assistance to small airports to implement measures aimed at improving the costs and availability of air service to consumers, including through marketing and promotion, better use of airport facilities and air service subsidies. The second provision makes it clear that projects facilitating the transfer of cargo and passengers between air and ground transportation modes are eligible for funding under AIP.

In other words, air to transit, air to freight railroads, air to trucking facilities located on airport property can be built using Federal aviation funds.

This provision benefits both large and smaller airports, but in particular the small community and rural area facilities can utilize it as a means of expanding economic development and creating jobs.

In conclusion, Mr. Speaker, the concept of intermodalism, intermodalism, which is part and parcel of our Federal surface transportation laws and policies, has now finally found its way into aviation policy. I urge adoption of this report.

Mr. SHUSTER. Mr. Speaker, I yield 30 seconds to the gentleman from New York (Mr. SWEENEY), the distinguished vice chairman of the Subcommittee on Aviation.

(Mr. SWEENEY asked and was given permission to revise and extend his remarks.)

Mr. SWEENEY. Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. SHUSTER), our distinguished chairman, for yielding me this time.

In my brief period of time, let me just say that this is a great day of hope for the region of the country that I represent, a region that has been termed by the FAA as an underserviced area. This is a day of hope because it provides the necessary and requisite Federal resources that will give the people of that area the opportunity to connect with the rest of the world so that we can compete economically. I want to salute and congratulate the distinguished chairman of the Committee on Transportation and Infrastructure. I want to thank him for the opportunity not only to serve as vice chairman of the Subcommittee on Aviation in the Year of Aviation but also for the opportunity to have served as a conferee on this conference.

I urge my colleagues to support it.

First, I would like to thank Chairman SHUSTER for all his hard work and dedication to transportation issues—without his leadership—I don't think this body would be considering such a landmark piece of legislation.

Legislation that improves Air Safety, improves competition, preserves the environment, helps small communities, reforms the FAA, restores the trust in Aviation Trust Funds, and most importantly, helps passengers and pilots.

As the only freshman member of Congress on the Conference Committee, I was fortunate to work so close with the Chairman and the Aviation Subcommittee Chairman JOHN DUNCAN.

These two gentleman's commitment to making our skies safer and more accessible to passengers is truly remarkable and commendable.

I urge all my colleagues to support this conference report.

Help us finish the work started by AIR–21 when the House overwhelmingly passed H.R. 1000 last year.

This conference report will help every segment of the aviation industry. I'd like to focus on how it will help the great state of New York.

For example, the following small airports in my district will benefit by having a small, but dedicated, annual revenue stream that they can tap into to make the airport a better place for passengers and pilots alike.

This money will allow airports to start projects like installing runway lighting for improved safety, purchase snow removal equipment, update the airport plans for growth.

Adirondack Regional Airport in Saranac Lake, Seneca Falls, Lake Placid, Saratoga Springs, Glens Falls, Ticonderoga, Schroon Lake, and Hudson.

Larger airports in New York will also benefit from this bill.

Albany International Airport, which serves my district will receive twice as much as it did under the old funding formula.

Under this bill it will receive an additional $2 million per year.

Each year that money can go for excellent projects like navigation aides to improve safety, runway renovations, and acquiring land to expand safety areas.

This is the consummate Win-Win-Win conference report.

Passengers win by having improved safety and competition.

Airports win by having a larger dedicated funding stream so they improve their facilities—which in turn helps passengers and pilots.

Airlines win because this bill takes the first step in modernizing the air traffic control system—helping improve arrival and departures on time—which also help passengers.

In the end, this bill will ensure that America's air transportation system is one of the finest in the world.

Thank you again Chairmen SHUSTER and DUNCAN for all of your hard work in bringing this bill to the floor.

I urge all my colleagues to support this conference report.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Minnesota (Mr. SABO), the ranking Democrat on the Subcommittee on Transportation.

(Mr. SABO asked and was given permission to revise and extend his remarks.)

Mr. SABO. Mr. Speaker, my congratulations to my friend from Minnesota (Mr. OBERSTAR) and the gentleman from Pennsylvania (Mr. SHUSTER), again, on their ability to apparently pass a bill that gives their committee jurisdiction of funding priority over everything else. My only wish would be that their committee had jurisdiction over housing so we could deal with what is a true need in this country.

This, in my judgment, is one of the worst bills I have seen go through the Congress. It is wrong because of what it does within FAA. It says the top priorities are concrete; the lowest priorities are people.

It is plain and simple. The lowest programs for funding are air traffic controllers, personnel who deal with safety. They compete with other people for funding, but the people who pour the concrete do not. The people who buy facilities and equipment do not, and we have had a history in this agency of having a terrible time bringing any contract in on time or in an appropriate fashion. It does the wrong thing for FAA.

Then at the very day that the House Committee on the Budget is meeting to deal with the budget resolution for this session, where we hear we are going to have very tight restrictions on discretionary spending, we are going to say the first priority above everything else is building more runways, more runways, more important than anything else on the agenda. That is what we are doing with this bill. More important than other transportation priorities within our subcommittee, that small unprotected operation is going to have to compete with Amtrak and the Coast Guard. So if there are concerns about Amtrak or the Coast Guard, better take another look within the transportation area. If there are other concerns of what we are going to fund this year, if there are priorities beyond concrete for runways, take another look before casting what my colleagues might think is their easy vote.

Mr. Speaker, I rise in opposition to the conference report on AIR21 for several reasons. This is a bad bill that strikes a blow at fiscal responsibility. It continues to unfairly subsidize aviation from the general fund. And it will not adequately address the safety and security needs of our air traffic system.

This bill creates an unwarranted $33 billion entitlement for certain FAA capital and facilities programs before any other national needs are addressed. Before we consider any needs for housing, educating our children, helping our farmers, or providing for our veterans, this bill says fund airports first and guarantees a massive increase—46% in just one year and 59% over 3 years—for concrete and construction. That is wrong. It makes no sense.

In recent weeks, we have heard a lot about the need for reform of the budget process and especially in support of biennial budgeting. I ask, why have any budget process at all when we put highway and transit programs on automatic pilot for six years, and we put aviation infrastructure funding on automatic pilot for three years. What is the purpose of having a budget process where we carefully consider competing priorities, if one special interest after another simply declares that spending constraints do not apply to them?

Mr. Speaker, this is a bad bill because it perpetuates the myth that somehow we have shortchanged aviation needs over the years. Supporters of AIR21 argue that we need to ''unlock'' the Aviation Trust Fund. But, there is no evidence that aviation has been shortchanged and deserves special treatment outside of the regular budget process.

In fact, those who travel by air have gotten far more from the federal government than they are paying in aviation taxes, due to large subsidies paid by taxpayers out of the general fund. Since 1991, we have spent over $21 billion in general fund revenues for FAA operations. In eight out of the last ten years, we have spent more on the FAA than incoming receipts into the trust fund. The ''historical'' 30% general fund share of FAA expenses that the authorizers point to exists only because authorizing statutes have arbitrarily restricted the use of trust fund revenues to fund the FAA.

Mr. Speaker, this conference report is also a failed opportunity to fully address the FAA's needs and to bring our air traffic control system into the 21st century. As we speak, the FAA is struggling to address the needs of an air traffic control system that operates 24 hours a day, seven days a week. The FAA must provide adequate training for air traffic controllers and inspectors, and ensure that we have the necessary security personnel to address the growing threats across the globe.

The FAA has 170 aviation inspector positions which have remained vacant and has cancelled most training activities. Additional funding is required for spare parts for air traffic control equipment and to install new state of the art equipment that sits in warehouses because the agency lacks the necessary funding to bring them on line.

Our air traffic control will have to cope with a 66% increase in passenger traffic by the year 2010. That means more people and planes in the sky. Yet, AIR21 caps the amount of trust fund revenue that can be used for FAA operations, which will require discretionary general funds to make up the shortfall. Ironically, this bill constrains the most essential functions of the FAA under budget caps, while completely exempting the other 80% of the FAA's budget from any budget scrutiny at all.

This bill does not provide a balanced approach to addressing those needs, nor does it consider the impact of guaranteed funding for FAA capital programs on other transportation priorities—like the Coast Guard and Amtrak.

AIR21 would require a $1.8 billion or 46% increase next year for FAA capital accounts, and puts at risk needed funding for Coast Guard's operations and assets, and Amtrak capital investments.

Mr. Speaker, I cannot support a bill that puts aviation infrastructure ahead of all other national priorities, and then fails to fully address the air traffic control modernization needs within the FAA.

I urge the defeat of the conference report.

Mr. SHUSTER. Mr. Speaker, I yield 30 seconds to the gentleman from South Dakota (Mr. THUNE), a member of the committee.

Mr. THUNE. Mr. Speaker, I appreciate that generous allotment of time.

Mr. Speaker, I know this is wrapping up. I just want to credit the gentleman from Pennsylvania (Mr. SHUSTER) for his tireless efforts to make this bill become a reality that restores honesty and integrity to the aviation trust fund and goes a long ways towards seeing that the aviation taxes that are paid by passengers and airlines and general aviation users on tickets and fuel and cargo are actually being used to improve airport capacity and safety.

This has been a long time coming and the gentleman from Pennsylvania (Mr. SHUSTER) has worked very, very hard to ensure that we have unlocked this trust fund and this is going to be a wonderful thing for many of the airports across this country; and certainly in my State of South Dakota a lot of the rural areas are going to be very well served by this legislation. I encourage its passage.

Mr. OBERSTAR. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Speaker, I am pleased that the conferees were able to finish their work so we now have the opportunity to vote on this conference report. I know that this negotiation was complex and frustrating. I want to commend my colleagues for working so hard on behalf of the American people.

My State of Florida is keenly aware of the importance of getting AIR 21 passed and signed by the President.

□ 1215

This comes at a critical time for our Nation's travelers as aviation forecasts continue to show a rise in the number of passengers taking advantage of air travel.

In particular, I would like to take this opportunity to express my thanks for the inclusion of the Military Airport Program provisions in this bill. This program benefits communities like Jacksonville that suffered during BRAC. Florida's Cecil Field is a Naval Air Station closed during BRAC and selected for the MAP program last month. MAP helps turn former military airports over for civilian use. This is critical for my State.

Florida has an incredible aviation demands, and Cecil Field will be used to handle some of this growth. Jacksonville is the second fastest growing airport in the country and Orlando International Airport handles more than 30 million passengers a year.

Overall, I think this is a good bill, and I urge my colleagues to please vote for it.

I rise in support of this conference report. I am very pleased the conferees were able to finish their work so we now have an opportunity to vote on this conference report. I know that the negotiations were complex and frustrating, and I want to commend my colleagues for working so hard on behalf of the American people. My state of Florida is keenly aware of the importance of getting AIR 21 passed and signed by the President. This comes at a critical time for our nation's travelers, as aviation

forecasts continue to show a rising number of passengers taking advantage of air travel.

In particular, I would like to take this opportunity to express my thanks for the inclusion of the Military Airport Program provision in this bill. This program benefits communities like Jacksonville that suffered during BRAC. Florida's Cecil Field is a Naval Air Station that was closed during BRAC and selected for the MAP program last month. MAP helps turn former military airports over to civilian use, and this is critical for my state.

Florida has incredible aviation demands, and Cecil Field will be used to handle some of this growth. Jacksonville is the 2nd fastest growing airport in the country and Orlando International Airport handles more than 30 million passengers a year. Overall, AIR 21 provides the vital transportation infrastructure investment that is needed to shore up safety and security, as well as providing the economic engine that will aid development not only in Florida, but across the nation as well. I urge my colleagues to support the conference report.

Mr. OBERSTAR. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. MILLENDER-MCDONALD).

(Ms. MILLENDER-MCDONALD asked and was given permission to revise and extend her remarks.)

Ms. MILLENDER-MCDONALD. Mr. Speaker, I rise in firm support of a very fair compromise bill that will help California's aviation system.

Mr. Speaker, I rise in strong support of the Conference Report on H.R. 1000, the Aviation Investment and Reform Act for the 21st Century. This Conference Report represents a fair and balanced compromise. AIR 21 will make our skies safer, reduce flight delays and increase competition by modernizing our air traffic control systems and improving our airports. With today's vote we have an opportunity to give America the aviation system it deserves, one firmly based on both safety and reliability.

Whether on television or in the newspapers we are reminded on an almost daily basis of the shortcomings in our Nation's aviation system. I, like so many of my colleagues have heard from many constituents who have suffered from airline delays and are deeply concerned about air safety. We have simply pushed our aviation infrastructure to the limits.

The aviation infrastructure in the United States has deteriorated because of increased usage. We can no longer afford to fail in meeting the current and future needs of the aviation system. Last year, more than 600 million people used air transportation as their mode of travel and in just 10 years, that number will skyrocket to a billion. The Conference Report on H.R. 1000 places the key to the Airport and Airway Trust Fund back in the hands of the people who use the system, that is to say passengers and consumers who both benefit from a more efficient and safer aviation system.

By unlocking the Airport and Airway Trust Fund, the Conference Report provides about $40 billion over the next three years for aviation investment programs. Funding for airport improvements will increase by more than 50 percent. This will allow allocations for commercial passenger airports and cargo airports to double. For the first time, general aviation airports will receive their own individual allocations. This money can be used to improve safety and increase capacity, leading to more air service and lower fares.

This bill will unlock the aviation trust fund and ensure that all trust fund receipts and interest will be invested in the Airport Improvement Program—the primary program for airport construction—and the Facilities and Equipment Program—the chief program for air traffic control equipment. This means that as more people use our aviation system, more money will be invested in it.

Mr. Speaker, I urge my Colleagues to vote Yes on the Conference Report on H.R. 1000. Let us give the American people the aviation system that they both want and deserve.

Mr. OBERSTAR. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, let me first commend the chairman of the Committee on Transportation and Infrastructure and our ranking member and all of our leadership, but most especially our chairman, who helped us to negotiate, through lots of tenacity and commitment, this agreed upon conference report. It was not easy coming, but we are very grateful for his leadership.

Mr. Speaker, today is where aviation is growing the fastest of any other method of transportation, and it really is an economic engine for practically every community where it exists, and most especially mine. This is the only way that we have goods and services moving at all times, and it has enabled us to enjoy the most prosperous time in our history. We have to attribute much of that to aviation.

Numerous jobs have been created because of our ability to move people very rapidly around the world, and all of us know what happens when jobs disappear. That is when we will need many more services spent in other ways, where most of us really do desire to be independent. This is a mode of transportation that really does it.

I understand clearly about distribution of funds. But when funds are collected from a particular industry with a commitment that those funds go back to that industry, then I think it is only fair and it only shows integrity when that is what happens to the funds.

With the passage of the facility fee, this is not distributed to everyone, only those passengers that use the service, and we need the improvements. That is one clear and fair way to get them.

Mr. SHUSTER. Mr. Speaker, I am pleased to yield 30 seconds to the gentleman from California (Mr. GARY MILLER), a distinguished Member of our subcommittee.

(Mr. GARY MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GARY MILLER of California. Mr. Speaker, I rise in support of House Resolution 1000. Like many Members of this House, each Friday I board an airplane and travel to my district. My expectations for this weekly commute are similar to my constituents who regularly travel for business. I want to take off in a timely manner and be assured that all safety features are working accordingly.

This bill will help to create this peace of mind for all travelers. First of all, safety equipment such as windshear detection apparatus, runway incursion prevention devices and enhanced vision technologies will be eligible for airport improvement funding.

This type of comprehensive approach to airline safety is crucial for both improved safety and better spending practices.

Last year, $15 million was appropriated to purchase new approach lighting systems for airports whose systems were 20 years old and older. However, no money was appropriated for the installation of these lighting systems. As a result, we have airports which need these runway lights, but will be forced to continue to wait for them until funds can be appropriated.

In addition to serving on the Aviation Subcommittee of the Transportation and Infrastructure Committee, I also am a member of the House Science Committee. On behalf of Science Committee Chairman SENSENBRENNER and Technology Subcommittee Chairwoman MORELLA, I wish to thank Chairman SHUSTER, Ranking Member OBERSTAR, Aviation Subcommittee Chairman DUNCAN and Ranking Member LIPINSKI, for their cooperation to incorporate many of the provisions of H.R. 1551, the Civil Aviation Research and Development Authorization Act of 1999 into Title IX of the Conference Report that we are considering today.

Overall, Title IX authorizes $237 million in Fiscal Year 2001 and $249 million in FY 2002 for the projects and activities of the FAA's Research, Engineering and Development account. This represents an increase of roughly 35% over the FY2000 enacted level. Investing in aviation research and technology today is important to ensure that our aviation system meets the growing demands of the future, while enhancing safety.

I also wish to point out that during the Science Committee's consideration of H.R. 1551 last spring, I successfully offered an amendment to direct the FAA to place a greater priority on the non-structural components of its current aging aircraft research and development portfolio. The non-structural components of aging aircraft include electrical wiring, hydraulic lines and certain other electro-mechanical systems. Of the funding for projects and activities that comprise FAA's aging aircraft research and development portfolio, less than ten percent is targeted to address non-structural issues. I am very pleased that today's Conference Report includes my amendment to H.R. 1551 and I wish to thank the House and Senate Conferees for their support of my efforts in this area.

Mr. OBEY. Mr. Speaker, I yield 1 minute and 20 seconds to the gentleman from Virginia, Mr. MORAN.

Mr. MORAN of Virginia. Mr. Speaker, I know this bill is going to pass, and I understand that politics is the art of compromise, but this should not be the body of broken promises. Back in 1986, Congress made an iron-clad commitment that it would never increase the number of slots at Washington National Airport and it would never break

the perimeter rule of 1,250 miles beyond Washington National Airport. Yet today we break that promise.

The Washington region, D.C., Maryland, and Virginia fulfilled its part of the bargain. It said we will fund the airports and be responsible for their administration and redevelopment. We fulfilled our part of the bargain, and now Congress breaks its part of the bargain.

It is wrong. I know what happened, I know the guy that is responsible. But it is irresponsible for us to do this. We ought not set a tradition of breaking promises. Our word ought to be good. We had an iron-clad agreement. This breaks that agreement by adding 24 more slots, 12 of them beyond the perimeter rule. Those slots should be at Dulles Airport, not at National Airport, and that is why I have to vote against this bill.

Mr. SHUSTER. Mr. Speaker, I am pleased to yield 30 seconds to the gentleman from Idaho (Mr. SIMPSON), who serves on the Committee on Transportation and Infrastructure with distinction.

Mr. SIMPSON. Mr. Speaker, I want to congratulate the chairman and the ranking member for their diligent work in making sure that this bill came to pass, this conference report. I rise in its support. It is critical to Idaho, not only the general aviation airports, but also to the commercial airports in Idaho.

Unlike the previous speaker, I am very pleased that we have decided to extend the perimeter rule at Washington National Airport to those of us in the Western United States. It is critical. I hope that some of those slots that will be made available will be made available to the inter-mountain region's most important airport in Salt Lake City.

Mr. Speaker, I thank the chairman for his work on this legislation.

Mr. Speaker, I rise today to congratulate Chairman SHUSTER and Ranking Member OBERSTAR on the success of their determined efforts to enhance our nation's commitment to a safe and effective air transportation system.

Not only does this Conference Report provide landmark funding levels for augmenting and modernizing airport facilities, its multi-year reauthorization of the Airport Improvement Program breaks the cycle of short-term reauthorizations that has made safety- and capacity-enhancing projects at airports such as the Boise Air Terminal in my district needlessly difficult and costly.

Particularly important to the citizens of rural districts such as my own are the provisions which guarantee AIP funding for general aviation airports for the first time. These small facilities represent the backbone of Idaho aviation, and this legislation secures them the flexibility of funding they need to continue to play a vital role in agriculture, firefighting, and wilderness access in my district.

Another aspect of the conference report which I and many fellow Western members strongly support is the provision which allows exemptions for underserved communities to the current Perimeter Rule at Ronald Reagan Washington National Airport. I commend the conferees on creating a process which I believe fairly balances the interests of states inside the Perimeter and those of us from Western states without convenient access to Reagan National.

With 12 new slots at Reagan National, this report represents a slight loosening of the restrictive conditions that prevail at one of our nation's most important airports. These limited exemptions to the perimeter rule from hubs like Salt Lake City will improve service to the nation's capital for dozens of Western cities beyond the Perimeter—while at the same time ensuring that cities inside the Perimeter are not adversely impacted by new service. This is a fair balance which is consistent with the overall intent of the bill to improve air service to small and medium-sized cities.

Throughout consideration of this bill, our goal has been to ensure truth in budgeting for the Aviation Trust Fund and to improve air service for communities which have not experienced the benefits of deregulation to the same extent as larger markets. By refusing to accept a short-term reauthorization of FAA programs that would have interrupted the momentum for these much-needed reforms, Chairman SHUSTER and Ranking Member OBERSTAR have achieved a remarkable success.

Airports are key components to our regional economies and critical links to the world outside our communities. I support the Aviation Investment and Reform Act because it protects the investments we have made in these important facilities, and helps underserved communities take full advantage of the benefits of our nation's air transportation system. I urge my colleagues to do the same.

Mr. OBERSTAR. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from Iowa (Mr. BOSWELL), an aviator and strong advocate for aviation.

(Mr. BOSWELL asked and was given permission to revise and extend his remarks.)

Mr. BOSWELL. Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. SHUSTER), the gentleman from Minnesota (Mr. OBERSTAR), the gentleman from Tennessee (Mr. DUNCAN), and the gentleman from Pennsylvania (Mr. LIPINSKI) for their leadership. I have a lot of confidence in them. The times we have talked and traveled together, we talked about this thing; I know they are in the game and are concerned about this fact that we have got tremendous demands for increased traffic, both in people, personnel and freight. And we have got to deal with it, and we appreciate that.

Airport improvements, ATC equipment, longer runways, terminals, whatever, the infrastructure has got to be there to accommodate these things. But I am concerned about the people. I know these gentlemen are too. I do not even have to ask, I know they are. I think that was one of the things we fell a little short in.

I am going to support this, but I am going to expect me to be diligent and continue to watch this side of it, and I know that the gentleman from Pennsylvania (Chairman SHUSTER) will, as will the gentleman from Minnesota (Mr. OBERSTAR), that we watch this to be sure that this does not get pushed back somewhat. So I trust we can do that.

The question of slots is worrisome. Ms. Garvey, the Secretary of Transportation, says this is not a safety problem. They can work with this. Folks from our part of the country, we need some help and relief. I also have confidence that we will continue to work on that.

Advanced out to 2007, I hear people already working on trying to advance it out even further, so we have to be watching for this very much. I trust that we will.

So let us support this. Let us grow aviation. It is very important to our country's economy. Let us get on with it. I look forward to continuing dialogue on these things that I am a little bit worried about.

Mr. OBERSTAR. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, the appropriators come to the floor fulminating that we have made aviation the highest priority. ''Before all others,'' they said.

Well, not before all other issues that have a trust fund. Housing does not have a trust fund. If it did, we would be advocating the same thing. My good colleague from Minnesota said he would like to put other issues in the care of our committee. Give them to us. We will deal with them. But it does not have a trust fund, housing.

This does have a trust fund, and what we are simply doing is keeping faith with the traveling public, who agreed to be taxed for a specific purpose. All increases come from spending the taxes and interest out of the trust fund.

What the Committee on Appropriations would argue here is that they should be allowed to hoard those dollars in the budget, hold the trust fund hostage, in order, as one conferee from the other body said in the course of our debate in the conference, so we could fund Amtrak. They want to fund Amtrak out of the surplus they want to keep in the Aviation Trust Fund.

That does not keep faith with the traveling public. We have taken care of Amtrak, goodness knows, in this committee and in the Committee on Ways and Means, giving them $2.3 billion in previously-earned tax benefits from their predecessor railroads.

What this legislation does in fact with respect to the general fund is cut in half the general fund historic contribution to aviation, from 36 percent to 18 percent. All the rest is funded out of the trust fund.

If you want to say we would like to hold that trust fund, we would like to build up a surplus so that with that surplus we can fund other things, then be honest with the public and say that. But do not come and cry crocodile tears about priorities that are supposed to be set by the Committee on Budget and by the Committee on Appropriations itself.

My dear friend from across the water, with whom I differ on maybe one or two issues, called this a ''turkey of a bill.'' Well, I want to say to my good friend that domesticated turkeys today do not fly, and his constituents will not either if we do not pass this legislation.

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

Mr. OBEY. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, there are over 100 trust funds and other special funds in the Federal budget. Should we put all of them ahead of cancer research, ahead of education, ahead of defense, ahead of other national priorities? I think not.

I am all for the trust funds. I am all for the trust funds, but I am not for placing this particular trust fund ahead of every other need of government. That is unfair. It is not right to have a 41 percent increase in 3 years for this program, while cutting all other domestic appropriations by $25 billion, as the Committee on Budget intends to do.

Mr. SHUSTER. Mr. Speaker, I yield 30 seconds to my good friend, the gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR. Mr. Speaker, I just wanted to say to my good friend that the issue is not trust funds. The issue is whether we should have trust funds at all. That is a different debate. If you do not want trust funds, abolish them all and make everything subject to general revenues. But we do have a trust fund, and we are keeping faith.

Mr. OBEY. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, the issue is not whether we favor trust funds. We do favor trust funds. The issue is whether we ought to abuse trust funds and in the process leverage other spending outside of the trust fund. That is the issue.

Mr. Speaker, I yield the balance of my time to the gentleman from Virginia (Mr. WOLF).

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The gentleman from Virginia is recognized for 3 minutes.

Mr. WOLF. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, before I speak in opposition to this bill, let me congratulate the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Minnesota (Mr. OBERSTAR) for their effective work.

This bill creates a new entitlement, and what the gentleman from Minnesota (Mr. OBERSTAR) has said and others about trust funds are true. But what the gentleman from Minnesota (Mr. SABO) said with regard to cancer research and others is also true. It also hurts the FAA operations fund. So when you are flying into that airport, it will suffer. It helps concrete. This is a pro-concrete bill.

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It also hurts the Coast Guard. I think if my colleagues like the Coast Guard, the Coast Guard will suffer more; and frankly, I think the Coast Guard and Admiral Loy ought to get out of the Department of Transportation and get into some other department, like the Department of Defense. They will suffer no matter what anyone says.

It undermines the budget process. It undermines the budget process.

Lastly, why do we not get a committee to come and say, we want to increase funding for cancer? Well, let us find a cure for cancer or reduce cancer deaths by 50 percent by the year 2010. Let us put the money into reducing or finding a prevention for Alzheimer's. Let us put the money in for diabetes research.

This is a bad bill. It undermines the budget process; it distorts the priority of where this Congress ought to be. To the poor and the hungry and those like that, it says forget it, you do not have the lobbyists and you are not here.

Lastly, as the gentleman from Virginia (Mr. MORAN) said, it creates what I call the aluminum policy for National Airport. Do not say it is not a safety issue to add slots there at National Airport. Do not forget the airplane crash that took place there when people died when it hit the 14th Street Bridge. My colleagues are breaking their promise. Many of you who were here who voted for that policy are now breaking your promise. They want to stuff in as many airplanes as they possibly can from wherever they can. This is just the beginning.

So I would say to my colleagues who are listening, unless you are already committed, vote no on this bill. It hurts the poor, it hurts the Coast Guard, it goes for concrete. Let us put into cancer research, let us put it in diabetes research, let us put it in Alzheimer's research. By doing this we will undermine the budget process, and it will make it harder for us to do what the American people want us to do. Vote no on the conference report.

Mr. Speaker, I rise in opposition to the conference report.

Mr. Speaker, history tells us that in good budgetary times it is very difficult for the budget process to keep a tight rein over federal spending. We see happening now a repeat of what happened during the late 1800's. During that time, various legislative committees convinced the Congress that the stingy ways of the Appropriations Committee had to be changed, that we needed to spend a lot more to make the country grow.

Well, Mr. Speaker, we did spend a lot more when we let the authorizing committees make those decisions, and we're doing it all over again. This bill spends an extra $12 billion over the next three years, compared to the past three. And some programs will get astronomical raises.

For example, the airport grants program will get $3.2 billion next year—a 64 percent increase in one year. Air traffic control modernization will get almost 30 percent more next year. Now, I agree there are needs out there, and that air traffic continues to rise. But the increases in this bill are uncalled for. FAA doesn't even know how to spend all of this money, if you look at their existing long-range plan. So we're really throwing money at them in this bill.

The bill also puts a priority on airport construction and equipment renovation, to the detriment of FAA's day-to-day operations, which I think is a dangerous shift in Congressional priorities. In some past years, the Appropriations Committees have reduced FAA's capital programs in order to fully fund their day-to-day operations, and that has made some contractors and businesses unhappy. That is because we put a priority on the smooth, safe functioning of the agency.

By contrast, this bill raises and locks in funding for the capital programs, and leaves FAA's operations out in the cold, begging for whatever remaining funds we can find. Members should not be surprised if we come up short, because we first have to fund the significantly increased guaranteed programs. We can't protect the operating budget anymore, because this bill takes that flexibility out of the appropriations process. In fact, this bill even takes that flexibility out of the hands of the Congressional leadership, by amending the Rules of the House to tie their hands as well.

The creation of new ''guaranteed'' programs continues a troubling trend. A few years ago we created new mandatory programs in the agriculture appropriations bill. Then in 1998 we walled off highway and transit spending. And now we're adding to that list most of our aviation programs. Of course, in each case we increase the funding, because that's the reason for doing it in the first place. Each time we do this we make a small constituency happy, but we make our job here infinitely more difficult, because we make the real discretionary budget smaller and smaller.

Then, when we want to begin new initiatives, like putting more police on the street, increasing education grants, or fighting a more intense war on drugs, we have to dip into the surplus to do it because we have effectively shrunk or walled off so much of the discretionary budget that we have no choice.

And this agreement is especially bad for the Washington metropolitan area. It breaks a commitment made to the area many years ago when we transferred the operation of Dulles and Reagan National airports from the federal government to a local authority. I worked with then Transportation Secretary Dole and others to come up with a finely tuned package that put decision-making for these two airports in the local community and provided the authority with bond financing to make airport improvements.

That package also established the perimeter rule and a limit on slots, or the number of daily takeoff and landing operations, at Reagan National. That rule essentially allowed the orderly development of Dulles and Reagan National airports, by limiting the length of flights which could be taken from Reagan National. That led to the enormously successful development of Dulles International Airport in my district—a development which might not have occurred without the perimeter rule in place.

By adding 24 daily slots at Reagan National and allowing some of those to fly beyond the perimeter, this conference report is starting down a slippery slope which could undermine the delicate balance between these two airports and choke off the economic expansion at Dulles and the surrounding community. This is a very bad decision, and much like our

changes to the Wright amendment at Dallas Love Field a couple of years ago, sends the message to local communities that they shouldn't depend on the federal government keeping its word.

The commitment to the local community in providing a local authority to operate these airports and in setting slot and perimeter rules was also made because of safety and noise concerns to prevent Reagan National from having a so-called ''aluminum skies'' policy with unlimited flight operations. This conference report breaks faith with the local community and I cannot support it.

This is a very bad bill, for the Congress as an institution, for FAA employees—who are now relegated to the margins of the budget process—and for other federal programs which must pay for the additional programs in the bill. It is a good bill for the pork barrel, and a bad bill for sound federal policy.

Mr. SHUSTER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I recognize that there can be different opinions, but facts are difficult things to change. There are certain facts that need to be said. First of all, it is a fact that we are talking about aviation trust fund money paid for by the users that we say should be spent, and if we should not spend it, we ought to reduce the tax.

Secondly, as a result of unlocking the aviation trust fund, and get this, because this is a fact, not an opinion, the amount of general fund money required will be reduced rather than increased. In fact, it will be about cut in half, because of the portion of the money that comes from the trust fund. So by reducing the historic amount of general fund of money required, we are actually freeing up more general fund money for the Coast Guard and any other general fund expenditure; and indeed, those are expenditures that many of us vigorously support.

Thirdly, there is no tax increase here. What there is here, and certainly my conservative colleagues should embrace this, we are returning to the local authorities, to the locally elected officials the decision as to whether or not they should increase passenger facility charges. We do not increase them by one penny here; we give that authority to the local elected officials.

With regard to this building concrete, less than half of the money going into this bill will be for concrete. I in no way denigrate the importance of concrete, because we need more runways, we need more terminals. However, more than half of this money will indeed go to F&E, will go to operations, will go to improved air traffic control to make it safer so that we can have safer landings not only in good weather, but in bad weather as well.

This bill, when it came through the House, passed overwhelmingly, 316 to 110, with the Speaker of the House, the minority leader, the majority leader all supporting it. We went and negotiated with the Senate, and what we bring back to the House is less than that which overwhelmingly passed this House with strong majorities on both sides of the aisle. That compromise, which we admit is less than the bill that passed this House overwhelmingly, that compromise passed the Senate 82 to 17. It passed the Senate with the strong support of the chairman of the Senate Committee on Appropriations, who originally had been opposed to the House bill; with the strong support of the chairman of the Senate Committee on the Budget, who originally opposed the House bill; with the strong support of the chairman of the Subcommittee on Transportation of the Committee on Appropriations, who originally opposed the bill. We negotiated a compromise, and we are so thankful and appreciative that those people looking out for those other interests in the Senate were able to meet us halfway. We like to think we gave more than halfway; but that I guess is debatable, the point being we did compromise.

Mr. Speaker, we bring a bill the American people need. We bring a bill that must be passed or our aviation system will be hurtling toward gridlock and potential catastrophes in the sky. Let us pass this and send it down to the President, who, I understand, has said will sign this legislation enthusiastically.

Mr. HASTINGS of Washington. Mr. Speaker, I rise today in support of the Conference agreement on H.R. 1000, the ''Aviation Investment and Reform Act for the 21st Century.'' I am especially pleased that the Conference agreement included 12 new perimeter rule exemptions at Ronald Reagan Washington National Airport.

As a representative from the State of Washington, my constituents will directly benefit from this common sense provision to ensure fairness for all Americans. It is essential that the Department of Transportation ensures that this new service is evenly distributed among carriers and cities to make certain that the maximum number of communities benefit from these new flights.

Mr. Speaker, it is especially important that small and midsize communities gain improved access through hubs such as Salt Lake City. We must guarantee that these important slot exemptions are not simply accessed by a few large cities for non-stop point-to-point service, so that citizens living throughout the West will benefit from these much needed slots via connections at Western hubs such as Salt Lake City. Currently, many passengers from small and medium-sized communities in the West are subject to double and often triple connections in order to reach Reagan National Airport. Adding new service from hubs like Salt Lake City will improve service to the nation's capital for dozens of cities throughout the west. This supports the overall objective of the legislation, which is to improve air service to small and medium-sized cities nationwide.

Once again, I thank you for this opportunity to underscore the need for a broad distribution of the perimeter rule exemptions. I urge my colleagues to support this legislation and encourage the Department of Transportation to ensure the equitable distribution of the new service beyond the perimeter rule.

Mr. CROWLEY. Mr. Speaker, I rise today in support of the conference report on the Federal Aviation Administration Authorization, or AIR–21, bill. Within this bill, the high-density rule (HDR) at LaGuardia and J.F.K. Airports in New York City will remain intact until 2007. As you know, the HDR limits the number of take-offs and landings at these airports.

Continuation of the HDR, particularly at the already congested LaGuardia Airport, was vital to my constituents, who are afflicted with constant noise. Additionally, there are safety concerns due to the already crowded airspace and the redirection of flights to accommodate more enplanements.

In June of this year, the Queens Congressional Delegation led the fight in the House of Representatives to preserve the HDR at LaGuardia and JFK Airports in AIR–21. Together, with the other Members of Congress representing the New York City metro and tri-state areas, we successfully fought to save the slot restrictions from immediate elimination, and, in fact, extended the HDR to the year 2007. This was a major victory for the neighbors of our airports and those of us who represent them in Congress and who have fought to keep the HDR in place. The result will be safer and quieter skies for the New York City Metropolitan area and beyond.

Mr. Speaker, I personally live beneath the flight path of airplanes taking off and landing at LaGuardia Airport. This makes me understand the frustration and angst of my constituents over the duration and volume of the noise when planes take-off and land. Noise from incoming planes can drown out the TV, a phone conversation, and even shake your windows.

I have been advocating on behalf of the community surrounding LaGuardia Airport for the past 13 years, first as a State Assemblyman and now, as a Member of Congress. I was honored to work with Chairman SHUSTER on this bill, particularly because he appreciates the concerns of myself, the Queens delegation, and our constituents. Working together with Congressman OBERSTAR, Chairman DUNCAN and Congressman LIPINSKI, we forged the language found in today's bill regarding the continuance of the HDR at LaGuardia Airport.

On behalf of all the New York City residents affected by aircraft noise, I strongly support this conference report and urge my colleagues to support passage of AIR–21.

Mr. LARSON. Mr. Speaker, I rise today in support of H.R. 1000—the Wendell H. Ford Aviation Investment and Reform Act for the Twenty-first Century. Although I am in strong support of the overall bill and the benefits it will provide to American aviation, I would like to draw my colleagues' attention to a particular aspect of the bill.

On September 2, 1998, two hundred thirty-one (231) people lost their lives in the tragic crash of Swiss Air Flight 111 off the coast of Nova Scotia. This tragedy struck my district when the Rizza family of Newington, Connecticut learned of Victor Rizza's untimely death and began to cope with the loss of a beloved member of their family. Since the date of the crash, the Rizza family, along with many of the other families affected by this disaster, have been stymied in their efforts to recover fair and just compensation for the losses that they have sustained due to the onerous and outdated provisions of an ancient shipping statute known as the Death on the High Seas Act.

This act denies families the ability to recover non-economic damages in a lawsuit. This

means that a family member could not be compensated for the loss of their sons and daughters; sons and daughters could not be compensated for the loss of their elderly parents.

Section 404 of this legislation addresses this gross unfairness by amending the Death on the High Seas Act to allow for the recovery of non-economic damages. Although this legislation is not flawless, it is a step forward in bridging an existing gap in our system of compensation for those who have lost loved ones in aviation disasters.

While the existing statute recognizes the rights of those persons who are economically dependent upon family members lost in aviation accident, this new legislation recognizes the rights of parents, children, siblings and other family members who are dependent upon those lost in aviation disasters for care, comfort and companionship.

Specifically, this legislation allows these individuals to recover just compensation in aviation accidents for the loss of a loved one's care, comfort and companionship.

Athough this legislation cannot fully restore the lives of those affected by the loss of a loved one in an aviation disaster, it is an improvement upon their lives by compensating them for the void resulting from the unbearable loss of a family member.

I strongly urge my colleagues to support this important piece of legislation.

Mr. KUCINICH. Mr. Speaker, I voted today for H.R. 1000, the Aviation and Investment Reform Act for the 21st Century, because airport expansion is important to our national economy and the local economies surrounding each airport. In my district, Cleveland Hopkins International Airport is a tremendous asset to the people of Cleveland and Northeast Ohio. However, the value of Hopkins to business and recreational travelers, as well as the resource economy of the Greater Cleveland area, must be balanced to protect residents living near the airport, or who are otherwise affected by Hopkins operation and expansion.

Many issues have arisen at Hopkins, including the failure to look at other alternatives, the significant noise impacts from increased air traffic, and finally environmental concerns that include water quality, air quality, hazardous waste, and wetlands.

The current approach to Hopkins expansion assumes that Cleveland Hopkins International Airport will continue to be the sole airport serving all the needs of passengers and air cargo traffic for the next twenty years. Any expansion plans must include regional planning that considers use of already existing resources, including greater use of Burke Lakefront Airport, the Akron/Canton Regional Airport, and other local airports, as contributors to Northeast Ohio's air transportation mix. The Greater Cleveland business community criticized the Hopkins expansion proposal for its failure to include simultaneous operations under poor weather conditions. Greater use of other airports will allow for simultaneous runway operations under conditions of poor visibility.

Communities near Hopkins are already over-burdened with airport and train noise. The current Hopkins expansion proposal fails to consider the cumulative effects of the noise burden to neighboring communities. The Hopkins expansion proposal needs to consider greater use of other area airports to alleviate additional noise in the direct flight path, affecting Olmsted Falls, Olmsted Township, and Cleveland Wards 21, 20, and 19.

If the FAA approves the expansion as proposed, a displaced threshold must go into effect to protect communities in the flight path as a superior alternative than the fan-out procedure recommended in the DEIS. The displaced threshold would protect surrounding communities such as Bay Village, Berea, Brook Park, Fairview Park, Lakewood, North Olmsted, Parma, Parma Heights, Rocky River, Strongsville, and Westlake, by preventing the need for the fan-out. The FAA must also focus on beefing up its noise prevention procedures, such as noise monitoring and Noise Abatement Departure Procedures.

Greater attention must be focused on cleanup of hazardous materials buried at Hopkins and the NASA Glenn Research Center, the proposed site of a new 5L/23R runway. Costs must also be considered: the public needs to know how much such a cleanup is going to cost.

Wetlands have important features that help protect the environment by filtering out runoff and contributing to biological diversity. The federal policy on wetland protection is to first avoid impacting wetlands, then minimize the effects, and finally, if no alternative is available, to mitigate by restoring other wetland areas. Current expansion plans make no attempt to avoid or minimize the loss of 87.75 acres of wetland and 7900 linear feet of Abram Creek. Alternatives that avoid wetland loss, such as greater use of other airports, must be considered. If mitigation is the only alternative, a full accounting of how, and at what cost, these resources will be mitigated. Expansion proposals must account for how culverting Abram Creek will affect the water quality of the Rocky River and Lake Erie, explain how it will remediate these effects, and how much it will cost the taxpayers.

Alternatives must be considered that will minimize the contributions to the poor air quality that already exists and that will increase with an expanded Hopkins.

Once these issues are resolved, further expansion at Hopkins will be achievable, and the landmark legislation passed today will ensure funding can be made available.

Mr. NADLER. Mr. Speaker, have you noticed that you tend to get sick every time you fly? Many of us who are frequent flyers, know that the air on commercial flights is stale and poorly ventilated, and in some cases, it really does seem to make you ill. Though hundreds of flight crewmembers have reported hundreds of separate incidents of unexplained headaches, blurred vision and other health problems, no one has closely looked into this problem.

Health risks associated with poor air quality in airplanes include exposure to toxins, airborne viruses, and ozone. These risks are worsened by the fact that passengers do not breathe fresh air on flights, but instead inhale re-circulated ''bleed air'' that passes through the engine.

Passengers should be able to feel confident that they are not endangering their health when they fly to visit friends and relatives or as they arrive and depart from business trips. Airline industry workers should not feel their health is threatened as they earn a living. We must learn the nature and extent of the health risks that are associated with poor cabin air quality so that the problem can be corrected.

After learning of the potentially dangerous health risks for frequent flyers and flight crewmembers, I urged the AIR–21 conferees during negotiations to include a study of the air quality on commercial flights in this bill. I am pleased that the conference report calls for a comprehensive, 12-month study into the air quality of commercial airplane flight cabins. The independent study, to be undertaken by the National Academy of Sciences, will look into the contaminants to which flight crew and passengers are exposed, as well as the consequences of using engine and auxiliary ''bleed air'' as air sources. This study is long overdue.

The AIR–21 conference report also provides for a one-year study into the effects of helicopter noise on individuals in densely populated areas. As a representative of Manhattan and parts of Brooklyn, I have heard the pleas from many of my constituents who have been plagued by the daily disruption of helicopter noise. It is time for the FAA to investigate the harm this noise inflicts upon residents and develop procedures to reduce helicopter noise as much as possible.

The conference report addresses important safety concerns, as well as the growing capacity and infrastructure demands of the aviation industry. That is why I urge my fellow colleagues to support it.

Mr. SHAYS. Mr. Speaker, I rise in support of a number of provisions included in the Conference Report to H.R. 1000, the Wendell H. Ford Aviation Investment & Reform Act for the 21st Century (AIR–21), including Emergency Locator Transmitters (ELTs) and a study on helicopter noise. Unfortunately, I am voting against the legislation because it provides federal aviation programs budgetary protection not afforded to other equally vital federal programs.

I strongly support the ELT section included in this conference report and thank the House and Senate conference committees for including this life-saving provision.

On December 24, 1996 a Learjet with Pilot Johan Schwartz, 31, of Westport, Connecticut and Patrick Hayes, 30, of Clinton, Connecticut lost contact with the control tower at the Lebanon, New Hampshire Airport. Despite efforts by the federal government, New Hampshire state and local authorities, and Connecticut authorities, a number of extremely well organized ground searches failed to locate the two gentlemen or the airplane until November 1999—almost three years later.

The disappearance of the Learjet on Christmas Eve was a true tragedy. In my judgment, what is particularly frustrating about this situation is that had the plane been equipped with a moderately-priced location device, the plane may have been found quickly. While current law requires most planes to be equipped with an ELT, there are several exceptions.

For this reason, together with the rest of the Connecticut Congressional delegation and Congressman NEAL of Massachusetts, I introduced H.R. 267, to require ELTs on fixed wing aircraft, with a few exemptions, including planes used by manufacturers in development exercises, agricultural crop planes, acrobatic show planes and large commercial planes which already have on-board technology to be quickly located.

In a tragedy—where time can play the difference between life and death—it is critical aircraft are equipped with locating devices

necessary to find the plane and its passengers.

I am extremely grateful for ELT provisions—which will save lives and funds spent on expensive search efforts—are included in the conference report today.

I also strongly support helicopter noise study provisions included in the conference report. I understand frustration with aircraft noise. It is loud and disruptive. The noise level can be overwhelming, and diminishes quality of life. I have been working for many years with officials at the Federal Aviation Administration (FAA) and local residents, to control aircraft noise in Fairfield County.

During consideration of the House-passed version, a provision I supported on helicopter noise was included in the manager's amendment to H.R. 1000. I am glad to see the conference report retains this provision to require the Secretary of Transportation to conduct a one-year study on the effects of nonmilitary helicopter noise on individuals and develop recommendations for noise reduction. In order to combat noise pollution from helicopters it is imperative we understand how it is affecting individuals and how to best reduce it.

On budgetary reasons, I cannot, however, support this conference report. AIR–21 authorizes approximately $40 billion over three years through fiscal year 2003 (FY 03) for airport improvements, air traffic control and Federal Aviation Administration (FAA) operations. Of this amount, $33 billion is allocated from the aviation trust fund and $7 billion will be ''available for appropriation'' from the general fund.

While I am pleased the conference report does not take the aviation trust fund off-budget, I do not support establishing a series of parliamentary points of order designed to guarantee authorized funding levels for aviation.

As someone who uses flies on a weekly basis, I understand the importance of a safe, efficient aviation system. But, I oppose affording aviation special protections not given to other important programs. In my judgment aviation programs should have to compete for funds in the overall budget, just as education, healthcare, elderly services and veterans programs are required to do.

Mr. WATTS of Oklahoma. Mr. Speaker, it is with great pride that I rise in strong support of H.R. 1000, the Aviation Investment and Reform Act for the 21st Century. I also want to commend Chairman Shuster and the Transportation Committee staff for their tireless efforts to improve the safety and efficiency of the nation's aviation system. As the number of Americans using our national airway system continues to increase, it is essential that we provide the necessary tools and resources to make air travel as safe and efficient as possible. Today, the House is considering legislation that will do just that. H.R. 1000, the Aviation Investment and Reform Act for the 21st Century, makes great strides toward improving passenger safety and reducing delays in our nation's aviation system.

America's skies are becoming increasingly crowded and, with aging radar and computer systems, passenger safety would have ultimately been at risk. AIR–21 takes the necessary steps to keep our skies safe by providing a $40 billion investment in America's aviation infrastructure designed to increase passenger safety and reduce flight delays.

In addition, AIR–21 will produce a greater return on Oklahoma's investment to the Aviation Trust Fund. Oklahoma's three primary airports—Will Rogers World Airport in Oklahoma City, Tulsa International Airport, and Lawton-Ft. Sill Regional—as well as 75 general aviation airports throughout Oklahoma, will see a significant increase in their funding. This increased funding will be used to improve the infrastructure and safety of Oklahoma's aviation system by upgrading equipment, modernizing computer systems, and improving landing strips across the State. These much needed improvements will attract future aviation industry to Oklahoma which will, in turn, bring more jobs to the citizens of our State.

Mr. Speaker, today we have the opportunity to enable significant improvements to the aviation system in the United States and ensure the safety of America's skies. I am honored to have the opportunity to play a role in making these significant improvements possible by casting my vote in favor of H.R. 1000. I strongly urge my colleagues in the House to join me in support of this very important legislation.

Mr. YOUNG of Alaska. Mr. Speaker, I rise to express my strong support for the conference report on AIR–21. This conference agreement is a product of hard fought negotiations by the conferees and it deserves our support.

The needs of our aviation system are great and last summer's delays were an obvious reminder of how bad things will get as the number of people traveling by air increases. AIR–21 addresses these needs by authorizing record levels of funding and by returning the aviation tax dollars to the aviation system. Through these investments air travel will be safer, competition between airlines will be improved and the level of confidence in the management of the FAA will be raised.

As a conferee, I supported the provisions which allow exemptions to the current perimeter rule at Ronald Reagan Washington National Airport. However, I want to make it clear that these limited exemptions must benefit citizens throughout the West. It should be clear that this very limited number of exemptions must not be awarded solely or disproportionately to one carrier or one airport. I expect that the DOT will ensure that the maximum number of cities benefit from these 12 slots.

Closer to home in Alaska, AIR–21 will provide great benefits. With over eleven hundred airports, seaplane bases and aircraft landing areas, Alaska has the largest number of general aviation airports in the U.S.

Because Alaska does not have a comprehensive road system, Alaskans must use air travel for tasks we take for granted, such as grocery shopping and medical care. The passage of AIR–21 will make flying in Alaska safer. For the first time general aviation airports will have a dedicated funding source that complements the airport improvement program to improve runways, install much needed lighting and enhance communications.

I appreciate the opportunity to speak today and commend Chairman SHUSTER for his leadership and dedication to improving air travel. AIR–21 is a good bill and one that I encourage all members to support.

Mr. WELDON of Florida. Mr. Speaker, I want to take a moment to recognize Mr. Jack King and his son, Chip King, a Navy fighter pilot. Jack is a public relations manager with United Space Alliance in my district, and is well known in the space program as the ''Voice of Apollo.'' It was Jack's voice that millions of Americans heard chronicling our early adventures in space.

And, appropriately, his son, Chip, is also in the aerospace business. He's flying F–14s, and he recently flew a Sports Illustrated correspondent to give the public a taste of flying jet fighters. That flight was reported in the September 1999 edition of the magazine, and I will submit the full text of that article for the RECORD.

This is a great story about a father and son working in one of the industries in which our nation leads the world—aerospace. We need to work together in Washington to ensure fathers like Jack continue to work in our space industry, and that sons like Chip continue to faithfully serve in defense of our nation.

[From Sports Illustrated Magazine, Sept. 20, 1999]

ON A WING AND A PRAYER

(By Rick Reilly)

Now this message for America's most famous athletes: Someday you may be invited to fly in the backseat of one of your country's most powerful fighter jets. Many of you already have—John Elway, John Stockton, Tiger Woods to name a few. If you get this opportunity, let me urge you, with the greatest sincerity. . . .

Move to Guam. Change your name. Fake your own death. Whatever you do, do not go. I know. The U.S. Navy invited me to try it. I was thrilled, I was pumped. I was toast!

I should've known when they told me my pilot would be Chip (Biff) King of Fighter Squadron 213 at Naval Air Station Oceana in Virginia Beach. Whatever you're thinking a Top Gun named Chip (Biff) King looks like, triple it. He's about six-foot, tan, ice-blue eyes, wavy surfer hair, finger-crippling handshake—the kind of man who wrestles dyspeptic alligators in his leisure time. If you see this man, run the other way. Fast.

Biff King was born to fly. His father, Jack King, was for years the voice of NASA missions. (''T-minus 15 seconds and counting. . . .'' Remember?) Chip would charge neighborhood kids a quarter each to hear his dad. Jack would wake up from naps surrounded by nine-year-olds waiting for him to say, ''We have a liftoff.''

Biff was to fly me in an F–14D Tomcat, a ridiculously powerful $60 million weapon with nearly as much thrust as weight, not unlike Colin Montgomerie. I was worried about getting airsick, so the night before the flight I asked Biff if there was something I should eat the next morning.

''Bananas,'' he said.

''For the potassium?'' I asked.

''No,'' Biff said, ''because they taste about the same coming up as they do going down.''

The next morning, out on the tarmac, I had on my flight suit with my name sewn over the left breast. (No call sign—like Crash or Sticky or Leadfoot—but, still, very cool.) I carried my helmet in the crook of my arm, as Biff had instructed.

A fighter pilot named Psycho gave me a safety briefing and then fastened me into my ejection seat, which, when employed, would ''egress'' me out of the plane at such a velocity that I would be immediately knocked unconscious.

Just as I was thinking about aborting the flight, the canopy closed over me, and Biff gave the ground crew a thumbs-up. In minutes we were firing nose up at 600 mph. We leveled out and then canopy-rolled over another F–14. Those 20 minutes were the rush of my life. Unfortunately, the ride lasted 80.

It was like being on the roller coaster at Six Flags Over Hell. Only without rails. We

did barrel rolls, sap rolls, loops, yanks and banks. We dived, rose and dived again, sometimes with a vertical velocity of 10,000 feet per minute. We chased another F–14, and it chased us. We broke the speed of sound. Sea was sky and sky was sea. Flying at 200 feet we did 90-degree turns at 550 mph, creating a G force of 6.5, which is to say I felt as if 6.5 times my body weight was smashing against me, thereby approximating life as Mrs. Colin Montgomerie.

And I egressed the bananas. I egressed the pizza from the night before. And the lunch before that. I egressed a box of Milk Duds from the sixth grade, I made Linda Blair look polite. Because of the G's, I was egressing stuff that did not even want to be egressed. I went through not one airsick bag, but two. Biff said I passed out. Twice.

I was coated in sweat. At one point, as we were coming in upside down in a banked curve on a mock bombing target and the G's were flattening me like a tortilla and I was in and out of consciousness, I realized I was the first person in history to throw down.

I used to know cool. Cool was Elway throwing a touchdown pass, or Norman making a five-iron bite. But now I really know cool. Cool is guys like Biff, men with cast-iron stomachs and Freon nerves. I wouldn't go up there again for Derek Jeter's black book, but I'm glad Biff does every day, and for less a year than a rookie reliever makes in a home stand.

A week later, when the spins finally stopped, Biff called. He said he and the fighters had the perfect call sign for me. Said he'd send it on a patch for my flight suit.

What is it? I asked.

''Two Bags.''

Mr. GILMAN. Mr. Speaker, today, I rise to cast my vote in support of H.R. 1000, the Wendell H. Ford Aviation Investment & Reform Act for the 21st Century conference report. This crucial piece of legislation will not only allow the aviation system of the United States to provide needed improvements and remedy problems facing the industry today, but will also move our Nation's aviation system well into the next century.

The U.S. aviation system is in more dire need than most realize. Within the last five years air travel has increased 27%, and is expected to increase over 50%, to one billion passengers over the next ten years. This incredible increase is forcing the aviation system into a gridlock, which will result in a deterioration of safety, harm the efficiency and growth of our domestic economy, damage our position in the global marketplace and threaten the lives of our Nation's families.

Already, recent aviation accidents have highlighted the overwhelming importance of this legislation. Today's air traffic control system is the equivalent of a bridge about to collapse as more and more air traffic strains the system. Regrettably, I personally experienced the severity of this situation. As my Hudson Valley colleagues and I fought to acquire modern air traffic control equipment for Stewart International Airport in our region, it horrified us to learn that vital pieces of equipment, including a radar screen, were not available and that our air traffic controllers had been forced to use binoculars to guide in passenger aircraft.

New safety and security recommendations must be implemented and modernization efforts, already many years behind schedule, must be completed. The capital investments and operational funds needed to meet these priorities and to support the overall advancement of our air traffic control system are indeed daunting and must be met.

Today, the House of Representatives has the opportunity to make our airports and skies safer by passing this conference report. To my constituents in New York's 20th Congressional District, who live in the flight paths of Stewart and other regional airports, the passage of this bill will have a tremendous effect. This conference Report ensures that the FAA will have the funding to hire and retain air traffic controllers, maintenance technicians, and safety inspectors necessary to keep our airways safe. It will enhance safety at our airports by providing funding to modernize air traffic control facilities, improve runways and install collision avoidance systems. H.R. 1000 will increase the amount of money available for noise abatement projects, creates a new environmental streamlining program and encourages airports to use low emission vehicles.

In conclusion, this measure will be the most important piece of legislation for our Nation's aviation system to date. It will make our airways and airports safer, more competitive and more friendly to the communities around them and our Nation as a whole.

Accordingly, I urge our colleagues to fully support this important aviation measure.

Mr. WELLER. Mr. Speaker, I rise today in opposition to H.R. 1000, The Wendell H. Ford Aviation Investment and Reform Act for the 21st Century.

Mr. Speaker, this bill does not address the critical aviation needs of the South Suburbs of Chicago. Chicago desperately needs a South Suburban airport to be able not only to maintain its current level of aviation traffic but to continue to receive new flights into the community. Chicago is currently the aviation center of the United States. However, under this legislation, Chicago is certain to lose its preeminence as the nation's aviation leader.

Specifically, H.R. 1000 lifts slot restrictions at O'Hare airport after July 1, 2002. In the interim, the Department of Transportation must provide exemption to any airline flying to O'Hare if it uses aircraft with 70 seats or less under similar conditions outlined above. In addition, beginning on July 1, 2001, slot restrictions will apply only between the hours of 2:45 p.m. and 8:14 p.m.

Mr. Speaker, this is not an effective answer to the problems surrounding O'Hare airport. Just this past year, we have seen significantly higher delays at O'Hare airport. Attempting to push more flights into an already overcrowded airport will not solve the capacity problems of Chicago O'Hare nor will it reduce delays and congestion. In fact, this will only exacerbate a problem that will get progressively worse.

Aviation demand is expected to more than double by the year 2015. In order to meet this demand, it is necessary to expand and grow capacity, not to simply put more flights into an already overcrowded air system. Not only will this strategy force more delays, but it will also potentially increase the safety risks of the traveling public.

Both O'Hare and Midway will have reached operational capacity in the very near future. Unfortunately, neither of these airports can physically expand as they are both constrained by urban growth around them. Chicago is the nation's aviation leader, and, in order to protect that status, we must look beyond O'Hare and Midway airports and begin serious work on the South Suburban Airport—an airport that can grow and expand to meet the demands of this new century.

Additionally, the South Suburban Airport would create 236,000 permanent jobs and $5.1 billion in annual wages. 2.4 million people live within 45 minutes of the proposed South Suburban Airport—these people need and deserve to have the third airport built. Mr. Speaker, the time has come for the South Suburban Airport. Clearly, we need an airport which can grown and expand as necessary while relieving the congestion and delays at our other Chicago airports.

Finally, the bill contains no funds for the third airport. While the bill does contain what is effectively a tax increase on the flying public, not one dime is spent towards the creation of a South Suburban Airport. The measure authorizes the FAA to permit an airport to levy a Passenger Facility Charge of up to $4.50. This represents a 50 percent increase over the current Passenger Facility Charge. Mr. Speaker, I cannot support raising the prices that the flying public must pay to reach their destination when no funds are provided for the creation of a South Suburban Airport.

Mr. HANSEN. Mr. Speaker, I am very supportive of the Conference agreement provisions which allow exemptions to the current perimeter rule at Ronald Reagan Washington National Airport. I commend you on creating a process which I believe fairly balances the interests of Senators from states inside the perimeter and those of us from Western states without convenient access to Reagan National.

As you know, I have been involved and supportive of this effort since the legislation was first introduced. I want to reiterate that these limited exemptions must benefit citizens throughout the west. I want to make it clear that this very limited number of exemptions must not be awarded solely or disproportionately to one carrier or one airport. I expect that the DOT will ensure that the maximum number of cities benefit from these 12 slots.

While I would have preferred to eliminate the perimeter rule altogether or have more slots available for improved access to the West, the final agreement includes 12 slots and now the DOT must ensure that all parts of the West benefit. I am particularly concerned that small and midsized communities in the West, especially in the Northern tier have improved access through hubs like Salt Lake City.

These limited exemptions to the perimeter rule from hubs like Salt Lake City will improve service to the nation's capital for dozens of Western cities beyond the perimeter—while at the same time ensuring that cities inside the perimeter are not adversely impacted by new service. This is a fair balance which is consistent with the overall intent of the bill to improve air service to small and medium-sized cities.

Throughout this bill, our goal has been to improve air service for communities which have not experienced the benefits of deregulation to the extent of larger markets. The provision related to improved access to Reagan National is no different. Today, passengers from small and medium-sized communities in the West are forced to double or even triple connect to fly to Reagan National. My goal is to ensure that not just large city point-to-point service will benefit, but that passengers from all points west of the perimeter will have better

options to reach Washington and Ronald Reagan Washington National Airport via connections at Western hubs like Salt Lake City. This provision is about using this restricted exemption process to spread improved access throughout the West—not to limit the benefits to a few large cities which already have a variety of options.

Mr. BORSKI. Mr. Speaker, I rise today to offer my support for H.R. 1000, the Aviation Investment and Reform Act for the 21st Century. First, I would like to congratulate Chairman DUNCAN and Ranking Member LIPINSKI for their tireless efforts on behalf of this bill.

I also want to thank Chairman SHUSTER and Ranking Member OBERSTAR for their leadership on the Transportation and Infrastructure Committee. The bipartisan way in which these two gentlemen conduct the committee is an example for all. Under their direction, this Congress has made the maintenance of and investment in our nation's infrastructure a top priority.

AIR–21 is good news for the American people and the country. This legislation maintains the integrity of the trust funds and reinforces the idea that the money we collect from air passengers should be spent on aviation to reduce the backlog of infrastructure needs at our nation's airports.

I am pleased that the impasse over this vital piece of legislation has ended and that the FAA will finally receive the funding they so desperately need. Additionally, AIR–21 is extremely important to Philadelphia, as well as to all airports because it provides the funding necessary to make improvements, enhance capacity, and to increase safety.

AIR–21 will increase spending on airport improvements, air traffic control, and other aviation needs. This ''record level of investment,'' as Secretary Slater called the $40 billion that will go to the FAA, will make air travel safer and more efficient for everyone.

Mr. Speaker, we have all heard about how crowded our skies are. Domestic air travel had 655 million passengers over the past five years. This number is expected to reach over one billion in the next ten years. Air travel is the mode of choice for travelers today. The demand is unbelievable and is evidenced at Philadelphia International Airport, which is one of the busiest airports in the eastern region. The passage of this legislation will go a long way towards making Philadelphia International a better airport. Under this Conference Agreement Philadelphia Airport, a major hub, will receive almost $7 million. This money will be used for new projects that will improve the efficiency of Philadelphia's airport, since it is congested throughout the day and not just at peak times. Last year, the airport had over 23 million passengers and the funds that Philadelphia International Airport will receive will allow the airport to provide increased capacity for these travelers and to promote safety as well.

I would also like to note that the increase in the Passenger Facility Charge that the conferees reached agreement on is also important to Philadelphia's airport. This modest raise in the cap on the PFC will also allow individual airports, like Philadelphia, the flexibility to proceed with improvement projects not eligible for funding through the Airport Improvement Program.

The passage of this bill is essential because it increases funding for air traffic control modernization by almost 50 percent and funding for airport improvements will increase by more than 50 percent. This level of investment is vital to all airports not just Philadelphia's.

Mr. Speaker, I offer my support for AIR–21 and I urge my colleagues to vote for this important legislation. H.R. 1000 is good for transportation and good for the nation.

Mr. BARCIA. Mr. Speaker, I rise in support of Title IX of the Conference Report and will limit my remarks to Title IX of the Agreement, which provides a three-year authorization for the research and development activities of the Federal Aviation Administration.

I am particularly pleased with the authorization levels that are provided for aviation research and development, both in Title IX and in the Airway Facilities portion of the bill. The budget growth provided by Title IX is focused on more long-term research and will help reverse recent declines in this essential component of the agency's R&D investment.

Sufficient funds must be provided to enable FAA's research and development programs to develop the new technologies that will help increase the capacity and efficiency of operation of the airspace system, while ensuring its safety and security.

I would like to highlight a provision in Title IX that requires FAA to provide Congress with a complete description of its R&D programs. Some confusion exists about the full scope of FAA's R&D activities, since they appear in different parts of the agency's annual budget submission.

The Inspector General (IG) of the Department of Transportation, in recent testimony before the Science Committee, recommended that FAA identify in its budget basic research, applied research, and development activities, including prototype development. The IG pointed out that such reporting will give the agency a better idea of how it spends development funds and will provide Congress with a more comprehensive picture of FAA's civil aviation R&D investments.

The reporting provision included in Title IX requires FAA to provide Congress with a comprehensive description of its R&D programs by identifying the individual projects that appear in each category of the agency's budget. This information must be provided annually by FAA in the National Aviation Research Plan.

Mr. Speaker, in closing, I want to thank our Chairman SHUSTER and Ranking Member OBERSTAR on the Transportation Committee for working with us on Title IX. And as always it has been a pleasure working with Chairwoman MORELLA on FAA's research and development provisions. This Conference Agreement will ensure that FAA has the R&D resources needed to meet its challenging goals for the modernization of the national airspace system and for improving the safety of air travel.

Mr. COSTELLO. Mr. Speaker, I rise today in strong support of the AIR–21 Conference Report which reauthorizes funding for the Federal Aviation Administration. As a conferee on this bill, I am pleased that we were able to come together in a bipartisan fashion to provide the funding the FAA needs to provide America with a first class aviation infrastructure for the 21st century.

First, I want to thank Chairman SHUSTER and Ranking Member OBERSTAR for their leadership and persistence in making certain that all aviation tax revenue and interest be spent each year on aviation programs.

The Conference Agreement authorizes $40 billion in funding for the next three fiscal years—a 26 percent increase in FY01 alone. This funding provides increases for all aspects of the FAA, to modernize its systems and deal more effectively with our expanding air transportation industry.

This legislation serves to increase competition and aid small communities. The provisions to lift all slot restrictions at O'Hare, La Guardia and Kennedy, and increase the number of slots at National Airport can only help new airlines provide service and underserved communities receive service. I worked hard to ensure that rural communities in the Midwest stood to benefit from these new provisions. By improving capacity at large and small airports, the bill ensures more equitable competition in an industry where individual air carriers have market dominance over many communities. And by promoting access, the bill increases service which currently have little or no markets at all.

The bill also provides funding for small and general aviation airports through an annual entitlement. This provision will guarantee that small and general aviation airports will receive an annual federal investment to continue to implement safety improvements and projects to increase efficiency.

Finally, AIR–21 should provide money to allow the FAA to make administrative changes without harming ongoing effective programs like the Air Traffic Control Contract Program. I recently urged the FAA Administrator to reject proposals by some bureaucrats to cut this program which is so vital to many small communities, and I hope now with passage of AIR–21, she will do so.

Mr. Speaker, again I want to thank Chairman SHUSTER, Mr. OBERSTAR, Chairman DUNCAN, and Mr. LIPINSKI for their leadership in bringing this bill to the floor today. I urge my colleagues to join me in supporting this legislation in order to bring our aviation system into the 21st century.

Mr. BEREUTER. Mr. Speaker, this Member rises in strong support of the conference report for H.R. 1000, the AIR–21 legislation. This legislation is clearly needed to unlock the Aviation Trust Fund and to provide adequate funding for our nation's airports.

This Member would like to begin by commending the distinguished gentleman from Pennsylvania, (Mr. SHUSTER), the Chairman of the Transportation and Infrastructure Committee; the distinguished gentleman from Minnesota (Mr. OBERSTAR), the ranking member of the Transportation Committee; the distinguished gentleman from Tennessee (Mr. DUNCAN), the Chairman of the Aviation Subcommittee; and the distinguished gentleman from Illinois (Mr. LIPINSKI), the ranking member of the Subcommittee and the other members of the conference committee for their extraordinary work in developing this conference report and bringing it to the Floor. This Member appreciates their diligence, persistence, and hard work.

This is an important bill for this Member's district, for the State of Nebraska, and for the Nation. It addresses the country's growing aviation needs in a fiscally responsible manner. Quite simply, the bill recognizes the need to spend aviation taxes on the aviation system. During the 105th Congress we restored the trust with American drivers by ensuring that gas taxes actually will be spent as available primarily on highway construction and

maintenance. It is now time to ensure that this trust is restored with the flying public.

This conference report will lead to significantly increased funding for our nation's airports. As a result, it will result in reduced flight delays, improved air safety, and greater competition. The American people deserve to see this legislation enacted. They deserve it because they've already paid in taxes what it will now authorize.

This Member is concerned about growing needs at our nation's airports. While more people are flying, airport improvements are simply not keeping pace. That's because the money that passengers are paying each time they fly and fuel taxes are accumulating in the trust fund rather than being put to use to improve our airports and provide safer flying.

Unless we act now, the problems will only get worse. It is now anticipated that air travel will increase by more than 40 percent over the next ten years. This surge will place increased demands on an already over-burdened aviation system. According to the General Accounting Office, we are underfunding airport infrastructure by at least $3 billion each year. Currently, the needs of smaller airports are twice as great as their funding sources. Fortunately, we have the ability to act now. We can improve the system without raising taxes or threatening the funding for other government programs or services. We must unlock the money in the Aviation Trust Fund and spend it for what it was intended.

Airports across the country and the passengers who use them will all benefit from passage of this legislation. Large airports as well as small airports will be able to modernize and expand once the Trust Fund money is released.

The increases in funding will be substantial and passengers will notice the results if we make these investments now. As an example, the Lincoln Municipal Airport in Nebraska currently receives an entitlement of about $1 million per year. Under the conference report, this will increase to more than $2 million annually. Such an increase would greatly assist the airport with its planned $5 million runway project, which would replace the surface, comply with new safety requirements, and provide new lighting. General aviation airports in Nebraska, in communities such as Beatrice, Falls City, Blair, Fremont, Norfolk, York, Plattsmouth, and Nebraska City will also receive annual entitlements which will assist them with necessary projects.

Mr. Speaker, this Member urges his colleagues to support the conference report for H.R. 1000. It will provide the American people with the aviation system that they have paid for and deserve.

GENERAL AVIATION—CONFERENCE GA ENTITLEMENT

NEBRASKA

ANW—Ainsworth Municipal, Ainsworth, $150,000.
BVN—Albion Municipal, Albion, 150,000.
AIA—Alliance Municipal, Alliance, $117,533.
BIE—Beatrice Municipal, Beatrice, $39,800.
FNB—Brenner Field, Falls City, $60,000.
CDR—Chadron Municipal, Chadron, $111,600.
CNP—Chappell Municipal, Chappell, $1,000.
OLU—Columbus Municipal, Columbus, $43,200.
K46—Eagle Field, Blair, $150,000.
FBY—Fairbury Municipal, Fairbury, $118,800.
FET—Fremont Municipal, Fremont, $80,000.
OKS—Garden County, Oshkosh, $150,000.
HSI—Hastings Municipal, Hastings, $69,000.
IML—Imperial Municipal, Imperial, $119,200.
OFK—Karl Stefan Memorial, Norfolk, $150,000.
EAR—Kearney Municipal, Kearney, $80,475.
LXN—Lexington (Jim Kel), Lexington, $130,000.
MCK—Mc Cook Municipal, Mc Cook, $84,000.
VTN—Miller Field, Valentine, $150,000.
9V5—Modisett, Rushville, $99,253.
4D9—Municipal, Alma, $36,800.
JYR—Municipal, York, $100,000.
AFK—Nebraska City Municipal, Nebraska City, $150,000.
0V3—Pioneer Village Field, Minden, $77,200.
PMV—Plattsmouth Municipal, Plattsmouth, $150,000.
OGA—Searle Field, Ogallala, $93,400.
Summary for 'State' = NE (26 detail records)—Sum $2,661,261.

Mr. KOLBE. Mr. Speaker, I rise in opposition to H.R. 1000.

Although I support the reauthorization of the FAA and the Airport Improvement Program, I find the manipulation of the current budgeting process in this bill detrimental to a fiscally sound government, for which the Republicans have been fighting, and have achieved, as the majority party.

Why do we want to take a step backwards, back to when this House was governed by a tax and spend policy, in a misguided attempt to drastically inflate a federal agency's budget?

Where is the Republican agenda—the agenda to make the federal government smaller, leaner, more efficient?

This bill could increase taxes by an estimated $700 million if all the airports levy the additional charge that this bill authorizes—and I have no reason to believe that they wouldn't.

Is this what Congress wants to do today, raise taxes by $700 million when we have a surplus and are trying to cut taxes?

I cannot support this approach. With the rise in fuel costs, which has equated to a rise in airline prices, we don't need to pile on to this and put another increase onto an air traveler's expenses.

In addition, it is disappointing to see this bill come before the House today under the slogan of ''unlocking the Aviation Trust Fund.''

Federal trust funds are not your run-of-the-mill trust fund that can be compared to a family or business trust fund. These federal trust funds are authorizations for appropriations, and this has always been the intent since their creation.

But, don't take my word for it. Let me quote a CRS report:

> Whatever their intended purposes, federal trust funds are basically record-keeping devices that account for the spending authority available for certain programs. Although frequently thought of as holding financial assets, they do not.

I repeat: trust funds do not hold financial assets; there is no money in them.

The report goes on to say:

> Simply stated, as long as a trust fund has a balance, the Treasury Department has authority to keep issuing checks for the program, but balances do not provide the treasury with the cash to cover these checks.

So if it's the right policy to take trust funds off-budget, where is the cash going to come from to cover the checks written on the trust fund balance? Are we going to cut funding for our schools, for law enforcement, for environmental programs, for our Veterans?

We need to take a step back and understand where this road leads us.

I understand the supporters of this measure see guaranteed money every year.

Wouldn't this be nice if everyone had a guaranteed stream of cash flowing into their coffers every October First? But, that is not the way to run a fiscally responsible government.

We simply cannot govern a nation by compartmentalizing our budget through dedicated funding streams. Revenue streams must be spent on the nation's priorities as a whole. You can't run a business by restricting cash flows to expenses directly attributable to their related sales. Can GM effectively compete in the world market if the money they received from selling shock absorbers couldn't be used for maintenance of brake manufacturing equipment? No. GM can't, and neither can the federal government.

Republicans have governed our nation's tax dollars with restraint and have given the taxpayer some of their money back with tax cuts.

Let's not sabotage 5 and a half years of work. We should be looking at ways of streamlining federal agencies, not bloating their budgets by creating a mandatory account and increasing the taxes for this account.

Mr. BRADY of Pennsylvania. Mr. Speaker, I thank Chairman SHUSTER and Ranking Member OBERSTAR for the much needed Aviation Investment and Reform Act.

Mr. Speaker, I rise to support this Conference Report on H.R. 1000. Just last Friday, at the Philadelphia International Airport in my district, the air traffic control technology went down for 30 minutes. Thank God there were no incidents.

The FAA is—even as I speak—still trying to figure out what went wrong. This much needed legislation will speed up the process of updating that technology for the safety of the thousands of people who use our airport.

Mr. Speaker, my son, daughter-in-law and two precious granddaughters are flying out of Philadelphia Airport on Thursday. I want to make sure that they and everyone's children and grandchildren who are traveling are as safe as can be. This legislation will help Philadelphia International acquire state-of-the-art technology to keep the public safe. There is no price that can be put on human lives. So we should pass this report and spend what is needed to protect our constituents.

Mr. CRANE. Mr. Speaker, I speak out today in strong opposition to the conference report on the Aviation Investment and Reform Act, better known as AIR21. While there is much to be said for certain portions of that measure, the negative aspects of it are far more pervasive. For many people living in the northwest suburbs of Chicago, those aspects are nothing short of disastrous.

To be sure, this AIR21 conference report will make more money available to our nation's airports, not just for construction work but for service enhancements and security improvements as well. In addition, it will allow more people to fly to and from the busiest of those airports. For some people, those two features may be good news. But, for many others, they are anything but.

Not only will the 50% increase in the Passenger Facility Charge (PFC) have a negative

affect on the airlines and those who patronize them, but the phaseout of the High Density Rule at O'Hare, LaGuardia and JFK Airports and the easing of that Rule at Reagan National Airport in Washington D.C. will be a living nightmare for thousands of people living near those facilities. In addition to being awakened at all hours of the day or night, but they will have a hard time getting much sleep in the first place.

Hardest hit will be those people who live near Chicago's O'Hare Airport. For them, the High Density Rule, or slot rule as it is often called, will be phased out by July 1, 2002, not January 1, 2007 as is the case for La Guardia and JFK Airports in New York. Or to put it another way, in just over two years, there will no longer be any set limit on the number of flights that can arrive at, or depart from, O'Hare even though efforts to reduce existing noise levels there have met with little success. When that happens, not only is the total number of flights to and from O'Hare likely to increase dramatically—but so too will airport noise levels and the risk of planes colliding either on the runway or in nearby airspace. That two airliners nearly flew into one another over Lake Michigan not long ago should alert us to the fact that additions to O'Hare's very busy flight schedule could have safety as well as noise implications.

That said, Mr. Speaker and colleagues, please know that I fully understand and appreciate why you may want to make it easier for your constituents to visit Chicago, either to vacation or to conduct business. With all that the city has to offer—the Magnificent Mile, Navy Pier, the Museum of Science and Industry, Grant Park, the Field Museum, Shedd Aquarium and many other attractions too numerous to mention—it is no wonder that people from all over the country want more flights, and better flights schedules, to the City of Broad Shoulders. Make no mistake about it, Chicago is a wonderful place to visit and those of us fortunate enough to live in or near the city want to make it as easy as possible for anyone to do so. However, that can be readily accomplished without making it almost impossible for those living near O'Hare to get a good night's sleep, to carry on a quiet conversation, to have a peaceful cookout in their own back yard, or to relax in the knowledge that aircraft safety is not being put to an additional test.

As things now stand, there are no less than four other regional airports within 100 miles of Chicago. One of these—the Greater Rockford Airport—already has a 10,000 foot runway, the second longest in Illinois, plus an 8,200 foot runway and a 65,000 square foot passenger terminal that is currently underutilized. Another—Midway Airport on the west side of Chicago—is in the midst of a terminal expansion program that will enable it to serve even more air passengers than it does already. Since the passenger terminal at Greater Rockford could be expanded also, there is no compelling reason why any additional flights to Chicago could not be diverted to those two airports without inconveniencing air passengers to any great extent. Both lie within 60 miles of O'Hare, for those passengers wishing to catch a connecting flight and neither all that far, or out of reach, from downtown Chicago.

Given the existence of such an attractive and relatively-easy-to implement alternative to the adverse consequences of increasing flights to and from O'Hare, I would urge my colleagues to vote against this conference report. Not only would its defeat today enable us to make changes that would accommodate the demands for additional air service to Chicago by directing any extra flights to either Midway Airport or Greater Rockford Airport, but it would give us an opportunity to make several other improvements as well.

For instance, we could—and should—eliminate the 50% increase in the PFC that is making the airlines, their passengers and residents around O'Hare Airport understandably nervous. Also, we could—and should—take a look and see whether air traffic safety and aircraft noise abatement programs are being sufficiently funded and, if not, whether funds should be transferred from other projects so that people living near major airports can have some peace and quiet as well as peace of mind. They deserve every bit as much consideration as those who wish to see additional air service become a reality.

With that, Mr. Speaker, let me close by once again urging my colleagues to vote down this conference report. We can, and should, make it responsive not just to the needs of air travelers but to the very legitimate concerns of those living near our Nation's airports as well.

Mrs. MORELLA. Mr. Speaker, I rise in opposition to the conference report for the Aviation Investment and Reform Act for the 21st Century.

As a conferee on the Research and Development section of AIR–21, I applaud the strong bipartisan support for the significant increase in funding levels for the FAA's research, engineering, and development program. It is remarkable that the FY 2001 authorization will be 51% more than the current funding levels for these valuable activities.

However, some sections of the Aviation Investment and Reform Act are misguided in their purpose and detrimental to many of our constituents.

If the conference report for AIR–21 passes the House today, twenty-four new slots will be added to Reagan National Airport. Half of these additional slots will be used for flights outside of the existing perimeter rule of 1,250 miles.

Drafters of this legislation claim that additional slots will increase airline competition. What they do not realize is that the Washington Metropolitan Area retains an enviably high level of competitive service. Most major cities are served by a single airport with a dominant carrier. Washington, on the other hand, is fortunate to be served by three airports. With no dominant carrier, changing the slot and perimeter rule will only damage the environmental and economic balance that exists between National, Dulles, and BWI Airports. An increase in flights at National could mean fewer flights in and out of Dulles and BWI—which, in turn, would cause further flight delays.

The slot rule was originally part of a ''good faith'' agreement between federal, local, and airport officials when control of National and Dulles was transferred from the FAA to a local authority—the Metropolitan Washington Airports Authority (MWAA). This ''good faith'' provision has the effect of abating airport and air traffic noise. Any tampering with the current slot rule will open the doors to further changes that would impact the airports' neighbors in Maryland and Virginia.

The daily lives of these citizens are interrupted enough by airplane noise. They do not need additional flights disturbing their children at school or their family dinners at home. More and more, scientific studies reveal that noise at the decibel levels found in communities neighboring airports may cause hearing loss, impaired health, and antisocial behavior. On the floor of the House, I have often stressed that unlike oil spills or landfills, noise is an invisible pollutant, but the hazards are just as real.

The Federal Government should not be in the business of operating airports. The citizens living in the Washington Metropolitan area must have a voice in the ultimate determination of decisions that affect airport and air traffic noise. They are the ones that have to live each day with our decision.

Mr. MILLER of Florida. Mr. Speaker, I rise today to thank the conferees for including a provision in this bill that will help airports, like the Sarasota-Brandenton International Airport in my District, use certain terminal costs to be eligible for Passenger Facility Charge funding. As the author of the language, I also wish to clarify that the intent of the last three lines of Section 152 (2)(c) that reads ''between calendar year 1989 and calendar year 1997,'' specifically refers to calendar years 1990 through 1996 and does not include calendar years 1989 and 1997.

Mr. BASS. Mr. Speaker, I want to congratulate the gentleman from Pennsylvania, Mr. SHUSTER, once again for developing legislation that returns budgetary honesty to our trust funds, ensuring that the necessary funding for our nation's transportation infrastructure is provided. Similar to the success of TEA–21 enacted last Congress, this bill, Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (AIR–21), will make certain that the receipts and interest of the Aviation and Airways Trust Fund are used to improve our aviation infrastructure first and the administrations of operations second.

America's transportation system is the envy of the world. The United States, however, has pushed our air transportation system to the limit. Aviation delays are increasing as we exceed airport and runway capacity. The United States is home to 19 of the world's 20 busiest airports, yet we do not have the world's most advanced air traffic control systems. AIR–21 will provide the necessary funding for airports to keep pace with the dramatic increase in air travelers.

Nationwide, passenger travel has increased at a rate of five percent a year, and we expect more than a billion people will board planes by 2010. Manchester Airport, in my home state of New Hampshire, is the fastest growing airport in the country. In 1998, 1.94 million people flew out of Manchester, which represents a 70% increase over 1997.

This legislation will make it possible to increase airport capacity, which will not only reduce delays, but will also inject a healthy shot of competition into the airline industry. By creating more gates, more airlines will have the opportunity to fly popular routes, and the increased competition will help drive down ticket prices.

Upgrading antiquated FAA traffic control systems is another priority. Just last year, the FAA experienced more than 100 significant system outages where air traffic controllers lost some or all of the primary systems that

help them track aircraft. We lead the world in technology yet we entrust the safety of our skies to computers made almost 30 years ago.

Additionally, among the many excellent provisions in this bill, I would like to call attention to a provision that requires the FAA to conduct a study of the use of recycled materials in the construction of airport runways, taxiways, and aprons. As used here, recycled materials includes recycled pavements, waste materials, and byproducts. This is an important environmental provision. It addresses an urgent need to do a better job of promoting the use of recycled materials. Furthermore, it does so in a way that will make recycling successful. This is critical to maximizing the volume of waste materials that actually gets recycled.

Last year, we included in TEA–21 a provision to create the Recycled Materials Resource Center. That center, funded by and working in close collaboration with the Federal Highway Administration, provides assistance to highway programs nationwide. It helps develop standards for the appropriate use of recycled materials, along with suitable tests to ensure compliance with those standards. In addition, it conducts research into specific applications to determine the conditions under which recycled materials can be used. This is needed for two reasons. First, to ensure the physical performance of the road or highway throughout its planned useful life. Equally important, it ensures that there will be no adverse environmental problems resulting from the use of a recycled material in place of virgin materials.

In short, this center was created to provide independent third party analysis of proposed uses, so that decision makers could approve the use of recycled materials in appropriate circumstances based on objective evidence, and with appropriate standards and tests. In other words, rather than just pushing for recycling and hoping the road or highway stands up under long-term use, this center is dedicated to promoting successful recycling. And doing so in a way that responds to legitimate concerns by public officials. Against this background, I proposed that we leverage this ongoing Federal investment in using recycled materials in transportation infrastructure by extending its benefits to our national effort to upgrade airports. After all, airport construction involves large amounts of pavement in runways, taxiways, and aprons; not to mention related parking lots and approach roads.

As with roads and highways, public officials want to do the right thing. They understand the value of recycling, providing it does not increase costs, and providing that they can be sure the runway, taxiway, or apron will be built to the required high performance standard. They do not need mandates, they need technical assistance and information based on independent analysis of the issues.

As with roads and highways, the FAA study needs to focus both on physical performance—will the pavement work as expected over its full useful life—and also on environmental performance over that same useful life. Public officials need assurance that there will be no unexpected environmental side effects in the future. They cannot be expected to risk possible contamination problems because of incomplete analysis. Therefore, this assurance of future environmental integrity must be based on sound science, validated by an independent third party. Therefore, as with earlier efforts with roads and highways, the logical place to start seems to be with a comprehensive study focusing on issues of long term physical performance, safety implications, and environmental benefits of using recycled materials in aviation pavement. Recognizing that much work has been done in this field, this provision provides that the FAA should carry it out by entering a contract with a university of higher education with expertise necessary to carry out the study.

A logical candidate to do such a study would be the Recycled Materials Research Center at the University of New Hampshire. It has directly relevant experience working with transportation pavements. Since the US Department of Transportation already is funding and utilizing this center, it seems especially appropriate that we should leverage that Federal investment by applying that expertise to related issues in airport construction.

Furthermore, I am pleased to see the section regarding Airplane Emergency Locator Transmitters (ELTs) included in AIR–21. The absence of ELTs has increased the costs of public and private search and rescue operations following certain aircraft crashes. One such crash occurred on December 24, 1996, when a plane piloted by Johan Schwartz and Patrick Hayes disappeared near Lebanon, New Hampshire. The States of New Hampshire, Connecticut, Vermont, New York, and Massachusetts conducted an extensive search, in cooperation with the Federal Government, in an unsuccessful effort to locate the plane and any survivors. It is believed that the existence of an ELT on this plane would have substantially increased the likelihood of finding the crash.

In conclusion, I believed that AIR–21 would help instill honesty in the budget process and allow us to invest in our airports to expand airport capacity and make our skies and airports safer. For too long, we've neglected our transportation needs and allowed the surpluses in the transportation trust funds to accrue in order to mask the size of the budget deficit. AIR–21 will ensure that the airline ticket taxes we pay each time that we fly will be used to improve our airports and aviation infrastructure.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). All time has expired. Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. OBEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 319, nays 101, not voting 14, as follows:

[Roll No. 48]

YEAS—319

Abercrombie
Ackerman
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Bonior
Bono
Borski
Boswell
Brady (PA)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Carson
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Combest
Condit
Conyers
Cooksey
Costello
Coyne
Cramer
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeMint
Deutsch
Diaz-Balart
Dickey
Dingell
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Engel
English
Etheridge
Evans
Everett
Ewing
Fattah
Filner
Fletcher
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hefley
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Isakson
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kasich
Kelly
Kildee
Kind (WI)
King (NY)
Kleczka
Knollenberg
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Murtha
Nadler
Napolitano
Neal
Ney
Northup
Norwood
Nussle
Oberstar
Olver
Ose
Owens
Oxley
Pallone
Pascrell
Payne
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pombo
Pomeroy
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Reynolds
Rivers
Rogan
Ros-Lehtinen
Rothman
Ryan (WI)
Ryun (KS)
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Scott
Serrano
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Strickland
Stupak
Sweeney
Talent
Tauscher

Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Vitter
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Wexler
Weygand
Whitfield
Wilson
Wise
Woolsey
Wu
Wynn
Young (AK)

NAYS—101

Aderholt
Archer
Baldwin
Barrett (NE)
Boehner
Bonilla
Boyd
Brady (TX)
Cardin
Castle
Chabot
Chenoweth-Hage
Coburn
Collins
Cox
Crane
Davis (IL)
DeLay
Dicks
Dixon
Doggett
Emerson
Eshoo
Farr
Foley
Frelinghuysen
Goode
Goss
Graham
Hall (TX)
Hayworth
Herger
Hinchey
Hobson
Hoyer
Hyde
Inslee
Jackson (IL)
Johnson, Sam
Jones (NC)
Kaptur
Kennedy
Kilpatrick
Kingston
Kolbe
Largent
Latham
Lewis (CA)
Lofgren
Lowey
McDermott
McInnis
McIntosh
Miller (FL)
Moran (VA)
Morella
Nethercutt
Obey
Packard
Pastor
Paul
Pelosi
Pitts
Porter
Portman
Ramstad
Regula
Riley
Roemer
Rogers
Rohrabacher
Roukema
Roybal-Allard
Royce
Sabo
Salmon
Sanford
Scarborough
Sensenbrenner
Sessions
Shadegg
Shays
Skeen
Stark
Stenholm
Stump
Sununu
Tancredo
Taylor (NC)
Thornberry
Tiahrt
Tierney
Toomey
Visclosky
Walsh
Wamp
Waters
Weller
Wicker
Wolf
Young (FL)

NOT VOTING—14

Boucher
Cook
Gonzalez
Gutierrez
Hinojosa
Klink
McCollum
Myrick
Ortiz
Reyes
Rodriguez
Rush
Tanner
Walden

□ 1258

Mr. LEWIS of California, Ms. ESHOO, Mr. CRANE, Ms. LOFGREN, Mr. COLLINS, Mrs. CHENOWETH-HAGE, and Messrs. FARR of California, HAYWORTH and STUMP changed their vote from ''yea'' to ''nay.''

Mr. LAZIO changed his vote from ''nay'' to ''yea.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. RODRIGUEZ. Mr. Speaker, I was absent this morning due to important business in my Congressional district yesterday and missed rollcall vote 48 on the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century.

Had I been present I would have voted ''yea.''

Mr. GONZALEZ. Mr. Speaker, on rollcall No. 48, on agreeing to the Conference Report to accompany H.R. 1000, I was away on official business. Had I been present, I would have voted ''yea.''

PERSONAL EXPLANATION

Mr. ORTIZ. Mr. Speaker, because of official business in my District (27th Congressional District of Texas) I was absent for rollcall votes 46–48. If I had been present for these votes, I would have voted as indicated below: Rollcall vote 46—''yea''; rollcall vote 47—''yea''; rollcall vote 48—''yea.''

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN THE ENGROSSMENT OF H.R. 1000, WENDELL H. FORD AVIATION INVESTMENT AND REFORM ACT FOR THE 21ST CENTURY

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that the enrolling clerk be authorized to make technical and conforming changes in the engrossment of H.R. 1000, the bill just considered.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

GENERAL LEAVE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1000.

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

There was no objection.

SMALL BUSINESS REAUTHORIZATION ACT OF 2000

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 439 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 439

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3843) to reauthorize programs to assist small business concerns, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Small Business. After general debate the bill shall be considered for amendment under the five-minute rule. Each section of the bill shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. House Resolution 432 is laid on the table.

Mr. HASTINGS of Washington. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the distinguished gentleman from Ohio (Mr. HALL), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, H. Res. 439 would grant H.R. 3843, the Small Business Reauthorization Act of 2000, an open rule waiving all points of order against consideration of the bill. The rule provides one hour of general debate to be equally divided between the chairman and ranking member of the Committee on Small Business.

The rule provides that the bill shall be open to amendment by section and authorizes the Chair to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD.

The rule also allows the chairman of the Committee of the Whole to postpone votes during consideration of the bill and to reduce voting time to 5 minutes on a postponed question if the vote follows a 15-minute vote.

Finally, the rule provides one motion to recommit with or without instructions and lays H. Res. 432, providing for consideration of the conference report to accompany S. 376, on the table.

H.R. 3843 reauthorizes a number of worthwhile Federal programs established to assist small businesses all across the country. In addition to SBA's various loan programs, the agency's management training and entrepreneurial counseling have proven very helpful to owners and operators of the smaller firms that are responsible for creating the majority of new jobs in our expanding economy.

In addition, Mr. Speaker, the bill makes a number of technical corrections to the 1958 Small Business Investment Act in order to increase the flexibility of the Small Business Investment Company program, and improve small business access to this program.

Mr. Speaker, as a long-time small business owner myself, I know firsthand what an important contribution small businesses make to the economy and the quality of life in every community. Helping small businesses get started and continue to grow is important to all of us.