AIR TRANSPORTATION SAFETY AND SYSTEM STABILIZATION ACT

Mr. YOUNG of Alaska. Mr. Speaker, pursuant to House Resolution 244, I call up the bill (H.R. 2926) to preserve the continued viability of the United States air transportation system, and ask for its consideration.

The Clerk read the title of the bill. The text of H.R. 2926 is as follows:

H.R. 2926

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

SECTION 1. SHORT TITLE. This Act may be cited as the “Air Transportation Safety and System Stabilization Act”.

TITLE I—AIRLINE STABILIZATION

SEC. 101. AVIATION DISASTER RELIEF.

(a) In General.—Notwithstanding any other provision of law, the President shall take the following actions to compensate air carriers for losses incurred by the air carriers as a result of the terrorist attacks on the United States that occurred on September 11, 2001:

(1) Subject to such terms and conditions as the President deems necessary, issue Federal credit instruments to air carriers that do not, in the aggregate, exceed $10,000,000,000 and provide the subsidy amounts necessary for such instruments in accordance with the provisions of the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

(2) Compensate air carriers in an aggregate amount equal to $5,000,000,000 for:

(A) direct losses incurred beginning on September 11, 2001, by air carriers as a result of any Federal ground stop order issued by the Secretary of Transportation or any subsequent order which continues or renews such a stoppage; and

(B) the incremental losses incurred beginning September 11, 2001, and ending December 31, 2001, by air carriers as a direct result of such attacks.

(b) EMERGENCY DESIGNATION.—Congress designates the amount of new budget authority and outlays in all fiscal years resulting from this title as an emergency requirement pursuant to section 101(a)(1) of the Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(e)). Such amount shall be available only to the extent that a request, that includes designation of such amount as an emergency requirement as defined in such Act, is transmitted by the President to Congress.

SEC. 102. AIR TRANSPORTATION STABILIZATION BOARD.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) BOARD.—The term “Board” means the Air Transportation Stabilization Board established under subsection (b).

(2) FINANCIAL OBLIGATION.—The term “financial obligation” means any note, bond, debenture, or other obligation issued by an obligor in connection with financing under this section and section 101(a)(1).

(3) LENDER.—The term “lender” means any non-Federal institutional buyer (as defined by section 230.144(a) of title 17, Code of Federal Regulations (or any successor regulation) known as Rule 144(a) of the Securities and Exchange Commission) and issued under the Security Act of 1933, including—

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(A) a qualified retirement plan (as defined in section 497(c) of the Internal Revenue Code of 1986 (26 U.S.C. 497(c))) that is a qualified institutional buyer; and

(B) a governmental plan (as defined in section 414(d) of the Internal Revenue Code of 1986 (26 U.S.C. 414(d)) that is a qualified institutional buyer.

(4) OBLIGOR.—The term “obligor” means a party primarily liable for payment of the principal of or interest on a Federal credit instrument, which party may be a corporation, partnership, joint venture, trust, or governmental entity, agency, or instrumentality.

(b) AIR TRANSPORTATION STABILIZATION BOARD.

(1) ESTABLISHMENT.—There is established a board (to be known as the “Air Transportation Stabilization Board”) to review and decide on applications for Federal credit instruments under section 101(a)(1).

(2) COMPOSITION.—The Board shall consist of—

(A) the Secretary of Transportation or the designee of the Secretary;

(B) the Chairman of the Board of Governors of the Federal Reserve System, or the designee of the Chairman, who shall be the Chair of the Board;

(C) the Secretary of the Treasury or the designee of the Secretary; and

(D) the Comptroller General of the United States, or the designee of the Comptroller General, as a nonvoting member of the Board.

(c) FEDERAL CREDIT INSTRUMENTS.—

(1) In General.—The Board may enter into agreements with 1 or more obligors to issue Federal credit instruments under section 101(a)(1) if the Board determines, in its discretion, that—

(A) the obligor is an air carrier for which credit is not reasonably available at the time of the transaction;

(B) the intended obligation by the obligor is prudently incurred; and

(C) such agreement is a necessary part of maintaining a safe, efficient, and viable commercial aviation system in the United States.

(2) TERMS AND LIMITATIONS.—

(A) FORMS; TERMS AND CONDITIONS.—A Federal credit instrument shall be issued under section 101(a)(1) only if such terms and conditions contain such covenants, representations, warranties, and requirements (including requirements for audits) as the Board determines appropriate.

(B) PROCEDURES.—Not later than 14 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall issue regulations setting forth procedures for application and minimum requirements, which may be supplemented by the Board in its discretion, for the issuance of Federal credit instruments under section 101(a)(1).

(d) FINANCIAL PROTECTION OF GOVERNMENT.—

(1) IN GENERAL.—To the extent feasible and practicable, the Board shall ensure that the Government is compensated for the risk assumed in making guarantees under this title.

(2) GUARANTEES AND COLLATERAL.—

(a) To the extent to which any participating corporation accepts financial assistance, in an amount which includes compensation pay or other benefits upon termination or its security holders through the use of such instruments as warrants, stock options, convertible preferred stock, or other appropriate equity instruments.

(3) DEPOSIT IN TREASURY.—All amounts collected by the Secretary of the Treasury under this subsection shall be deposited in the Treasury as miscellaneous receipts.

SEC. 103. SPECIAL RULES FOR COMPENSATION.

(a) DOCUMENTATION.—Subject to subsection (b), the amount of compensation payable to an air carrier under section 101(a)(2) may not exceed the amount of losses described in section 101(a)(2) that the air carrier demonstrates to the satisfaction of the President, using sworn financial statements or other appropriate data, that the air carrier incurred. The Secretary of Transportation and the Comptroller General of the United States may audit such statements and may request any information that the Secretary and the Comptroller General deems necessary to conduct such audit.

(b) MAXIMUM AMOUNT OF COMPENSATION PAYABLE PER AIR CARRIER.—The maximum total amount of compensation payable to an air carrier under section 101(a)(2) may not exceed the lesser of—

(1) the amount of such air carrier’s direct and incremental losses described in section 101(a)(2); or

(2) in the case of—

(A) flights involving passenger-only or cargo-only passenger and cargo transportation, the product of—

(i) $4,500,000,000; and

(ii) the ratio of—

(II) the total revenue ton miles of the air carrier for the month of August 2001 as reported to the Secretary; to

(II) the total available seat miles of all such air carriers for such month as reported to the Secretary; and

(B) flights involving cargo-only transportation, the product of—

(i) $500,000,000; and

(ii) the ratio of—

(I) the revenue ton miles or other auditable measure of the air carrier for the latest quarter for which data is available as reported to the Secretary; to

(II) the total revenue ton miles or other auditable measure of all such air carriers for such quarter as reported to the Secretary.

(c) PAYMENTS.—The President may provide compensation to air carriers under section 101(a)(2) in 1 or more payments up to the amount authorized by this title.

SEC. 104. LIMITATION ON CERTAIN EMPLOYEE COMPENSATION.

(a) IN GENERAL.—The President may only issue a Federal credit instrument under section 101(a)(1) to an air carrier after the air carrier enters into a legally binding agreement with the President that, during the 2-year period beginning September 11, 2001, and ending September 11, 2003, no officer or employee of the air carrier whose total compensation exceeded $300,000 in calendar year 2000 (other than an employee whose compensation is determined through an existing collective bargaining agreement) may receive from the air carrier a compensation pay or other benefits upon termination or separation pay or other benefits upon termination.
of employment with the air carrier which exceeds twice the maximum total compensation received by or on behalf of the employee from the air carrier in calendar year 2000.

(b) **TOTAL COMPENSATION DEFINED.**—In this section, the term "total compensation" includes salary, bonuses, awards of stock, and other financial benefits provided by an air carrier to an officer or employee of the air carrier.

**SECTION 105. CONTINUATION OF CERTAIN AIR SERVICE.**

(a) **ACTION OF SECRETARY.**—The Secretary of Transportation shall take appropriate action to ensure that all communities that had scheduled air service before September 11, 2001, continue to receive adequate air transportation service and that essential air service to small communities continues without interruption.

(b) **ESSENTIAL AIR SERVICE.**—There is authorized to be appropriated to the Secretary to carry out the essential air service program under subchapter II of chapter 417 of title 49, United States Code, $120,000,000 for fiscal year 2002.

(c) **SECRETARIAL OVERSIGHT.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of this title, the Secretary is authorized to require an air carrier receiving direct financial assistance under this Act to maintain scheduled air service to any point served by that carrier before September 11, 2001.

(2) **AGREEMENTS.**—In applying paragraph (1), the Secretary may require air carriers receiving direct financial assistance under this Act to enter into agreements which will ensure, to the maximum extent practicable, that all communities that had scheduled air service before September 11, 2001, continue to receive adequate air transportation service.

**SECTION 106. REPORTS.**

(a) **REPORT.**—Not later than February 1, 2002, the President shall transmit to the Committee on Appropriations, and the Committee on Commerce, Science, and Transportation, the President's recommendation, to the House of Representatives and the Committee on Transportation and Infrastructure, with respect to the amount of—

(A) **EXPENSES.**—The amounts of any expenses incurred by the President, the Secretary, and the Secretary of the Treasury in carrying out the provisions of this title.

(B) **PAYMENTS TO AIR CARRIERS.**—The amounts of any payments to, or on behalf of, an air carrier under this title.

(C) **PAYMENTS TO AIR CARRIERS FOR LOSS.**—The amounts of any payments to an air carrier under this title for losses suffered by the air carrier as a result of any act of terrorism committed on or to an air carrier during the period beginning September 4, 2001, and ending September 10, 2001, as the Secretary may determine. Such reimbursement is subject to subsections (a)(2), (c), and (d) of this section and to any other provision of law.

(b) **UPDATE.—**Not later than the last day of fiscal year 2002, the President shall transmit to the Committee on Appropriations, and the Committee on Commerce, Science, and Transportation, a report describing—

(1) **IN GENERAL.**—The amounts of any expenses incurred by the President, the Secretary, and the Secretary of the Treasury in carrying out the provisions of this title.

(2) **PAYMENTS TO AIR CARRIERS.**—The amounts of any payments to, or on behalf of, an air carrier under this title.

(3) **PAYMENTS TO AIR CARRIERS FOR LOSS.**—The amounts of any payments to an air carrier under this title for losses suffered by the air carrier as a result of any act of terrorism committed on or to an air carrier during the period beginning September 4, 2001, and ending September 10, 2001, as the Secretary may determine.

**SECTION 107. DEFINITIONS.**

In this title, the following definitions apply:

(A) **AIR CARRIER.**—The term "air carrier" means any air carrier as defined under section 40102 of title 49, United States Code.

(B) **FEDERAL CREDIT INSTRUMENT.**—The term "Federal credit instrument" means any guarantee or other pledge by the Board of Directors of the Federal Aviation Administration of the United States for an amount that the Board guarantees or pledges to pay all or any part of any of the principal of and interest on a loan or other debt obligation issued by an obligor and funded by a lender.

(C) **BANKRUPTCY.**—The term "bankruptcy" means an order entered by a court for the liquidation, reorganization, or arrangement of an entity for the benefit of creditors.

(D) **INCREASED LOSS.**—The term "increased loss" does not include any loss that the President determines would have been incurred if the terrorist attacks on the United States had occurred on September 11, 2001, had not occurred.

**TITLE II—AVIATION INSURANCE**

**SECTION 201. DOMESTIC INSURANCE AND REINSURANCE OF INSURANCE COSTS.**

(a) **IN GENERAL.**—Section 44302 of title 49, United States Code, is amended—

(1) in subsection (a)(1)—

(A) by striking "section (b)" and inserting "sections (b), (c), and (d)";

(B) by striking "foreign-flag aircraft" and all that follows through the period at the end of subparagraph (B) and inserting "foreign aircraft";

(2) by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), respectively;

(3) by inserting after subsection (a) the following:

"(b) REIMBURSEMENT OF INSURANCE COST INCREASES."

(1) **IN GENERAL.**—The Secretary may reimburse an air carrier for the increase in the cost of insurance, with respect to a premium for coverage ending before October 1, 2002, against loss or damage arising out of any risk from the operation of an American aircraft over the insurance premium that was in effect for a comparable operation during the period beginning September 4, 2001, and ending September 10, 2001, as the Secretary may determine. Such reimbursement is subject to subsections (a)(2), (c), and (d) of this section and to any other provision of law.

"(2) PAYMENT FROM REVOLVING FUND.—A reimbursement under this subsection shall be paid from the revolving fund established by section 44307.

"(3) FURTHER CONDITIONS.**—The Secretary may impose such further conditions on insurance for which the increase in premium is subject to reimbursement under this subsection as the Secretary may deem appropriate in the interest of air commerce.

"(4) TERMINATION OF AUTHORITY.**—The authority to reimburse air carriers under this section shall expire 180 days after the date of enactment of this paragraph.

"(d) **INCREMENTAL LOSS.**—The term "incremental loss" means—

(1) **IN GENERAL.**—The amount by which the cost of one policy is less than the cost of another policy.

(2) **AGREEMENTS.—**In applying paragraph (1), the Secretary may require insurance carriers receiving direct financial assistance under this Act to enter into agreements which will ensure, to the maximum extent practicable, that all communities that had scheduled air service before September 11, 2001, continue to receive adequate air transportation service.

**SECTION 202. EXTENSION OF PROVISIONS TO VENDORS, AGENTS, AND SUBCONTRACTORS OF AIR CARRIERS.**

Notwithstanding any other provision of this title, the Secretary may extend any provision of chapter 443 of title 49, United States Code, as amended by this title, and the provisions of this title, to vendors, agents, and subcontractors of air carriers. For the 180-day period beginning on the date of enactment of this Act, the Secretary may extend or amend any such provisions so as to ensure that the entities referred to in the preceding sentence are not responsible in cases of acts of terrorism for losses suffered by third parties that exceed the amount of such entities' liability coverage, as determined by the Secretary.

**TITLE III—TAX PROVISIONS**

**SECTION 301. EXTENSION OF DUE DATE FOR EXCISE TAX DEPOSIT TO PAYMENT OF LOSS COMPENSATION.**

(a) **EXTENSION OF DUE DATE FOR EXCISE TAX DEPOSITS.**

(1) **IN GENERAL.**—In the case of an eligible air carrier, any airline-related deposit required under section 6302 of the Internal Revenue Code of 1986 to be made after September 10, 2001, and before November 15, 2001, shall be treated for purposes of such Code as timely made if such deposit is made on or before November 15, 2001, if the Secretary of the Treasury so prescribes, the preceding sentence shall be applied by substituting for "November 15, 2001" each place it appears—

(A) "January 15, 2002", or

(B) "February 15, 2002", or

(2) **ELIGIBLE AIR CARRIER.**—For purposes of this subsection, the term "eligible air carrier" means any air carrier as defined by subsection (c) of section 33 of such Code (relating to air transportation and facilities) engaged in the trade or business of transporting (for hire) persons by air if such transportation is available to the general public.

(3) **AIRLINE-RELATED DEPOSIT.**—For purposes of this subsection, the term "airline-related deposit" means any deposit imposed by subsection (c) of section 33 of such Code (relating to transportation by air), and

(B) taxes imposed by chapters 21, 22, and 24 with respect to employees engaged in a trade or business referred to in paragraph (2).
TITLe IV—Victim Compensation

SEC. 401. SHORT TITLE. This title may be cited as the “September 11th Victim Compensation Fund of 2001”.

SEC. 402. DEFINITIONS. In this title, the following definitions apply:

(1) Air carrier.—The term “air carrier” means a citizen of the United States undertaking by any means, directly or indirectly, to provide air transportation and includes employees and agents of such citizen.

(2) Air transportation.—The term “air transportation” means foreign air transportation, interstate air transportation, or the transportation of mail by aircraft.

(3) Claimant.—The term “claimant” means an individual filing a claim for compensation under this title.

(4) Collateral source.—The term “collateral source” means all collateral sources, including life insurance, pension funds, death benefit programs, and payments by Federal, State, or local governments related to the terrorist-related aircraft crashes of September 11, 2001.

(5) Economic loss.—The term “economic loss” means any pecuniary loss resulting from harm (including the loss of earnings or other benefits related to employment, medical expenses, and replacement services lost), loss due to death, burial costs, and loss of business or employment opportunities to the extent recovery for such loss is allowed under applicable State law.

(6) Eligible individual.—The term “eligible individual” means an individual determined to be eligible for compensation under section 404(c).

(7) Noneconomic losses.—The term “noneconomic losses” means losses for physical and emotional pain, suffering, inconvenience, physical disfigurement, mental anguish, disfigurement, loss of enjoyment of life, loss of society and companionship, loss of consortium (other than loss of domestic service), hedonic loss, and/or reputation, and all other nonpecuniary losses of any kind or nature.

(8) Special master.—The term “Special Master” means the Special Master appointed under section 404(a).

SEC. 403. PURPOSE. It is the purpose of this title to provide a mechanism for the fair and prompt determination of claims for compensation to any individual (or relatives of a deceased individual) who was physically injured or killed as a result of the terrorist-related aircraft crashes of September 11, 2001.

SEC. 404. ADMINISTRATION. (a) In General.—The Attorney General, acting through a Special Master appointed by the Attorney General, shall—

(1) administer the compensation program established under this title;

(2) promulgate all procedural and substantive rules for the administration of this title; and

(3) employ and supervise hearing officers and other administrative personnel to perform the duties of the Special Master under this title.

(b) Authorization of Appropriations.—There are authorized to be appropriated such sums as may be necessary to pay the administrative and support costs for the Special Master in carrying out this title.

SEC. 405. Determination of Eligibility for Compensation. (a) Filing of Claim. (1) In General.—A claimant may file a claim for compensation under this title with the Special Master. The claim shall be on the form developed under paragraph (2) and shall state the factual basis for eligibility for compensation and the amount of compensation sought.

(2) Claim Form.—(A) In General.—The Special Master shall develop a claim form that claimants shall use when submitting claims under paragraphs (1) and (8) of section 407.

(B) The Special Master shall ensure that such form can be filed electronically, if determined to be practicable.

(C) The Special Master shall complete a review, make a determination, and provide written notice to the claimant, the facts of the claim, and the amount of compensation due a claimant based on the Special Master's findings.

(3) Determination.—Not later than 120 days after that date on which a claim is filed under subsection (a), the Special Master shall complete a review, make a determination, and provide written notice to the claimant, with respect to the matters that were the subject of the review. Such a determination shall be final and not subject to judicial review.

(4) Rights of Claimant.—A claimant in a review under paragraph (3) shall—

(A) the right to be represented by an attorney;

(B) the right to present evidence, including the presentation of witnesses and documents; and

(C) any other due process rights determined appropriate by the Special Master.

(b) Payment Authority.—The Special Master may not include amounts for punitive damages in any compensation paid under a claim under this title.

(c) Collateral Compensation.—The Special Master shall reduce the amount of compensation determined under paragraph (1)(B)(ii) by the amount of the collateral source compensation the claimant has received or is entitled to receive as a result of the terrorist-related aircraft crashes of September 11, 2001.

(d) Eligibility.—(1) In General.—A claimant shall be determined to be an eligible individual for purposes of this subsection if the Special Master determines that such claimant—

(A) is an individual described in paragraph (2); and

(B) meets the requirements of paragraph (3).

(2) Individuals.—A claimant is an individual described in this paragraph if the claimant is—

(A) an individual who was present at the World Trade Center, (New York, New York), the Pentagon (Arlington, Virginia), or the site of the aircraft crash at Shanksville, Pennsylvania at the time, or in the immediate aftermath, of the terrorist-related aircraft crashes of September 11, 2001; and

(B) an individual who was a member of the flight crew or a passenger on American Airlines flight 11 or 77 or United Airlines flight 93, except that an individual identified by the Attorney General to have been a participant or conspirator in the terrorist-related aircraft crashes of September 11, 2001, or convicted of or related to an individual shall not be eligible to receive compensation under this title; or

(C) in the case of a decedent who is an individual described in subparagraph (A) or (B), the personal representative of the decedent who files a claim on behalf of the decedent.

(d) Requirements.—(A) Single Claim.—Not more than one claim may be submitted under this title by an individual or on behalf of a deceased individual.

(B) Limitation on Civil Action.—(1) In General.—Upon the submission of a claim under this title, the claimant waives the right to file a civil action (or to be a party to an action) in any Federal or State court for damages sustained as a result of the terrorist-related aircraft crashes of September 11, 2001.

(2) Requirements.—(A) Single Claim.—Not more than one claim may be submitted under this title by an individual or on behalf of a deceased individual.

(b) Payment Authority.—The title constitutes budget authority in advance of appropriations Acts and authorizes the Federal Government to provide for the payment of amounts for compensation under this title.

(c) Additional Funding.—(1) In General.—The Attorney General is authorized to accept such amounts as may be contributed by individuals, business concerns, or other entities to carry out such title, under such terms and conditions as the Attorney General may impose.
(2) Use of separate account.—In making payments under this section, amounts contained in any account containing funds provided under paragraph (1) shall be used prior to using appropriated amounts.

SEC. 407. REGULATIONS.
Not later than 120 days after the date of enactment of this Act, the Attorney General, in consultation with the Special Master, shall promulgate regulations to carry out this title, including regulations with respect to—

(1) forms to be used in submitting claims under this title;

(2) the information to be included in such forms;

(3) procedures for hearing and the presentation of evidence;

(4) procedures to assist an individual in filing and pursuing claims under this title; and

(5) other matters determined appropriate by the Attorney General.

SEC. 408. LIMITATION ON AIR CARRIER LIABILITY.
(a) In general.—Notwithstanding any other provision of law, liability for all claims for compensatory or punitive damages, arising from the terrorist-related aircraft crashes of September 11, 2001, against any air carrier shall not exceed an amount greater than the limits of the liability coverage maintained by the air carrier.

(b) FEDERAL CAUSE OF ACTION.—

(1) AVAILABILITY OF ACTION.—There shall exist a Federal cause of action for damages arising out of the hijacking and subsequent crashes of American Airlines flights 11 and 77, and United Airlines flights 93 and 175, on September 11, 2001.

(b) EXCLUSION.—Nothing in this section shall in any way limit any liability of any person or circumstance is excluded under paragraph (1) shall be used prior to—

(a) any amendment made by this Act; and

(b) any amendment made by this Act; and

(c) any amendment made by this Act.

The United States shall have original and exclusive jurisdiction over all claims for compensatory or punitive damages, arising from the terrorist-related aircraft crashes of September 11, 2001. Notwithstanding section 40120(c) of title 49, United States Code, this cause of action shall be the exclusive remedy for damages arising out of the hijacking and subsequent crashes of such flights.

(2) SUBSTANTIVE LAW.—The substantive law for decision in any such suit shall be derived from the law, including choice of law principles, of the State in which the crash occurred unless such law is inconsistent with or preempted by Federal law.

(3) JURISDICTION.—The United States District Court for the Southern District of New York shall have original and exclusive jurisdiction over all actions brought for any claim arising out of the crash for injury (including death), personal injury, or property loss or damage resulting from or relating to the terrorist-related aircraft crashes of September 11, 2001.

(c) EXCLUSION.—Nothing in this section shall in any way limit any liability of any person who is a knowing participant in any conspiracy to hijack any aircraft or commit any terrorist act.

SEC. 409. RIGHT OF SUBROGATION.
The United States shall have the right of subrogation with respect to any claim paid by the United States under this title.

TITLE V—AIR TRANSPORTATION SAFETY
SEC. 501. INCREASED AIR TRANSPORTATION SAFETY
Congress findings the President's decision to spend $3 billion on airline safety and security in conjunction with this Act in order to restore public confidence in the airline industry.

SEC. 502. CONGRESSIONAL COMMITMENT.
Congress is committed to act expeditiously, in consultation with the Secretary of Transportation, to strengthen airport security and take further measures to enhance the security of air travel.

TITLE VI—SEPARABILITY
SEC. 601. SEPARABILITY.
If any provision of this Act (including any amendment made by this Act) or the application thereof to any person or circumstance is held invalid, the remainder of this Act (including any amendment made by this Act) and the application thereof to other persons or circumstances shall not be affected thereby.

The SPEAKER pro tempore, Pursuant to House Resolution 244, the gentleman from Alaska (Mr. Young) and the gentleman from Minnesota (Mr. Oberstar) each will control 30 minutes.

The Chair recognizes the gentleman from Alaska (Mr. Young).

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

Mr. YOUNG of Alaska. Mr. Speaker, I have listened with great interest to the debate on this legislation tonight. I commend those that brought up points that are not in this bill. But as I heard the Speaker say and the minority leader speak, this is just the beginning. I know there are those of you who want to expand this and I understand that and I would like to have had more in this bill, but I believe this is the best way we can do the job and get this problem solved tonight.

The gentleman from Minnesota (Mr. Oberstar) and I last week introduced a bill about this time on Friday night, and it was objected to, and we are here tonight.

But if we do not do this, as I said then and I will say now, this airline industry is in serious trouble. We will have an opportunity to bring up a bill on security with the gentleman from Florida (Mr. Mica) who is already working on it. That will happen next week if everything goes all right, although it is a shortened week. We will have an opportunity to think about those workers that lost those jobs. But may I remind you, as it has been said today, that if we do not do anything, there will not be any jobs to come back to.

The security issue is one that has been talked about and thought about, discussed for many, many years. And now I think we are awakened and we shall take care of that.

Mr. Speaker, I will suggest that if we do not do this legislation tonight, the workers you are trying to protect, and which I am trying to protect, will have nowhere to go. This is just the beginning of a series of packages we hope that will come to the floor. I will do everything in my jurisdiction.

May I remind my colleagues, one of the problems we had in this legislation is we had different committees that had other jurisdictional problems than we were able to work on. I kept saying, “If you don’t want us to do it, you do it.” Yet we had to step up, the gentleman from Minnesota (Mr. Oberstar) and myself and the leadership of this House, to say we are going to do this and we did that.

We also had another effect. We had the other body. Working with the other body is sometimes a very tedious process. What we have here tonight is not perfect, but it will do the job. We will have an airline industry. We will protect the workers. We will have the liability provision in it. And this money is not going to be a bailout. It is going to make sure that this airline industry survives.

Mr. Speaker, may I suggest, and I hope all Members will consider voting “yes” on this legislation for the benefit of this country.

Mr. Speaker, we bring to the floor tonight a bill that will address the threat to the continued stability and viability of our U.S. air transportation system. It is the first critical step toward addressing the financial burdens that last week’s terrorist attacks put on our transportation and related industries and their employees.

The terrorists who attacked our country last week, were trying to destroy our way of life and our economy—we will not let them do that.

They have murdered thousands of innocent people, destroyed billions of dollars in property and have dealt a terrible blow to an air transportation system that is vital to the economic health of our country.

On September 11, 2001, the FAA grounded every airplane in this country within a two-hour period. This was necessary for the safety and protection of our country and of our people.

I want to commend the FAA and the air traffic controllers for their quick response and decisive action. I also want to commend the aviation industry for their cooperation and willingness to put the safety of others first.

Unfortunately, we are not facing a serious crisis in our air transportation system. The reductions in schedules and flights have started and layoffs are being implemented.

The capital markets are not coming to the aid of most of the airlines. We are seeing the ripple effect in our economy as layoffs occur in other related industries. Our economy is at risk. National security is also at risk.

Last week, my colleague, Jim Oberstar and I introduced H.R. 2891 to keep our U.S. air transportation system viable in the short term. Unfortunately, the House did not pass the bill last Friday when it had the chance. Since that time, we have conducted a hearing to document the needs and to fine-tune the bill. The bill before us today reflects much information that has been brought to light.

Mr. Speaker, today’s bill is not the end. In the coming weeks we intend to address other issues, including aviation security and the economic impacts on other affected businesses and their employees.

H.R. 2926 authorizes the President to provide direct compensation and loan guarantees to the air carriers.

This assistance is intended as a short term, emergency response to keep the air transportation system operating for the benefit of the American people.

We will soon take further action to address the vitally important issue of aviation security.

Mr. Speaker, the bill now before us includes a congressional affirmation of the President’s authority to use the emergency supplemental appropriations. The bill’s language on using S3
Mr. GEPHARDT. Mr. Speaker, this has been a very difficult process of putting this bill together. A lot of people, I assume, out in the public are asking why are we doing this for the airlines; there are a lot of other industries that have been affected.

I urge us all to understand that airlines were affected uniquely in this tragedy. Four planes were used as missiles of mass destruction; and because of that, the government of the United States ordered 2,200 planes that were in the air at the time to get on the ground as fast as they could, wherever they were, and that happened in about two hours.

When that happened and it persisted for the days after, the heart of our economy was affected. Air transportation affects everything that we do in our society. It affects every business and every enterprise and every activity. So a dagger was put into the heart of our economy as planes were put into these buildings.

So on this, because it is a national emergency, and what we acted on last week, we have tried to act with unity and together, as we should, as we must, as people expect us to. But I keep getting asked by people in the media and the press, how long will this bipartisanship last? And the truth is, I do not know the answer.

Then, I am always happy to tell them something that I think a lot of our citizens and maybe even we tend to forget. We are here to disagree. That is what we do. We do that because we each represent a half a million people who all disagree most of the time. If we were not here, expressing their heart-felt views, democracy would not work and we would not be doing our job. Disagreement is normal and healthy in our great, vibrant democracy. If we were agreeing all the time the way we did, this bill that caps the airlines would not have been so difficult to get.

So we are learning tonight, in many ways, that bipartisanship is hard. You cannot get everything you want. You never do. I guess we have kind of gotten out of understanding what that means. It is kind of maybe the way we have operated over the long period of time. Bipartisanship means you get some things you really want and you give up some things that you really want.

Finally, let me talk to my colleagues for a moment about what has happened in this horror to our American family. Quite frankly, I do not think we were violated by what happened on September 11, it has affected all of us. The stories of the cell phone calls, the stories that New York Members told me this afternoon of talking to their constituents, calling a young man to say that you got your West Point appointment and the young man saying my father is dead and that is the one thing in his life he wanted to hear. The stories go on and on and they hurt. They make us cry and cry and they hurt. They make us stop and ask ourselves, how do I protect my family? We need to consider that and how we are going to get them trained to take other jobs if this, God forbid, persists.

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and evil, we, together with the American people, will demonstrate love and compassion and tolerance in everything that we do and say as we fight against this evil. At this time of incredible pain, we must be at our best, so that the army of terrorists and evil never, ever gains one more recruit. That is our mission, that is our responsibility, and we will prevail.

Mr. YOUNG. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. OXLEY), the chairman of the Committee on Financial Services, to engage in a colloquy.

Mr. OXLEY. Mr. Speaker, I rise to engage the gentleman from Alaska (Mr. YOUNG), the chairman of the Committee on Transportation and Infrastructure, in a colloquy.

Mr. Speaker, I would like to applaud the great work that Senator Snowe is doing in the bill to get our airlines back in the air. But I wanted to clarify that these protections are intended to limit liability to reasonable levels and not in any way allow their transfer to another deep pocket party. Is this the gentleman’s understanding?

Mr. YOUNG of Alaska. Mr. Speaker, will the gentleman yield?

Mr. OXLEY. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Speaker, that is my understanding.

Mr. OXLEY. Mr. Speaker, reclaiming my time, this bill also provides critical stopgap insurance assistance for the airlines. Is it the gentleman’s understanding that any assistance by the Secretary of Transportation is intended to be short term and focused on addressing the uncertainty about further losses from an act of terrorism or war, and that it is not intended to displace the private sector market or be a long-term general insurance program?

Mr. YOUNG of Alaska. Mr. Speaker, if the gentleman will yield further, the gentleman from Ohio is correct on both accounts.

Mr. OXLEY. Mr. Speaker, also I am concerned about the thousands of passengers who have advance-purchased airline tickets on flights that have been canceled or rescheduled as a result of the tragic events on September 11, 2001. Airline passengers must not be left stranded when flights are canceled. This is why I support the inclusion of language in this legislation that would require airlines to honor tickets issued by other airlines to the extent practicable. My support would also direct airlines to make passengers whole for the price of tickets on flights that are canceled or rescheduled.

I appreciate the gentleman’s commitment to work with me and other concerned members of Congress to address this problem with legislation, if necessary. In the meantime, I trust the Federal agencies will do everything possible to make sure that passengers get their refunds if they are entitled to or the alternative flights they need.

I thank the gentleman profusely.

Mr. YOUNG of Alaska. Mr. Speaker, if the gentleman will continue to yield, I can assure the gentleman that we will look into that. We will also contact the airlines and make sure they try to do this voluntarily. If they do not, we will make them do it in future legislation.

Mr. OBERSTAR. Mr. Speaker, I yield such time as he may consume to the gentleman from Washington (Mr. McDERMOTT).

Mr. McDERMOTT. Mr. Speaker, I rise against the bill.

Mr. Speaker, today, Congress blew an ideal opportunity to continue the bipartisan unity it had so nobly demonstrated during the past ten days. This bill could have provided critical aid to an industry whose crisis has come as swiftly as to their laid-off workers. Instead, Congress is handing airline executives golden parachutes while over 90,000 American workers—to date—are left without so much as a safety net.

Congress may have blown an opportunity but the Republicans have demonstrated their opportunistic aims. They neatly wrapped this one-sided bill in a patriotic package, enveloped not by the American flag mind you, but with the American Airlines logo. There is no question that the airlines desperately need this bailout, but why should the government shoulder the brunt of the responsibility—to resuscitate an industry that has shown its true colors—how they feel about unemployment insurance, job training, health benefits for their displaced workforce and safety. Does anyone here seriously believe that the American public will seriously consider returning to the airways when they can’t really be sure that these planes are safe or even properly maintained. There isn’t any money in this bill that ensures the future safety of our citizens. After all, isn’t that the airline’s responsibility? Congress may have blown an opportunity but the airlines because of this national crisis.

If we are going to take care of the airlines, we must also take care of the workers who are being laid off nationwide at staggering rates. These people deserve protection. They should all be immediately eligible for 100% unemployment compensation. Their health care plans should be extended for these workers and their family. If we are going to take care of the airlines, we must also take care of the workers who have been laid off by the airlines because of this national crisis.

This bill needs to mention the federalization of airline passenger security. Public confidence must be restored if the airline industry is to recover. There must be a provision that states the federal government will give immediate and full unemployment compensation to laid off workers for a full year. If the airline executives are to have their compensation protected, it should all the airline employees who have been laid off. We must act quickly and deliberately to restore the public's trust and get people back into skies.

Mr. OBERSTAR. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. LIPINSKI), the distinguished ranking member of the Subcommittee on Aviation, who has been a strong and supportive partner throughout this difficult process.

Mr. LIPINSKI. Mr. Speaker, first of all I want to thank the gentleman from Illinois (Speaker HASTERT); our leader, the gentleman from Missouri (Mr. GERHARDT); the gentleman from Alaska (Mr. YOUNG); and the ranking member, the gentleman from New York (Mr. OBERSTAR), for their leadership and cooperation in putting this legislation together. I know that they have done the best that they possibly could; but, unfortunately, I feel very strongly that I have a justice on which I have a rise in opposition to this bill.

As ranking member of the Subcommittee on Aviation, I know how
important the aviation industry is to the economy of this Nation. I do not want to see the planes stop flying. But let me tell Members, we do not have to pass this legislation tonight. The real deadline is this coming Wednesday, because Wednesday is the day when the airlines lose their insurance. So we could work on this bill Saturday, Sunday, Monday, Tuesday, and even Wednesday, to improve it and take care of many of the concerns that people have, and the planes will keep flying at least until then.

Now, the first way to improve this bill is by improving security. I do not care how much money one gives to the air carriers. I do not care how solvent one makes them. Unless we can get passengers back into those planes, they are not going to be making any money, and the more we get people back into the planes is by proving to them that the planes are safe and secure.

So what we should be doing in this legislation is passing some dramatic safety improvements. We should be passing, as making cockpit impregnable; we should be passing the federalizing of the screeners; we should be passing not only an authorization, but an appropriation to pay for 1,200 sky marshals.

Nothing will deter terrorists more than sky marshals. We also should be restricting carry-on luggage to one piece, thereby reducing by 50 percent what a screener has to watch. If we did something dramatic such as that, we would restore confidence in the minds of the American traveling public, and they would get back on these planes.

We could also take care of the 100,000 workers who have already lost their jobs in the aviation industry. We could be getting them extended unemployment, and we could be helping them health care; we could be doing retraining for them; but no, unfortunately, we are rushing this bill through tonight.

It is a shame; it is a mistake. I just hope and pray that the promises that have been made for the future in regards to safety, in regards to workers come to pass.

In closing, I would like to clear up one point that has been made in this floor on numerous occasions. It has been stated that there is a $300,000 cap on executives in the airline industry. That is totally incorrect. What it states in the bill is that anyone making over $300,000 cannot make anymore in 2001 than they made in the year 2000. So if they made $10 million, $15 million, $20 million, they can still make that amount of money in 2001 and in 2002. That only applies to people who take the low money, not people who get to direct $5 billion in cash.

So I say to all my colleagues, we have time, if we really want a bill that takes care of all Americans and not only the aircraft CEOs and the air carriers, vote against this bill. We can pass a better bill by Wednesday.

Mr. YOUNG of Alaska. Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. HAYES) for the purposes of a colloquy.

Mr. HAYES. Mr. Speaker, I rise to enter into a colloquy with the gentleman from Alaska on this bill and the future of general aviation.

Let me thank the chairman and ranking member, first of all, for the work they have done on this important piece of legislation. The country’s air carriers are not only a vital part of our transportation infrastructure, but they are of great importance to our national security. However, they are not the only part of the aviation industry that will be affected by this following last week’s horrible attacks in New York and Washington. Many of those in general aviation suffer as well. For example, some 3,500 flight schools will have lost up to $245 million in revenue by this coming Tuesday due to the continued ban on VFR training.

Mr. Speaker, while I believe it is important to address the problems facing our air carriers, does the chairman of the committee also intend to address the financial difficulties of other components of general aviation in the near future?

Mr. YOUNG of Alaska. Mr. Speaker, will the gentleman yield?

Mr. HAYES. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Speaker, I thank the gentleman from North Carolina for yielding.

General aviation is of vital importance to our Nation’s economy. In my home State of Alaska, general aviation is the only pipeline bringing supplies to those living in remote areas, and we are experiencing our small communities. We are experiencing a shortage of pilots to fly those, and a failure of the flight school industry will cause severe economic hardship to not only those in Alaska, but to those living in remote areas of the U.S. Therefore, it is my intention to present to this body by next week a bill, if possible, that will provide real economic relief to those in general aviation.

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

Mr. HAYES. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman for yielding. I share the views of the chairman. General aviation is a major sector of our economy. There are some 345,000 general aviation pilots. I have written the National Security Advisor, Condoleezza Rice, urging her to lift the restrictions on VFR flights and boundaries of Class Bravo airspace and for flight school operations anywhere in the country.

For these and many other reasons, I join the chairman and will work with him to develop a relief package for those sectors of the aviation industry subject to the provisions of this bill.

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

Mr. OBERSTAR. Mr. Speaker, I yield 30 seconds to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, I rise in support of this legislation, because I am voting “yes” for the 1.1 million workers still employed. If we do not do this tonight, that 1.1 million workers is going to be reduced accordingly. We cannot let them down. We will be back next week to do our job for those who are going to be laid off or have been laid off. With that, we will make another great step for America tonight. This can be a good vote; let us make it a positive vote. Let us walk out of this Chamber together.

Mr. Speaker, I rise in support of this legislation, but urge my colleagues to remember that this is just a part of what we must do.

It is clear that without some short-term assistance, our aviation industry will not survive the impact of last week’s disastrous attacks on our country. And as a critical part of our nation’s economy, we must act and act quickly.

I’m voting for the workers still working.

The $5 billion in direct aid is extremely important to those sectors of the aviation industry, and importantly, this is NOT a blank check.

We cannot and will not bail out the airlines for $3 billion in losses they would have sustained without the tragic events of September 11th. The safeguards are here to insure that.

Even more critical in this bill is the $10 billion dollars in loan guarantees, so airlines such as Continental—so critical to my region—can access much needed capital and establish lines of credit.

We are not only talking about the thousands and thousands of critical jobs in the aviation industry, but the very existence of New Jersey. Keeping Continental solvent will ensure the economy of New Jersey remains stable and is able to function.

Pharmaceuticals, Port Newark, small businesses such as the limousine industry—these businesses count on the airlines to do their daily business.

However, this package only took 10 days to come to the floor, and my major worry is that we are only finding a remedy to half of the problem.

This bill does nothing to address security measures, assistance for laid off employees, and health benefits for families.

I expect that we will be as vigilant on these critical issues as we were on this aid package.

In 10 days, if not sooner, I want to be back here working hard to keep the airlines afloat, and importantly, we will be back next week to do our job for those who are going to be laid off or have been laid off. With that, we will make another great step for America tonight. This can be a good vote; let us make it a positive vote. Let us walk out of this Chamber together.

Mr. Speaker, I say to all my colleagues, we need to pass a better bill by Wednesday.
Economic stability must go hand in hand with security.

I thank the leadership of the Transportation Committee for their hard work on this important matter.

We need to ensure we are back on the floor soon to deal with security measures dealing with all airports, both large and small.

We need to ensure we are back on the floor soon to provide assistance to the tens of thousands of workers out of a job, and tens of thousands of families without a source of income.

Only then can we ensure that the airlines will be on their way back to stability.

Mr. YOUNG of Alaska, Mr. Speaker, I yield such time as he may consume to the gentleman from Kansas (Mr. TIAHRT) for the purposes of a colloquy.

Mr. TIAHRT. Mr. Speaker, our Nation faces a crisis; and today we are acting with appropriate speed in dealing with that crisis. But in doing so, we want to be sure that we are dealing with the entire air transportation infrastructure. A major objective of this bill should be to mitigate job loss with the air transportation industry and, therefore, preserve the infrastructure of this crucial element of our economy.

Many sectors of the air transportation industry would be subject to economic dislocation and potential bankruptcy if they were exposed to unlimited liability for the terrorist-related aircraft crashes of September 11. This is not a problem for just the traditional air carriers. This is a problem for the entire industry. For this reason, we provided for an expanded definition of air carriers in section 402 of the bill. That would also apply to section 408.

I wish to make it clear that it is my understanding that this expanded definition encompasses air transportation elements such as aircraft manufacturers and aircraft components and parts manufacturers. Mr. Speaker, that the chairman’s understanding also?

Mr. YOUNG of Alaska, Mr. Speaker, will the gentleman yield?

Mr. TIAHRT. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska, Mr. Speaker, in response to my colleague from Kansas, I too am greatly concerned about this issue of potential unlimited liability for the air transportation industry. It is always the intent to ensure adequate liability and protection for all transport elements such as aircraft manufacturers and manufacturers of aircraft components and parts. I had hoped we could have this specifically addressed in this bill, and therefore, the definition of “air carrier” in section 402 should include those elements of air transportation.

Mr. TIAHRT. Mr. Speaker, I thank the chairman. We cannot afford to risk irreparable harm to the air transportation industry, and subsequent economic impacts and job loss, by exposing the industry to the spectre of unlimited liability for a terrorist attack.

I thank the chairman for his help in clarifying this important issue.

Mr. YOUNG of Alaska, Mr. Speaker, I yield 30 seconds to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas, Mr. Speaker, my 2 minutes has been reduced to 30 seconds, so I will turn in my remarks. Two wrongs simply do not make a right. I share Dallas/Fort Worth airport with the gentleman from Texas (Mr. Barton), and I have three other airports. I know how many people were laid off, but that will be fourfold or more if we do not support the airlines tonight. It is for that reason that I rise in support of this bill, and I have been working to make sure that we come up with the other bill to support those persons who have already lost their jobs.

Mr. Speaker, although I have some misgivings regarding what has not been included in the bill, I rise in support of H.R. 2926 and urge its passage by the House.

In the aftermath of the terrorist attacks on the World Trade Center and the Pentagon, air carriers have reported sustaining nearly $1 billion in losses as a direct result of the Federal Government’s order that flights be grounded. While service has been restored, passengers are still reluctant to fly. As a result, the airlines will certainly suffer further losses from reduced demand. On Monday, the financial markets responded predictably to this environment—the airlines lost about 40% of their market capitalization on that day alone, and Morgan Stanley wrote to the Treasury Secretary that the airline industry would not have access to private capital markets unless the Federal Government intervened.

H.R. 2926 is the intervention that the airlines need to stabilize their financial situation and to help them weather this crisis. Unless we act to pass H.R. 2926, some carriers face the very real possibility of bankruptcy. We cannot let that happen. This industry is an indispensable sector of the American economy, touching upon 10% of our gross domestic product. Without aviation, other important sectors such as aircraft manufacturing, hospitality, tourism, and countless others cannot function efficiently.

We already see a glimpse here in the Washington, DC metropolitan area where bankruptcies in the airline industry will affect businesses and communities. Washington National Airport has still not been given clearance to resume operations. As a result, the airport and other businesses dependent on passenger flows have laid off thousands of workers, and small businesses like restaurants and newsstands who cater to passengers are idle and too.

The Department of Transportation also warns that this area is critical to our economy because of the overwhelming number of passenger flights that pass through this area. We must act to pass H.R. 2926 to prevent this situation from being replicated in communities across the country. Despite the tax rebates, which my Democratic colleagues devised and which I supported, the nation is in a recession. We need action to help the airlines.

If we do not act to stabilize our airlines, we risk plunging the country into a full-scale depression and massive unemployment.

Indeed, I am most concerned about the individuals who work in the airline industry and their families. They include the 140,000 employees of American Airlines, whose headquarters and major hub operations are located at DFW International Airport in my district. I am also concerned about the 40,000 people who work at the airport and whose jobs depend on America’s survival. Two days ago, American announced that they would lay off 20,000 of their workers, and I know what kind of hardship that must be going through.

I have heard some of my colleagues object to this bill because it does not contain language to provide relief to displaced workers. I too want to ensure that workers have enough money to pay their rent and mortgages, to buy food and clothes for their kids, and to keep their health benefits while they are unemployed. I understand that Majority Leader DASCHLE has promised to call up legislation regarding displaced airline workers in the Senate next week, and I intend to make sure that this legislation also passes the House. I also intend to work with my colleagues on legislation to restore the public’s confidence in airport and aircraft security because airlines’ long-term survival depends on their having paying passengers.

In the meantime, we must deal with the impending crisis. The employees of American and DFW Airport have flooded my phone lines in my district office with a loud and clear message—Congress’ number 1 priority in this area is to pass legislation to help American Airlines ride out this storm. They, in their collective wisdom, know what’s at stake. We have some time and leeway to help displaced workers, but unless we act now to help the airlines avert bankruptcy, they might not have jobs to return to.

Mr. YOUNG of Alaska, Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. MICA), who is conducting hearings as of today and will have a bill on security, as I assured everybody like the gentleman from Minnesota, who is an outstanding subcommittee Chairman.

Mr. MICA. Mr. Speaker, this is an extraordinary piece of legislation, and it is an extraordinary piece of legislation for an extraordinary time. Never before in the history of American aviation have we faced such a disaster as we now face. We cannot wait. We lost over 100,000 jobs since Tuesday, September 11. By next week, we will lose that many jobs again. This disaster is having a ripple effect across this Nation.

There is not a community across this country that has not been touched by the devastation. If we do not act tonight and take this first step in trying to put our economy and our transportation system together, I am telling my colleagues that the results will be disastrous.

Everything is not in this bill. The bill is not like the gentleman from Alaska would like to have it, it is not like this body from Minnesota (Mr. OBERSTAR) would like to have it; but the minority leader came before us and pleaded so eloquently, pass this
legislation. The other body passed it with one dissenting vote.

So I plead with my colleagues: America is waiting. The people that we care about, the people who have come to us about tonight, we are going to take care of tonight, we are going to take care of Monday night, next week, next month; and we will be here next year because the people elected us here to do this job. So I plead with my colleagues. I beg my colleagues, do not delay. We cannot afford it. The Nation cannot afford it.

Mr. OBERSTAR. Mr. Speaker, I am happy to yield 30 seconds to the gentlewoman from Nevada (Ms. BERKLEY). Ms. BERKLEY, Mr. Speaker, before September 11, Las Vegas had one of the strongest economies in the country. Now it is among the worst, and thousands of people are being laid off and losing their jobs. In Nevada, our economy, our jobs, our families, rely on the tourism industry. People in my district know that if the airplanes are not flying and people are not coming to Las Vegas, there is not going to be a Las Vegas.

Last year, 38 million people came to southern Nevada; approximately 46 percent arrived by air. Tourism is the lifeblood of my district, and the airline industry is a lifeline to my district. I know this is not a perfect bill; but, Mr. Speaker, this is an emergency. I need to protect the jobs in my district and the people in my district. I strongly urge all of my colleagues to vote for this bill.

Mr. Speaker, when I went home this weekend, I spoke to the people who live and work in my district. They are very worried about what has happened to our country, and they are very worried about what is going to happen to Las Vegas.

Before September 11th, Las Vegas had one of the strongest economies in the country. Now, it is among the worst and thousands of people are being laid off and may be losing their jobs.

Our economy, our businesses, our jobs, our families rely on the tourism industry. People in my district know that if airplanes are not flying and people are not coming to Las Vegas, there won't be a Las Vegas.

Last year, 38 million people came to Southern Nevada—approximately 46 percent arrived by air. Tourism is the lifeblood of my district. The airlines are a lifeline to my district.

Last week, 240 conventions were canceled. The city's hotel occupancy rates have fallen from 100 percent to approximately 40 percent and the hotels are losing millions of dollars every day. Without the airlines flying visitors to Las Vegas, Las Vegas is a ghost town.

I know that this is not a perfect bill. We still need to immediately improve safety in the air, help the airline workers who have lost their jobs and provide incentives to get people flying again.

But, Mr. Speaker, this is an emergency. I need to protect jobs in my district. I must protect the people in my district. I strongly urge all of my colleagues to vote for this bill.

Mr. YOUNG of Alaska. Mr. Speaker, I yield 2 minutes to the gentlewoman from Washington (Ms. DUNN), who has been deeply affected by this act of terrorism.

Ms. DUNN. Mr. Speaker, I thank the gentleman for yielding time.

There is no question that the Government's decision to ground aircraft on September 11 was brilliant. It was the correct choice. The quick actions of the President, the Secretary of Transportation saved countless lives.

When the President spoke in this Chamber last night he said, "We will come together to take active steps that strengthen America's economy and put our people back to work." He was talking about the airline industry and all our Nation's workers who are affected by this crisis.

But I am particularly concerned about how the impending Boeing layoffs affect the 25,000 Boeing employees I represent here on the floor of the House tonight.

Mr. Speaker, as the Speaker has said, we will address the various needs of our workers in next year's legislation. The first step toward addressing the stability of our economy is to stabilize the airline industry. It is critical that Congress act now, tonight, to ensure the solvency of our Nation's airlines, because doing so will protect the livelihoods of every American who relies on a vibrant air transport system.

Mr. Speaker, I hold accountable, and believe that the leaders will bring the other bill about the workers next week. The first step toward addressing the stability of our economy is to stabilize the airline industry. It is critical that Congress act now, tonight, to ensure the solvency of our Nation's airlines, because doing so will protect the livelihoods of every American who relies on a vibrant air transport system. We must promptly address their economic catastrophe next week, and also provide assistance to those who are facing job loss because of their association with the aviation industry. I challenge our leaders who brought forth this legislation tonight, to bring similar legislation to help our workers next week.

Please, let us act promptly and approve this very important and necessary legislation.

Mr. YOUNG of Alaska. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BARTON).

Mr. BARTON of Texas. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, my office has been besieged by literally thousands of phone calls from workers at DFW and to me. They have not identified themselves as Republicans or Democrats or union members or nonunion members, and in almost every case, they said, I am a flight attendant, I am a baggage-check-in person, I am a maintenance worker, and I need help.

This is the chance for us to help. This is not a perfect bill, but it is excellent, an excellent first start. All these people that have been calling my congressional office, and D-F-W is 10 miles from my office, they are not asking about an unemployment package or a liability package. Do Members know what they are asking about? “Help protect my job,” J-O-B. That is the best employment package we can give to the workers. As has already been pointed out, we have laid off over 100,000 airline workers in the last week. We know how inconvenient we are as a Congress because Reagan National is closed. What happens if things are closed at O'Hare, closes. O'Hare closes, Boston closes, LaGuardia closes? There is the very real possibility, if we do not pass this
package tonight, in the next month we may see some of that start to happen. I would beg every Member of this body, let us do what the other body has done: Let us pass this with almost no ‘no’ votes, or perhaps even 433 to zero. Let us help the airline industry now so they can help the economy and keep these jobs growing, and keep our economy growing. I would urge a yes vote on this bill.

Mr. OBERSTAR. Mr. Speaker, I yield 30 seconds to the distinguished gentleman from Maryland (Mr. CUMMINGS), a member of our committee.

Mr. CUMMINGS. Mr. Speaker, we have heard a plea for help from our airlines, and provided an immediate response to ensure that a key component of our economy, the airline industry, remains intact.

But I have also heard pleas for help from the many people and businesses that are critical to the efficient functioning of the aviation system: skycaps, cabbies, and the employees of airlines, the variety of shops found in airports. Thousands of hard-working Americans have taken pay cuts or have lost their jobs but still have bills to pay.

Mr. Speaker, I urge Members, we have heard the airlines and we have quickly responded. I only urge us to hear the pleas of individual Americans and respond to them, also.

Mr. YOUNG of Alaska. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. Mr. Speaker, I rise in strong support of this bill. Make no mistake about it, it is not perfect, but it is a fair compromise worked out by the efforts of both sides.

A week ago today, late at night, in the wee hours of the morning, I argued that it was essential that we get our airlines back in the air, and that we as Americans, the terrorists who launched their vicious attack against America seek not just to destroy buildings, but to destroy our economy.

The airline industry comprises 10 percent of our gross domestic product. We in Congress and the American people must not let those terrorists destroy our economy, or the lives and jobs of the American people. Americans must resume their lives, and we must pass this bill. No additional American should lose his or her job, not an airline employee, not a tourist industry employee, not a baggage handler, no one. It is absolutely essential that we pass this bill tonight.

But tonight in this bill. This bill empowers a government board to pick winners and losers in the airline industry, and that is flat wrong. No bureaucrat should say, ‘This airline wins; that airline loses.’ How do we say to the hardworking employees of that airline, ‘We are terribly sorry, you are out of your job, but the employee of some other airline keeps his or hers’?

If an airline or its employees was injured by this outrageous attack, they should be eligible to be made whole. They should be put back in the position where they can get back into the skies and fly. And we cannot let this board, I urge Members not to allow this board to pick and choose winners, so the employees of one airline remain unemployed, the employees of another airline remain employed. It is absolutely essential, and it would be outrageous if we allowed that to happen.

This legislation must pass tonight. It is critical for the economy of this Nation. Americans need to get back aboard our airlines and resume their lives, but the board must handle its power fairly.

Mr. OBERSTAR. Mr. Speaker, I yield myself 5 seconds to express my appreciation to the gentlemen from Arizona for his calm, reasoned intervention last Friday night when we were attempting to pass the first version of this bill.

Mr. Speaker, I yield 30 seconds to the gentleman from Tennessee (Mr. CLEMENT), a distinguished member of our committee.

Mr. CLEMENT. Mr. Speaker, I rise to support this legislation, even though I have serious reservations about it. In truth, while this bill helps to stabilize the industry and assist families who have lost loved ones, it is still incomplete. Simply put, it falls short of protecting the workers who have already lost their jobs or will lose them soon.

I will give some examples. It does not provide unemployment benefits to workers who have lost their jobs, or extend health care coverage to those employees, nor does it prohibit the airline from abrogating their contracts with workers; and it mandates no job protections, or a system for rehiring those who have been furloughed, their contracts abrogated, their caps, cabbies, and the employees of air-

Mr. Speaker and fellow Members of Congress, we find ourselves at a time of crucial action. Before us is the prospect of the collapse of one of our greatest industries. As a result of the stunning acts of terrorism committed against our Nation, portions of our aviation system are on the brink of failure. We can not let that happen. We will not hand another terrorist a victory.

We do have a national emergency. Let us pass the legislation, but let us help our workers.

Mr. Speaker and fellow Members of Congress, we find ourselves at a time of crucial action. Before us is the prospect of the collapse of one of our greatest industries. As a result of the stunning acts of terrorism committed against our Nation, portions of our aviation system are on the brink of failure. We can not let that happen. We will not hand another terrorist a victory.

Our country’s airlines are too important to all sectors of the economy. They are too important to the over 1 million aviation workers. And, they are too important to our quality of life and our understanding of freedom.

We have a national emergency. Our country’s airlines are too important to all sectors of the economy. They are too important to the over 1 million aviation workers. And, they are too important to our quality of life and our understanding of freedom.

Our air transport system is the best in the world, but it now needs our help to preserve the full and continued operation of this vital airline network.

In response, I will join my colleagues in the House in enacting additional legislation to ensure these flaws are fixed. And, I will vote ‘yes’ on this bill, but only because it is the beginning of the process.

Mr. OBERSTAR. Mr. Speaker, I yield 30 seconds to the distinguished gentleman from California (Mr. HONDA), a member of our committee.

Mr. HONDA. Mr. Speaker, this is not a perfect bill, but I do take heart in the words of the gentleman from Alaska (Chairman YOUNG), those of the subcommittee chair, the gentleman from Florida (Mr. MICA), and our leadership, CONGRESSIONAL RECORD—HOUSE September 21, 2001 workers who have lost their jobs or extend health care coverage to those employees; nor does it prohibit the airlines from abrogating their contracts with workers; and, it mandates no job protections, or a system for rehiring when our airline industry recovers.

Already, I have heard from airline employees in my hometown of Nashville who have been furloughed, their contracts abrogated, and left with nothing. We cannot allow the American public and women of our Nation to languish without health benefits or severance income. In exchange for the $15 billion in grants and loans that we are providing, airlines must do everything they possibly can to assist their employees through this difficult time. Let me also say that this legislation does not address adequately the needs of our aviation security system, nor does it address the other aviation-related sectors deeply effected by this tragedy. This must be changed as well.

In response, I will join my colleagues in the House in enacting additional legislation to ensure these flaws are fixed. And, I will vote ‘yes’ on this bill, but only because it is the beginning of the process.

Mr. OBERSTAR. Mr. Speaker, I yield 30 seconds to the distinguished gentleman from California (Mr. HONDA), a member of our committee.

Mr. HONDA. Mr. Speaker, this is not a perfect bill, but I do take heart in the words of the gentleman from Alaska (Chairman YOUNG), those of the subcommittee chair, the gentleman from Florida (Mr. MICA), and our leadership,
that we will come back and address those issues.

This is not a perfect bill, but after careful consideration, I have concluded that the common good must not be jeopardized in an effort for immediate perfection. Tonight we will pass this bill. Tomorrow, we will renew our work to impose stringent new security standards and provide critical federal assistance to the many sectors and individuals left out in this bill.

Mr. Speaker, I rise today to express my reluctant support for this important and time sensitive legislation.

Just minutes after the tragic events of last week, the Department of Transportation acted swiftly to ground our Nation’s entire commercial aviation and general aviation fleet—an unprecedented action aimed at averting any additional harm to innocent Americans.

As a result of the DOT’s groundstop order and immune, the airlines are hemorrhaging, many teetering on the verge of insolvency after losing billions of dollars in just days. The dire state of the airlines led to the week’s downward spiral of the financial markets, moving our economy closer to recession.

As a member of the House Transportation and Infrastructure Committee, I quickly took up the call for expeditious congressional action to provide our ailing airline industry with a cash infusion and loan guarantees. I argued that while our airlines wait at the gate, Congress must not.

Tonight, a week and a half after terrorism struck America, Congress considers a multi-billion dollar bill to aid the industry that has been most devastated.

It is not a perfect bill. I am distressed that this bill fails to address the plight of over 100,000 airline employees who have or will soon be laid off. I am quite dismayed that this legislation provides no aid to the many related sectors that have been devastated by last week’s attacks: the travel industry, flight academies, and aviation manufacturers.

I am disappointed that this bill fails to introduce substantive security measures to ensure the integrity of our nation’s aviation infrastructure. The Nation’s airlines will continue to lose money, so long as Americans lack confidence in the security of air travel.

However, after careful consideration, I have concluded that the common good must not be jeopardized in an effort for immediate perfection. Tonight, we will pass this bill. Tomorrow, we will renew our work to impose stringent new security standards and provide critical federal assistance to the many sectors and individuals left out in H.R. 2926.

Mr. YOUNG of Alaska. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. BOEHLERT).

Mr. BOEHLERT. Mr. Speaker, yesterday’s floor speech of this Capitol Building. I was standing in the hall when the gentleman from Illinois (Speaker HASTERT) and the minority leader, the gentleman from Missouri (Mr. GEPHARDT), walked by. I applauded them. I applauded them because they are working very hard together under very difficult circumstances for this Nation. I stand in agreement with the eloquent remarks made by the gentleman from Missouri (Mr. GEPHARDT) in this well just a few minutes ago, and I applaud the efforts of my colleagues and leadership of our Speaker.

Of course, we have to be concerned with the people part of this equation. Tens of thousands of people have lost their livelihood, through no fault of their own. They need health care for their families. They need job training for new opportunities. They need extended unemployment compensation. That is going to be provided. We will not ignore their needs.

But for the task at hand, we listened as the gentleman from Alaska Chairman YOUNG) was in that chair for 7 hours to hear leaders from the business community, the labor community, the financial community, one after another, they take their turn to ask for immediate action to protect the viability of commercial aviation in America. We cannot lose a moment,” and we are responding.

Safety is a concern that we all have. The gentleman from Florida Chairman MICA) is responding. The Committee on Transportation and Infrastructure has a proud record of dealing in a forthright manner with sensitive issues.

I am proud to serve with the gentleman from Alaska Chairman YOUNG) and the gentleman from Florida Chairman MICA). But I am proudest of all to serve with the gentleman from Missouri (Mr. GEPHARDT) and the gentleman from Illinois (Mr. HASTERT) in this hour of need for America. Pass this legislation.

Mr. DeFAZIO. Mr. Speaker, I ask unanimous consent that the House extend the time for debate on each side. We have more than 30 people on this side who would like to speak, and under this rule, those Members will be limited to 30 seconds or less.

I ask unanimous consent that we extend the time on both sides of the aisle. I am sure there are people on that side of the aisle who would like to speak at more length on this important legislation. I would suggest at least an additional 15 minutes on either side of the aisle for the debate.

The SPEAKER pro tempore (Mr. THORNBERRY). Is there objection to the request of the gentleman from Oregon? Mr. YOUNG of Alaska. I object. Mr. Speaker.

The SPEAKER pro tempore. Objection is heard.

Mr. OBERSTAR. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. DeFAZIO).

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

Mr. Speaker, we do not have to act in haste tonight with legislation that will beg billions to a favored few and vague promises of future help to hundreds of thousands of others. We could work deliberately over the weekend, if we so chose, to create a shared burden and benefit.

The 100,000 workers have already lost their jobs. They have been thrown into the Street with no safety net, but they will get maybe something in the future. For the tens of thousands of people in related businesses, travel agents, car agencies, hotels, maybe we will do something in the future. Regional airlines, that fed crumble, but they will get something in the future.

Now, there are no new security provisions in this bill. That is why people are not flying. If we do not put in security provisions tonight or tomorrow or over the weekend, people are not going to come back. This says, “The money we appropriated last week, we know the President will spend some of it on future security enhancements.” That is not going to bring people back. It is not going to give them the assurances they need.

But do not worry, the CEOs will be limited to last year’s salary, $10 million, $15 million, $20 million, or $30 million.

Mr. Speaker, this is not the best we can do. We all know that. We have just been denied time for additional debate. Where are Members going tonight? It is a little late to catch a plane. Why can we not extend the debate? Why can we not stay here and work this weekend? Why can we not have a better bill? Why do the 100,000 people who have already been laid off and do not have health insurance have to wait for the week after or the week after, or maybe Thanksgiving? Why? Do not just give them empty promises. I know the airline CEOs have a crisis, but let us help the people, too.

Mr. YOUNG of Alaska. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Speaker, I thank the chairman for yielding me this time.

Mr. Speaker, I rise in strong support of the aviation assistance package. As both the representative of LaGuardia Airport and a member of the Committee on Financial Services, I understand firsthand the importance of sending a signal to the capital markets that our airlines are strong and will receive the support they need to continue to operate.

The importance of securing the financial viability of our Nation’s air carriers cannot be overstated. Additionally, this bill makes an effort to expedite compensation for those injured or lost in last week’s vicious attacks upon our city. I welcome this bill, but as a first step towards remedying a number of other problems involved with the economic problems besetting our airline industry.

There are a number of things that this bill does not do. We need to provide protections for health care and
pay for the over 90,000 airline employees who have lost their jobs in the face of the economic hardship hitting the domestic airline industry, and we all know that is going to come.

Furthermore, this Congress needs to bolster airline security. If we really want to restore consumer confidence, we need to provide increased safety to the airlines. We need to make the public feel safe when they fly.

I am not voting for this bill because I trust the airlines, and I am not voting for this bill because I trust airline executives. I am voting for this bill because I trust the American people. I know the American people will make this country strong again. My faith in their ability to rebuild our economy, if given the opportunity, is unwavering. I know this much is true. And I hope the American people show their faith by getting on an airplane to go to Disneyland, by visiting Las Vegas, by visiting our Nation's capital. But most importantly, I ask my colleagues' constituents to revisit my city, New York, in the near future.

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume to note, in the bipartisan way that we have conducted ourselves, that the gentleman from New York (Mr. CROWLEY) has never voted with me on any piece of legislation in any committee. But this is a time we work together, and I thank the gentleman for his statement.

Mr. OBERSTAR. Mr. Speaker, I yield 40 seconds to the distinguished gentleman from New York (Mr. NADLER), a member of the committee.

Mr. NADLER. Mr. Speaker, I rise in reluctant support of this legislation. We have to help the airline industry or we will face even more layoffs and economic downturn in the days ahead. But this bill does nothing to help the pilots, flight attendants, mechanics, reservists, and all other employees who make the aviation system work.

The bill contains no provisions extending unemployment benefits, health care coverage, job search assistance or any kind of relief to those who have lost their jobs as a result of the September 11 attacks. And it contains nothing about enhancing airline security, without which people will not fly the planes.

The bill is inadequate, and I am tempted to vote against it, but I fear that the defeat of this bill could result in the loss of many more jobs and negatively impact the one million employees still working in the industry. It is terrible we are forced to choose between an inadequate bill or no bill at all. But that is our choice, and so I have to exercise it. And I will vote “yes.”

Mr. OBERSTAR. Mr. Speaker, I yield 30 seconds to the gentlewoman from Ohio (Mrs. Jones).

Mrs. JONES of Ohio. Mr. Speaker, I thank the gentleman for yielding me this time. I support victims compensation. I support the airline industry. But crisis is no excuse for a stampeade. The wagons have been circled around the industry but not around the people who make it work.

Crisis is no excuse for unjust compensation for the airlines. Crisis is no excuse to deny the workers the protection they need now.

My father, a sky cap, my sister works in the airport, my niece is a flight attendant, my brother-in-law is a sky cap. I come from a family of workers for airlines. They need protection like the airlines. Let us step up to the plate, my colleagues, and protect the workers too.

As last week's tragedy continues to unfold, we, as Members of Congress are constantly challenged to find solutions to very complex issues. I believe that our American resolve and faith will enable us to work through these tough times. As a member of the Financial Services and Small Business Committees, I am compelled to speak because I realize the devastating effects this tragedy and its subsequent economic downturn has had on both our financial markets, insurance industry and small business. Companies are doing less—and in some cases no—business, workers are being laid-off and insurance claims are staggering. We must work together and hold to our resolve of building America back up. We are all doing our part to make sure this happens. We have put aside party differences and ideological wrangling and come together because we all know that, when it comes down to it, we are all one people. But we can't let this spirit of togetherness cause us to run blindly forward into actions that, while they may seem reasonable in the heat of our desperation to deal with this problem, will result in serious consequences in the long run.

That is why I am speaking out against this bill. I stand today as a supporter of congressional funding and other legislative efforts that reasonably and proportionately support the airlines, particularly, our financial markets, that are the envy of the world. With that, I wholeheartedly supported the $40 billion supplemental appropriation for military support and clean-up efforts stemming from last week's tragedy. Our concerns, sadly enough, do not end there. Our financial markets, as well, face decline and other challenges to recovery. Today, we deal with an airline industry crisis. The airline industry facing staggering losses may face bankruptcy as a result. It was reported that during our national tragedy, our airline industry lost about $330 million a day for each day that flights were grounded. No industry can recover from losses of that magnitude overnight.

I support our airline industry. I support direct aid and loan guarantees. I also support $10 billion in loan guarantees that assists large as well as small airline carriers that works to ensure the financial solvency of our airline industry and other affiliated jobs. However, I am troubled about some aspects of this bill. To stabilize the airline industry, we cannot forget workers. We cannot overlook thousands of dislocated sky caps, attendants, pilots, food service workers, maintenance workers and all of those other men and women employed in the airline service sector, who will receive absolutely nothing from this bill. We cannot simply save the plane and leave the people behind.

Second, liability protection. I cannot support a liability protection regime that is overly broad. That we have a government as well the airline and insurance companies cover liability, I could leave the government as the insurer of last resort. This aspect of the bill is too broad and overly complex.

Third negligence and damages. I am also concerned that this bill fails to consider any amounts for punitive damages and also reduces compensation if there is any collateral source compensation. While I support the stabilization of the airline industry, on one hand, I cannot remove all liability from the industry on the other.

In addition, this bill caps air carriers' liability to limits of their coverage and reduces victims' compensation against otherwise liable parties. It is paradoxical to fully support the airlines while reducing support for survivors who need to resume their lives. I cannot in good conscience support such a measure.

Lastly, security. This bill does not address the issue of increased security that must be employed by the airline industry. With a tragedy of this magnitude, we cannot sweep the issue of security under the rug. The airline industry must make operational changes in security at our nation's airports in order to thwart future terrorist activities. In conclusion, I support the stabilization of the airline industry with direct aid and loan guarantees. Our airline industry serves as a major cog of our economic engine and also.

Mr. OBERSTAR. Mr. Speaker, I yield 30 seconds to the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Speaker, the fire-fighters in New York did not panic and neither should we. Tomorrow, when the sun comes up, Americans all over this country are going to ask this question: Why in this Chamber do the big dogs always eat first?

Twenty or thirty thousand Boeing laid-off workers who build the airplanes by their sweat of their brow are going to ask: Why are we using taxpayer money to help companies with CEOs who make $35 million a year, and for the machinists, they get zero? Bipartisanship does not mean the whole thing for the corporation and not a part for the worker. Help airlines, but put the “no’s” up there to make sure we get a clean vote up there next week.

The SPEAKER pro tempore (Mr. THORNBERRY). The gentleman from Alaska (Mr. YOUNG) has 1/2 minutes remaining, and the gentleman from Minnesota (Mr. OBERSTAR) has 14 minutes remaining.

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

Mr. OBERSTAR. Mr. Speaker, I yield 30 seconds to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Speaker, we have just begun, I believe, to
comprehend the extent of our national trauma. And while we continue to grieve, we cannot let a terrorist attack bankrupt such a critical component of our economy, so we must keep the planes in the air.

But I want to remind my colleagues that we cannot stop here, and I appreciate the fact that people have expressed that tonight. We cannot stop here. What we need is a comprehensive package. We need to address airline air security, and we need to address the growing employment crisis in our country.

Please, Members, let us go to the next step and let us do it with the fervor and the passion that we have addressed this step as well.

Mr. OBERSTAR. Mr. Speaker, I yield 30 seconds to the gentleman from Texas (Mr. TURNER).

Mr. TURNER. Mr. Speaker, I want to address these remarks to the families of the victims, those who were injured on September 11.

One of the best provisions of this bill is that this Congress has provided a method whereby all those injured, the victims of those who have died, will have full recovery for their economic and noneconomic damages by the establishment of a special master. The Treasury of the United States has been opened by the Members of this Congress to ensure that every family will receive the recovery they deserve.

It is one of the best provisions of the bill, and I urge my colleagues to support it.

Mr. OBERSTAR. Mr. Speaker, I yield 30 seconds to the gentleman from California (Mr. BECERRA).

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

Mr. Speaker, the aviation industry is in need of a lifeline, and we are all trying to find it. The bill today provides $15 billion in taxpayer dollars to give a bailout, but there is no reason why this legislation should not have included the real face of the aviation industry: the pilots, the mechanics, the baggage handlers, the flight attendants, and ticket agents. The airlines could not run without them.

This package contains nothing for the industry’s reportedly 100,000 displaced or soon-to-be-laid-off workers. This $15 billion package spends nothing for the greater safety in our airlines as well.

Mr. Speaker, I want to make clear that we need to support legislation granting much-needed relief to our beleaguered airlines; but without help for workers, without real money for enhanced security, without real guarantees for air service to small communities, I cannot support this.

Mr. OBERSTAR. Mr. Speaker, I yield 30 seconds to the gentleman from New York (Mr. MEEKS).

Mr. MEEKS of New York. Mr. Speaker, I am supporting this bill. I am supporting it because of jobs.

I do not want to cut off our noses to spite our faces. If we lose this airline industry, we lose all jobs. We have to save it to save jobs, and then come back next year and see if that is what we finish the job. It is indeed an incomplete job. We must finish the job, but we must not lose it all.

My heart goes out when I look at the New York City skyline and see our twin towers. And I think if the towers were still standing, we could re- pair it and we could keep jobs in the building. But my heart is lost because there is no longer any towers on the skyline, and we have lost all of those jobs. Let us not lose any more jobs.

Mr. OBERSTAR. Mr. Speaker, I yield 40 seconds to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, this is one of the first steps that we are taking as a result of the hell that descended on America over a week ago. I think that as we take these steps, we should look very carefully at the larger picture.

Of course aviation is one of the most critical industries in our country. And I think today we are more fully appreciating everything that is related to the airlines. But I want to remind my colleagues that left out of this bill are the steps that we are going to have to take and take soon.

The planes will not stay in the air no matter how much we spend. What we put up in terms of the Federal dollar will not really do what we are seeking it to do unless we restore the confidence of the American flying public to get into these planes, as we are, and that it is safe to make, and that the workers that help put those planes in the air be taken care of as well.

Mr. OBERSTAR. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. Doggett).

Mr. DOGGETT. Mr. Speaker, our vital airline industry has asked for a hand; and we ought to give them a helping hand but not a handout. And that is what this bill does with billions of dollars of hard-earned Social Security Trust Fund monies.

While the airlines get those billions, the taxpayers do not get the protection, the workers do not get the support, and the traveling public does not get the safety that they get is an IOU. We need to commit tonight to pay that IOU as quickly as the airlines cash the billions of dollars of checks that they are being granted in a bailout here tonight.

While this is hardly last Friday’s midnight blank check to the industry that was urged, it remains grossly deficient. And even tonight the comptroller general of the General Accounting Office states that after reviewing the bill, ‘‘it must be acknowledged that adequate safeguards need to be put in place to safeguard the taxpayers’ interests.’’

We need to do that, but tonight we need to vote ‘‘no.’’

The SPEAKER pro tempore (Mr. THORNBERRY). The Chair would announce that the gentleman from Alaska (Mr. YOUNG) continues to have 9 1/2 minutes remaining, and the gentleman from Minnesota (Mr. OBERSTAR) has 12 1/2 minutes remaining.

Mr. YOUNG of Alaska. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. MICA), the chairman of the subcommittee.

Mr. MICA. Mr. Speaker, I returned to the floor really to try to eliminate some of the myths.

The previous speaker tries to couch this as a bailout to the airlines and talks about billions of dollars. Let us look at the billions. There are $5 billion for direct costs. The airlines must prove direct costs of incidence from the September 11 tragedy.

Today, $5 billion will barely replace a few number of airplanes. The gentleman does not have to worry about bailing out the airline industry, because there will be no airline industry. They will not have the insurance. They will not have the credit. They will not be in business. So we will not have 100,000 people out of work, we will have hundreds of thousands of people out of work.

The rest of the package, the $10 billion, is not a loan program, it is a loan guarantee program. They must pay back the funds. So this is not any big handout.

The language on the compensation, the limits we took from the other side, in trust, to put some limits on compensation for overpaid airline executives, we took that in good faith from the other side.

The safety issue. There is $3 billion in this legislation for safety and security. We gave the President another $90 billion, of which he has complete discretion.

Mr. Speaker, this Congress is not going to decide airline safety on Monday. They tried to do it in 1996 with a bill that is still not enacted by the administration, the previous administration.

We passed another airline security bill in the year 2000, and that is still not implemented. We have given the money and the responsibility to the administration. We have sky marshals being put in place as fast as they are being trained. We have loaner security people on planes, and the people that every possible security provision is not being instituted. That is not the truth. Do not demagogue this legislation, pass this legislation.

Mr. OBERSTAR. Mr. Speaker, I yield to the gentleman from New Jersey (Mr. MENENDEZ).

Mr. MENENDEZ. Mr. Speaker, I support this bill because without it our
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Mr. OBERSTAR. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. GEORGE MILLER). Mr. MILLER of California. Mr. Speaker, no one is suggesting that we not help those airlines who as a result incurred costs and expenses of being ordered down by the Federal Government; but this legislation goes beyond that because it reimburses them for more than that cost, and that may turn out to be true in the future, but that is not true today in terms of what has been proven up.

Mr. Speaker, it does not deal with executive compensation. It allows people to continue on while workers are being laid off, while workers are losing their health insurance and wages.

The President talked to us about shared sacrifice, and that is not what this legislation is about. It is about the few and the powerful getting their hands on the $5 billion and on the loan agreements and not providing for the workers and for the families that are devastated by the loss and tragedies that have taken place.

I think at a minimum we could have provided the coverage for these individuals. The language was ready; it was simply not agreed to. It is not about time.

We could have also made very sure that we directed the Federal agency to take over and federalize the safety of these airplanes. People are not avoiding airplanes because of the financial conditions of the airlines; they are not flying because they do not feel safe on airplanes.

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

Mr. Speaker, that cataclysmic event that occurred a week ago brought this Nation to its knees. It reminds us that it tore us asunder. We are here tonight to attempt to thread together shattered pieces of our economy, the torn hearts and spirits of our fellow citizens. In the limited way that we can, with the limited tools at our disposal, I share the frustration of many of my colleagues on this side of the aisle who wanted to reach out beyond the provisions of this bill and extend help to those workers who were laid off in the immediate aftermath of last Tuesday.

I thought we could do that and that we should do that, but there were other voices and other pressures. Since we do not have the majority, we do not dictate the course of events.

The Speaker wanted to do more, and he was magnificent in his management of the competing forces in that session that concluded at two o’clock this morning in his office when the final shape of this bill was hammered out. His willingness to work with our side to address the next day’s needs and concerns of Members went on into today and into late afternoon.

Yes, I think we should have addressed security to a greater extent than we did in this bill. There is $3 billion to be used by the Secretary of Transportation for sky marshals, for strengthening flight deck doors and for other airport security provisions; and there will be more to come.

Many on my side have said if we do not put it all in this train that is leaving the station it will never get done, but I trust the Members of this body and the leadership and the Secretary of Transportation on their word. They have given their word that we will do a broader and more inclusive security provision.

With the gentleman from Alaska (Mr. YOUNG), we are going to start on Monday in our committee crafting that broader language for broader security to carry out the work that, frankly, I think I was a member of the Presidential Commission of Aviation Security and Terrorism in 1989 and 1990.

If all we have done and recommended had gotten enacted into law and fully carried out, we still would have gaps in security. That is why I asked for a review, a blue ribbon commission, in 1995 to come back and review aviation security from top to bottom; and it took a year for that to happen in the previous administration.

That was the good thing that was called together by the President, the baseline review committee met, and I addressed them. It was July 17, a year later, 1996; and that night TWA 800 went down off Long Island, and then a year later we came back and we did not have to back up aviation security once again; and we did it again last year in our committee. We are going to do it again until we get it right.

We have a lot of provisions in this bill, but we have the provisions of those who lost their lives on the ground and the families who survived them, just as we did in the aftermath of TWA 800 and Pan Am 103, and it pains me to be on this floor once again to be addressing these matters.

We are going to provide in this bill compensation of air service for small communities that feed into the hubs. We provide $120 million for essential air service for the very smallest markets in our country. We provide assistance to our air carriers with accountability, with limitations on executive pay. In the Chrysler package of 1979, there was a proposal to cap wages of UAW workers; and the Members on this side said no, and a good many on the Republican side said no; and the Congress refused to do it.

But in this bill we put caps. We put limitations. Maybe we should have limited their pay below what they were making last year; but we did what was doable, capped their pay at what it was in the previous 2 years, so that there is some shared contribution.

I believe that we are going to move further ahead. The Speaker made a commitment tonight to the minority leader that beginning next week they will start on a comprehensive package of worker assistance. I hope it will include extended unemployment compensation in many provisions of the Trade Adjustment Assistance Act, and I will call upon the airlines of the United States to follow the example of Northwest Airlines, which voluntarily told its unemployed laidoff workers that it will continue their health insurance through the end of this year, fully paid, employer-employee portions by the airline, whatever its cost will be; and if the other airlines will do the same, there would be a greater sense of shared sacrifice. There would be greater confidence on this floor that they are doing the right thing.

I have asked the airlines to express this support for the former provisions, and they have done so in a letter, and for improved security provision that I know they have done so as well. They will stand with us next week and in the following days when we bring legislation to the House floor.

This is the best we can do, and it is the most important thing that we can do to get aviation back again moving people and goods and moving our economy. It is not just here at home. The International Air Transport Association reported earlier today that European airlines since last Friday have lost $5 billion. That is a greater percentage of loss for them than for our carriers. If we do not get American moving again, world aviation is going to collapse.

Yes, we want to do more for the workers who are laid off, but we have to do something to keep the jobs of those who are still working. There are 100,000 area trade workers in the industry; 100,000 are laid off. But that means 1.1 million are working, and this bill is to keep those jobs, to help them
stay on their feet, help them continue contributing to the national economy. That is why we are gathered around here, to do what we can in the right way, in the right time, to the extent that we can.

Mr. Speaker, I yield 1½ minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield the gentleman from Minnesota (Mr. OBERSTAR) very much for yielding me the time, and I know my colleagues are eager to leave this place, but many of us believe this is important enough that we should stay here, and I yield for 1½ minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

I frankly believe that we can have a meeting of the minds. I believe that the United States Government last week made a catastrophic decision to ground the airlines; and they were right, and so we should compensate them. The legislation also speaks to the tragedy and travesty of 6,000 dead; and I think we should compensate them as well.

But at the same time, I believe we should advocate for the sky caps and cabbies, suppliers, airline stewardesses, and pilots that may be laid off.

I want to thank the gentlewoman from Minnesota (Mr. OBERSTAR), the ranking member; and I want to thank the gentleman from Alaska (Mr. YOUNG) for working this bill through. But I need to be able to carry the message home in a very clear manner. I know the leader and the Speaker have spoken, and I would like to yield to the distinguished ranking member because he did record for us extensively where we might go in this next week.

I ask the gentleman from Minnesota, the plan for next week or moving into next week on working on ensuring that we have a plan for extended employment assistance for the ability to covenant employees that may be laid off and the commitment of the airlines respectively not to file bankruptcy, and I know there are no definitive answers, but to work with us to rebuild the airlines, thereby rebuild employment, because what we hear is that people do want their jobs.

Do we have the ability and the capacity and the commitment to do that? Mr. Speaker, the September 11, 2001 terrorist acts against America will never be forgotten. 6,333 people are missing and presumed dead, and 6,291 have been injured as a result of the terrorist attack on the World Trade Center in New York. The death toll at the Pentagon is 189 including the 64 people who died on American Airline Flight 77.

Last night, we heard from President Bush regarding the need for national and world unity as we embark upon the mission of eradicating terrorism. I am among the terrorist to swift justice. I agree with President Bush on this issue. I vote to give the President the authority to act appropriately to achieve this goal. Also, I voted to provide the $40 billion necessary to fund the rebuilding of New York City, the Pentagon and to fund the campaign to bring the perpetrators to justice.

Mr. Speaker, regarding the need for national and world unity, who died on American Airline Flight 77?

The cowardly acts of September 11, 2001, left our nation's airline industry and its workers in a precarious financial condition. Since these events, airline profits and operating funds have plummeted and the number of proposed employee layoffs increase daily. If Congress does not act quickly, first tier airlines will be forced to file for Chapter 11—bankruptcy protection within 30 to 60 days. Furthermore, it is estimated that by June 1, 2002, the industry will realize cash shortfalls of at least $10 billion.

H.R. 2926, is an appropriate and timely response by the Congress to deal with the intended and unintended consequences of these unprecedented events that I hope will never occur again on American soil. I must say that I agree with many of my colleagues in the House of Representatives regarding the necessity to act today because it is apparent to us all that the capital markets are not coming to the aid of most of the suffering airlines.

H.R. 2926 provides $5 billion in direct aid to the airlines, an amount that airlines say they would lose by the end of the month as a result of the government-ordered grounding of flights following the terrorist hijackings of four jetliners and the sharp drop in business. Also, H.R. 2926 would provide $10 billion in loan guarantees to airlines that face fewer customers, sharp increase in insurance premiums and rising costs for security. Further, H.R. 2926 creates a Victim Compensation Fund for victims of the terrorist-related attacks of September 11, 2001. A Special Master appointed by the Attorney General will administer the Fund. House Republicans and the carriers' insurance company limit. The Federal Government will provide compensation above and beyond carrier liability.

Mr. Speaker, I must express my disappointment about this legislation's failure to address the needs of the hard working airport and airline workers who will be out of work as a result of decreased air travel. This bill overlooks the Skycaps, the concession workers, cabbies and the other people who have kindly greeted us as we move through our nation's airports. These employees should not be required to wait for assistance when their mortgages and other daily obligations continue.

That is why I supported the Hastings Amendment to H.R. 2926 which will not be debated on the floor of the House of Representatives. This Amendment had allowed debate on the Hastings Amendment, airline and airport employees could have been provided timely benefits to assist in these difficult times. Those benefits would have included the extension of unemployment benefits for 26 weeks and extended unemployment insurance benefits for workers who would not otherwise qualify, extended job training benefits from 26 weeks to 78 weeks, and provides up to 78 weeks of federally subsidized COBRA premiums.

Additionally, Mr. Speaker, this legislation does not address the needs of the small businesses which are dependent on air travel. Also, Mr. Speaker, this legislation is lacking because it does not address the needs of small businesses based in the airports around the nation. I believe that it is imperative that we provide a statutorily acceptable mechanism to distribute relief funds to small businesses that have been affected outside the states that have been declared disaster areas. Primary disaster relief for small businesses comes from the Disaster Relief Assistance Program of the Small Business Administration. However, SBA cannot disburse funds without a disaster declaration by an individual state, and many affected airports are located in states geographically removed from the attack site like Texas. We must ensure that we provide fair treatment for these businesses caught in the ripple effects of the airline crisis, by working with the Mayor of Houston and the City Council to ensure that small businesses get the assistance that is needed.

Mr. Speaker, this legislation simply expresses the commitment of Congress to act expeditiously to strengthen airport security and take further measures to enhance the safety of air travel. But, I believe that we must take the next step and federalize all aspects of airport security so that the loss of consumer confidence can be restored within short order. Federalizing airport security does not mean that we discount the importance of the current airport security employees. Mr. Speaker, the aim should be to increase consumer confidence in air travel.

Mr. Speaker, H.R. 2926 clearly does not go far enough, however now is the time to begin the process of rebuilding so that we can realize increased air traffic at the Bush Intercontinental Airport, and the William Hobby P. Airport in Houston, and all of America's airports.

Finally, Mr. Speaker, I hope that the leadership of the House Representatives and Senator DASCHLE and Senator LOTT will make a firm commitment to bring employee economic assistance legislation to the floor of both Houses of Congress early next week.

Mr. OBERSTAR. Mr. Speaker, if the gentlewoman will yield, that is not a matter I control. That is an agreement between the Speaker and the minority leader. They are certainly committed to working in the direction the gentlewoman has expressed.

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

Mr. MORAN of Virginia. Mr. Speaker, as my colleagues know, I am proud to represent Washington's National Airport which tonight is completely closed except for terminal A, which has been transformed into an unemployment compensation center for the more than 10,000 people who have lost their jobs at National Airport and the more than 50,000 people in the Washington area whose jobs are dependent on National Airport. The terrorists caused the loss of more than
I am going to vote for this, but I have the confidence we are going to do something for the workers, too, who work day to day and breathe life into the aircraft and the airline industry. But we cannot have employees without employers. We have got to pass this bill. But it is not enough.

Mr. YOUNG of Alaska, Mr. Speaker, I yield myself such time as I may consume.

To the gentleman who just spoke, I happen to support reopening Reagan National Airport. He is another gentleman, by the way, that has never voted for anything I have ever wanted, and I do support opening that airport. It is the right thing to do. I want him to know that.

I would also suggest that for those who object, this committee has jurisdiction over some parts of this bill which we are bringing up tonight, but as the gentleman from Minnesota has mentioned, we do not have total jurisdiction. But I am going to do everything in my power, as well as the gentleman from Minnesota’s, to make sure that the gentleman from Missouri (Mr. GEPHARDT) and the Speaker’s commitment is followed through for the workers. But this bill tonight is so crucially important so that we can keep those jobs that remain viable and we get the airline industry back on track so they can be rehired as they have lost their jobs. And we will do that.

I would suggest one thing. I hope, and I know most of my colleagues have not read the bill; I say that sincerely because I am also a Member of this Congress.

“Documentation. Subject to subsection (b), the amount of compensation payable to an air carrier under section 402(c)(2) of the Airline Deregulation Act of 1978 shall not exceed the amount of losses described in section 101(a)(2) that the air carrier demonstrates to the satisfaction of the President, using sworn financial statements or other appropriate data, that the air carrier incurred. The Secretary of Transportation and the Comptroller General of the United States may audit such statements and may request any information that the Secretary and the Comptroller General deems necessary to conduct an audit.”

I am going to suggest that all losses must be documented and if they make false statements, they have committed a felony and it is a crime. Let us keep that in mind.

Other than that, Mr. Speaker, I would like at this time to thank the gentleman from Minnesota (Mr. OBERSTAR) for the work he has done and the leadership he has shown on that side of the aisle with tremendous criticism from some of his Members. I did not face that on this side of the aisle at all. I also would like to thank the staffs on both sides. I may not name all of them because some of the names I may not know and I will not pronounce those I do not know. But the staffs put in yesterday, last night, today, last week, Monday, Tuesday and Wednesday and they worked 48 hours sometimes, so I thank the staffs for the work they have done. It is crucially important.

We also had another player, or two players not in this body, in this bill that we are going to work with. We had the administration. It is my administration, but I can tell you sometimes they can be very, very shortsighted. We also had the other body, and they can be equally shortsighted. But we had to bring this bill together so it can become a law.

I am asking my colleagues tonight to keep in mind, this is not a bailout. This is an attempt to keep a vital part of our economy working. This is, in fact, one of the keys to the total economy of this Nation that we pass this legislation tonight. I urge my colleagues to think of this and to vote for final passage.

Mr. BORSKI, Mr. Speaker, I rise in strong support of the bill before us today. Some are asking why we need a bill specifically for the airlines, when so many other sectors of the economy need our help as well. The answer is simple—we have to.

September 11, 2001 changed everything in our world. Including the continuing stability and viability of the U.S. aviation system. The aviation industry normally constitutes 10 percent of our national gross domestic product. In my City of Philadelphia, the airline industry is a $7.4 billion economic engine. I cannot stress it enough if we do not help this industry now, today, it will not be the same viable transportation system as we know it and layoffs will be even more staggering than we are currently witnessing.

The situation the airline industry finds itself was not one of their making. Within hours of the first strike, Secretary Mineta made the difficult, yet crucial decision to ground all flights in the U.S. and divert others. It was the federal government’s correct choice to close the airlines’ doors for four days and it was this decision that also caused the industry to lose $200 million a day for each day their flights were grounded.

On the principle of fairness, it must also be the responsibility of the federal government to restore this industry’s economic solvency. To act otherwise, will be devastating to our nation, crippling our transportation infrastructure and crippling to our national economy.

Additionally, airlines will not become viable until the American people are convinced that they are secure. I comment Transportation Secretary Mineta for creating two task forces which will restore the trust in our aviation industry, the aviation employees, the American people, and all other business that rely on or are affected by the aviation industry. Again, I urge my colleagues to vote for this important and necessary piece of legislation.

Ms. LEE, Mr. Speaker, I rise today to support H.R. 2926, the Airline Stabilization Act, which will revitalize our economy and protect jobs in my district and around the country. I do so with the strong intention of supporting additional legislation, scheduled to be considered on the House floor next, that will provide relief for airport workers and those who have already lost their jobs in the airline industry. I also believe Congress needs to provide additional resources for airport security as soon as possible.

Part of the aftermath of the tragedy our entire nation suffered on September 11 is that important industries in our nation’s economy have become vulnerable. One of the most visibly affected industries has been the airline industry.

We know of 100,000 nationwide layoffs because airplanes were grounded for four days and because activity at our national airports which came to a halt, are only now slowly beginning to become active again. As our nation recovers from this national tragedy, I believe that we must swiftly aid in this recovery. It is our obligation to help revive and ensure the viability of the airline industry by giving them the economic boost they require today.

I am going to suggest that by getting our airline industry back on track, our nation’s economy as a whole will prosper, and we will prevent the loss of even more jobs in the long term.

Funds are included in this bill to give direct, prompt assistance to the airline industry. But in addition to this, the airlines are also eligible for loans that will be repaid. Additionally, there is a provision in the bill that I strongly support, to limit CEO compensation by putting a cap on
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executive salaries over $300,000 for two years.

While I am cognizant that this bill does not contain language that would provide relief for workers who have been affected, nor does it include language that would provide increased security measures, I do believe that this bill will help to ensure solvency for much of the airline industry and prevent further job losses.

I have stated since the tragedy last week that we must look for a multifaceted solution to this multifaceted problem. This bill is one small step toward restoring one facet—our economy—and for that reason I will support this bill.

Mr. UDALL of Colorado. Mr. Speaker, I am disappointed about the way the House has handled this legislation. I think legislation to help the airline industry is urgently needed, but I think this bill falls far short of doing everything that urgently needs to be done.

I voted against the rule because I thought we should be taking the time to do a better job before we go home for the weekend. And I voted for the motion to recommit because it would have made the bill better.

I wish that the outcome to those votes had been different, because I am not enthusiastic about this bill.

I am not enthusiastic about it because while it will help the airlines, it does not do enough for the airline employees who are facing unemployment.

I am not enthusiastic about it because it does not do enough to address the effects of the airlines' problems on many other businesses.

And I am not enthusiastic about this bill because it does nothing to respond to the very urgent need to improve the safety and security of airline passengers and the American people—a need that I think nobody can deny after the tragic and criminal events of last week.

Still, while not enthusiastic about the bill I will vote for it because I think it is urgently needed.

And, above all else, I will vote for it because of the assurance of the Speaker and the leadership that the House will act quickly to address the problems of employees and the other things that should have been part of the legislation. On that basis, and that basis alone, I am prepared to support passage of this incomplete and unbalanced bill.

Ms. KILPATRICK. Mr. Speaker, by bringing this bill up without extensive debate or scrutiny and without the opportunity for amendment, we are being asked to buy a pig in a poke.

I want to assist the airline industry. The condition of the industry should concern all of us, particularly because September 11. Since the assault on America, we now find it in a critical state.

In helping the airlines, we are protecting airline industry executives, managers and stockholders. I am not opposed to that if that is what it takes to keep the air travel system moving. But in the wake of trying to pull together a bill that will bridge the industry until some normalization in the system is restored, we are forgetting about the rank and file employees.

These are the baggage handlers, the skycaps, the flight attendants, the ticket agents and the cargo workers. These are the victims of last week's shutdown and who now find themselves out on the street. There is no provision in this bill that will help bridge them and their families until the air travel system is back on its feet.

The leadership has promised to bring legislation next week that would compensate for workers, families and victims adversely impacted by this tragic incident. My problem with this “promise” is that it does not have the united commitment of the leadership on the other side of the aisle. That's why I am skeptical of supporting this bill on these terms, under these conditions.

More often than not, legislating quickly is legislating badly. Many Members in this chamber have cited the precedents of the Chrysler and New York City loan guarantees. Although I was not a Member of Congress when Congress acted on these proposals, I supported their passage and encouraged my representative in Congress to vote for their approval.

The difference between those financial assistance packages and the one that is before us today is that the Chrysler and New York City relief bills were debated at length in committee, in private negotiations with the White House and industry executives, and on the floor of the House and the Senate. The legislative process worked deliberately and ultimately wisely.

But this case is different. We are being asked to pass a $15 billion assistance package to rescue the industry. According to one source, the $5 billion in direct aid is more than four times the amount of the actual losses actually experienced by the airline industry. I am not here to argue about the size of the package, although it does lead one to ask if we are buying a pig in a poke. The problem is that it is a halfway measure. The bill provides no lifeline to the tens of thousands of workers who have just been laid off and to the low- and tipped-wage workers who were routed out of their jobs for reasons of increased air security. I am not prepared to support any package that would not provide compensation to workers, families and victims.

Mr. Speaker, last Friday we brought a stabilization bill to the floor and failed to act on it. This week, the airlines announced thousands of layoffs. This Friday I will vote in support of this bill and urge my colleagues to support the bill because, unfortunately, we act today. I can only hope that we will be able to save some jobs next week.

Mr. COLLINS. Mr. Speaker, Congress is taking important steps today to provide real short-term relief for the industry. The Air Transportation System Stabilization Act (H.R. 2926) delivers on the commitment supported by Congress and stated firmly by President George Bush in his address to the nation last night—‘‘We will come together to promote stability and keep our airlines flying with direct assistance during this emergency.”

For several days last week the U.S. government closed down the domestic aviation industry—a decision that was vital to the interest and safety of our country in a crisis situation. Now that the industry is back online, it is equally vital to our nation that we take steps to ensure that the public continues to have access to viable, competitive air transportation.

Today we are asking the taxpayers to provide a huge injection into the arm of the aviation industry. But the cash infusion, the tax deferral and the financial guarantees from Congress are only one part of the formula. We have also heard about a lot of talk tonight about providing additional legislation which provides a whole slew of health, unemployment and aid to those that already exist under current law.

But rather than double dip from the taxpayers, the aviation industry should use the initial taxpayer assistance provided through H.R. 2926, to keep their employees on board and utilize these professionally-trained men and women.

In order to survive, airlines must focus on reestablishing confidence among the American
consumer. The only way you are going to get people back on planes, is to assure them that air travel is 110 percent safe.

Airlines should consolidate flights and dedicate personnel to increased security inspections. Rather than laying off employees during this travel slowdown, why not utilize their professional training by putting them throughout airports to increase passenger security checks and baggage inspection.

It’s a fact that the elevated security status means that federal employees are already being pulled from non-aviation assignments throughout the government to meet the increased demand for security precautions in airports. At least on a temporary basis, airline employees should be utilized in the same capacity—to increase security of airports and provide the consumers with the confidence they need in order to return to the skies.

Mr. LEVIN. Mr. Speaker, disintegration of the airline network of America is simply not a viable alternative for our nation. Therefore, I will vote for this bill. Defeating it would be a worse alternative than passing it. But passing it must not obscure the serious shortcomings of this bill. It fails to address the serious holes in key parts of the safety net to help hold up those who suffer as a result of the tragedy of September 11. There are severe gaps in our unemployment compensation system and in our retraining structure that must be addressed or else many, if not most, of the displaced will be out in the cold economically. Many of these same persons will be left without health coverage.

We have been assured by the Speaker in a colloquy with the minority leader that the appropriate committees will turn their attention promptly to important outstanding issues, which must include those mentioned earlier. As a member of the Ways and Means Committee and the Subcommittee which has jurisdiction over unemployment compensation and some retraining programs, I intends to join in active efforts consistent with the assurances in the colloquy.

This Congress must also take far more vigorous steps to dramatically strengthen airline security, and I mean dramatically. This bill does not begin to do so. If the public does not retain confidence that they can fly safely, most will not fly and when nothing in this bill will safeguard the financial integrity of the airline industry.

The vote tonight must lead to further steps, and soon.

Ms. MCCARTHY of Missouri. Mr. Speaker, I rise today to express my support for H.R. 2926, the Air Transportation System Stabilization and Assistance Act. I also express my concerns for what is not contained in the legislation. While the assistance provided by this measure is absolutely essential to keep our airlines operating, the lack of provisions to address the needs of the thousands of airline workers who were told by the government not to report to work and who will not be compensated for complying with that request is wrong. The bill lacks important provisions to increase security for pilots, crew and passenger that are needed to restore the confidence in the industry that is so important to regaining the economic viability of the industry. At a time such as this, only the federal government can help restore that confidence, and I fear that this bill does not go far enough to accomplish this critical task.

These terrorist attacks were aimed at disrupting our economy and destroying our way of life. The destruction that followed has threatened not only the economic viability of the airline industry, but the livelihood of work-ers employed by air carriers, manufacturers, and the hospitality industry. Each day that flights are grounded resulted in a loss over $300 million a day for the industry. The airlines expect to lose $24 billion in the next year due to the aftermath of the attacks.

Without federal aid, many carriers may go bankrupt or impose restrictions on the bill that will help the industry remain economically viable, such as the $5 billion in direct aid and $10 billion in loan guarantees. However, none of this money goes towards helping the tens of thousands of hard working Americans who now have no assistance to help them while they search for new jobs or maintain their health insurance. We must address their concerns as well as the concerns of other industries tied in with the airline industry.

My home state of Missouri will be considerably affected if an economic recovery package is not enacted soon. Missouri is home to Vanguard Airlines, a regional, low-fare airline that serves the metropolitan Kansas City area by linking it with the 14 largest cities in the United States. The company employs nearly 1,000 residents in Missouri and Kansas and is an integral part of the state and regional transport economies. In addition, American Airlines has an enormous presence in the state. As part of its merger agreement with Trans World Air-lines (TWA), American has incorporated TWA’s hub in St. Louis and its overhaul base in Kansas City. American Airlines employs almost 13,000 people and makes up a significant portion of Missouri’s workforce. A considerable curtailment of its operations or those of Vanguard Airlines would be devastating to the state’s economy.

This measure is only a first step towards putting the airline industry back on solid financial ground. It is incomplete. We must continue to work to bolster the security of the air-lines, returning air marshals to skies and implementing the latest technologies available to ensure the traveling public that hijackings will not occur again. We cannot ignore the needs of the thousands of workers who have lost their jobs. If we do not provide the support needed, the temporary nature of the layoffs and furloughs will be harder to overcome and lengthen the effort. I strongly urge my colleagues to revisit this issue immediately and continue to be vigilant in addressing the needs of the industry’s employees and families, and do what is necessary to restore the confidence of the American people in this most vital of industries.

Ms. PRYCE of Ohio. Mr. Speaker, I rise in support of this bill and ask that this letter be included in the RECORD.

Association of Trial Lawyers of America
September 21, 2001

HON. DENNIS HASSTREIT, Speaker and Hon. RICHARD GEPHARDT, Democratic Leader,
U.S. House of Representatives, Washington, DC.
Dear Mr. Speaker and Mr. Leader: The Association of Trial Lawyers of America (ATLA) commends the United States Congress and President Bush for their leadership and vision to put families victimized by our national tragedy first and to ease their pain by expediting appropriate relief to them through the “September 11 Compensation Fund of 2001,” created by H.R. 2926, the Air Transportation Safety and System Stabilization Act.

ATLA agrees with you that extraordinary situations demand extraordinary responses. At least seven thousand families are hurting more than any of us can imagine. And, because the first priority of every American should be prompt and full justice for the thousands of families who know first-hand the unspeakable horror visited upon the world on September 11, 2001, members of ATLA will provide free legal services to any family wishing to pursue justice through the fund established by this unprecedented, humanitarian legislation.

ATLA believes that 100% of the compensation from the fund should go directly to these families. The officers and Executive Committee of ATLA have volunteered to be the first attorneys to provide legal services free of charge under this program.

God Bless America.

Sincerely,

LEO V. BOYLE, President.
On behalf of the 60,000 men and women of ATLA.

Mr. LAFAILCE. Mr. Speaker, I rise in opposition to this legislation. Let me first acknowledge that this bill is much better than the bill we were asked to consider under unanimous consent one week ago. The fiduciary provis-ions associated with the bill’s $10 billion in loan guarantees are better in this bill, because they were non-existent in last Friday’s version. Today’s bill creates a loan guarantee board, which includes Treasury, the Fed, and GAO— all critical players in any loan guarantee package. There was no Board last week; the Presi-dent had total discretion. It sets conditions for establishing the magnitude and source of fi-nancial losses prior to the extension of any guarantees, including the authority to conduct audits of corporate financial statements. And it provides a mechanism for the federal government to ultimately the taxpayers, to be com-pensated for the risks assumed in the loan guarantees.

All of these provisions are sound. Unfortu-nately, they are part of an overall package that is seriously deficient.

First, the bill contains no provision for federal-ization of airline security. Yet, this is the critical element needed to restore confidence among Americans so that they will fly again. No amount of financial support from the fed-eral government will return America’s airways to sound footing if the American people remain reluctant to fly. And for confidence to be restored, the American people need to know that the federal government will assume the responsibility for airport and air security. We have to assure the American public that actions to federalize airline security will be forthcoming any time soon, if at all.

Second, this bill is deficient in its provision for worker relief. In fact, it contains absolutely no worker relief. It is critical that we expand unemployment insurance coverage for the many workers who will be jobless as a result of the terrorist attack, yet currently are not covered by unemployment insurance. It is a
also critical that we extend the term of unemployment insurance, so that jobless Americans can count on adequate financial support throughout the duration of unemployment. Further, we need to do more to provide health coverage for laid-off workers by expanding COBRA benefits, which are currently structured to effectively put health coverage out of reach for many of the unemployed. But again, none of these provisions are in the bill, and we have little reason to believe that they will be forthcoming any time soon, if at all.

Third, while providing no support for rank and file workers, even as tens of thousands of these workers are being laid-off, the bill provides a financing limit on CEO compensation, allowing them to continue to reap the massive compensation packages they received in the year 2000. Telling a corporate executive that if he received $15 million last year he can receive no more than $15 million this year is not my concept of “shared sacrifice.” It is little wonder that this bill does not have the support of labor unions. Any industry financial package must be based on the tenet of shared sacrifice, as we saw in the Chrysler support package—that package had the support of the automakers. Clearly, the unions see little evidence of shared sacrifice in this legislation, and they oppose it strongly. The AFL-CIO states, “members of Congress are poised to stiff airline industry workers in the bail out.”

Fourth, this bill distributes $5 billion in grants and $10 billion in loan guarantees according to the airlines’ passenger capacity, not their passenger load, during the month of August. This provides windfalls to airlines who were in weak financial straits prior to last Tuesday’s tragic events. This is a fiscally irresponsible measure. Financial support should be distributed based on measures that would better reflect the financial condition of the airlines prior to September 11th.

Fifth, the various compensation provisions in this bill create gross inequities by compensating for economic losses based solely on the deceased worker’s earnings. As a result, the family of a worker who earned millions of dollars a year will receive many multiples of that amount in compensation, while a deceased minimum wage worker’s family will receive much, much less.

Sixth, this bill does nothing to address the economic losses of the many businesses directly and indirectly associated with the airlines, especially the travel industry. Without any assurances that we can address those losses in other legislation, we must wonder about the level of support in this bill, $15 billion, for a single industry. These other businesses have a legitimate claim to federal support; yet, there is no assurance from the Administration or congressional leadership that further funding will be made readily available.

Seventh, I am concerned that limitations on the liability of the airline industry alone will merely shift lawsuits and losses from the airlines to other entities, setting off a chain of unintended consequences throughout the economy. The U.S. Chamber of Commerce opposes these provisions, saying that the provisions will have “dramatic and negative consequences on the entire business community.”

Eighth, the bill only allows for warrants and other means of compensating the taxpayers for this bailout as they pertain to the loan guarantees. There are no such mechanisms associated with the $5 billion cash infusion. Warrants should be extended as a condition of any cash aid.

Ninth, the cash infusion is not accompanied by any language that would seek to reimburse the taxpayers for insurance payments received by the airlines under business interruption or physical disaster insurance policies. The airlines will receive payments from these policies, and they should return any cash assistance to the government that is offset by such payments.

Finally, I must ask, why are we rushing through a bill that includes all of these deficiencies tonight? Why can’t we have a few more days, with more input from Members, to craft a package that makes sense in its entirety? Let me remind my colleagues that we will have no opportunity to improve this bill during a conference committee, because no conference will be held on this legislation. I oppose this specific bill, but I remain eager to come back and craft a new and much better package.

Mr. REYES. Mr. Speaker, I rise today in strong support of H.R. 2629, the Air Transportation System Stabilization Act. As our nation begins the hearing process in the aftermath of last week’s attacks, we must focus our efforts toward getting back to the important business of our nation. I appreciate the hard work of Chairman YOUNG, Ranking Member OBERSTAR and all of the Members on the Committee on Transportation and Infrastructure, for crafting this legislative relief package for the airline industry. We as a Congress and a nation need to continue to unite during this tragedy, set aside partisanship, and focus on issues that protect our way of life. We need to pass this important bill.

Addressing the immediate situation confronting the airline industry must be one of our top priorities. The airline industry provides an essential public service and is an integral component of the United States national transportation infrastructure. For example, during the month of August, US airlines employees served approximately 670 million passengers traveling over 700 billion miles and provided over 25 billion ton miles of freight delivery.

The terrorist attacks have had a grave and dramatic effect on the airline industry. As we as a nation comes to grips with the vulnerability of our transportation systems to terrorist attacks, more resources will need to be allocated to assure the safety and security of everyone who travels by air. This will cost a tremendous amount of money, and it should not be borne solely by the airline industry.

The effect is not only being felt with airlines, but also in travel agencies and other businesses associated with the travel industry. As a Congress, we need to do everything in our power to assist across our country who have businesses that have been adversely affected due to the dramatically reduced demand for air service. Airlines are reducing flight schedules and are expected to announce the layoff of 100,000 employees in the next few months. The further reduction of flights is an important first step; however, assistance must also be provided to our businesses that are dependent on the airlines.

There are many businesses in my district and across the country who are facing severe layoffs. Travel agencies, which are losing $26 million per day, restaurants, hotels, cruise lines and many, many others are experiencing great hardship. We need to make sure that we address their issues.

Without immediate and significant U.S. government financial support, many U.S. airlines will go bankrupt, severely threatening our way of life. It is estimated that the initial impact on the airline industry alone from the September 11th attack will be $24 billion based on anticipated revenue declines and cost increases. H.R. 2629 goes a long way toward stabilizing the airlines by providing $5 billion in direct grants and an additional $10 billion in loan guarantees.

Safe and efficient air travel must remain a national priority. A strong airline industry is vital to our economy and the security of our country. I pledge my support for this important legislation and urge my colleagues to vote in favor of it.

Mr. UNDERWOOD. Mr. Speaker, I rise in strong support of this important and needed legislation to preserve the continued viability of our country’s air transportation system. The financial condition of our nation’s commercial airline industry in the aftermath of the catastrophic events that occurred on September 11 is of the utmost importance. Stability and service continuity within the industry is desperately needed as it affects not only the airline industry itself, but also our entire economy and marketplace, from manufacturing, to travel and tourism, to the transportation of goods and services, to mail delivery. These industries are on the verge of facing a crisis and they will not survive if we do not act now.

This relief package is particularly vital to Guam and the territories, whose geographical isolation and distance from the U.S. mainland makes air service costly and challenging to begin with and that much more vulnerable to cutbacks and downsizing in times of difficulty.

If this legislation is not passed soon and quickly, isolated territories like Guam and other U.S. Pacific Islands, will face enormous and disproportionate economic and social repercussions. These areas are significantly dependent upon the industry, much more so than other areas in our country where alternative modes of transportation are available.

Guam, which is seven hours flying time from Hawaii and nineteen flying hours from Washington, D.C., is the furthest U.S. jurisdiction from our nation’s capital. For years, Continental Micronesia has provided Guam with excellent air and cargo service. Without their continued and unimpaired service, the people of Guam are essentially left with no viable and reliable air service to Guam and the U.S. mainland via U.S. routes. Air service, both passenger and cargo, is vital to our economic development and tourism industry.

The recent announcement by Continental Airlines of a system-wide reduction of flights by 20 percent and a lay off of 12,000 people or about 20% of its parent company work force, is a dire reflection of our current legislation. Continental Micronesia is the largest private employer on Guam and is the only commercial airline that flies between Guam and
and Hawaii. Hawaii is a required stop for travelers between Guam and the U.S. mainland, unless individuals travel to Guam via Asia on Northwest or international air carriers. Due to Guam’s close proximity to Asia, Guam has been more impacted than most U.S. jurisdictions from the Asian financial crisis, particularly in Japan, for the last several years. With an unemployment rate of over 15% and the anticipated decrease in tourism, this legislation becomes critically important. The economic impact that a single commercial airline’s cutbacks may have on an isolated jurisdiction like Guam is potentially devastating. Continental Micronesia employs near 2000 workers. Apart from being the only commercial passenger carrier between Hawaii and Guam, Continental Micronesia provides a key role in the delivery of mail and cargo service, including medical specimens and commercial goods. Their ability to sustain these services is essential. They are in dire need of our support.

A dramatic cutback of 40 percent since last week and everyday more and more airport, airline, and tourism employees have been furloughed or laid off. The Guam International Airport has done all it can to mitigate the financial burden on our airlines, including reducing passenger fees, but they cannot solve the recovery problem alone. I believe that consideration should be given to the impact on our nation’s airports by providing assistance in the implementation of heightened security requirements. Requiring improved screening devices and other security functions significantly impacts the successful implementation of and compliance with these new standards necessitates federal financial support.

I strongly support this commercial airline relief package and urge its expedient consideration and passage. This legislation is good for our nation, good for our economy, and good for our future. We should take all the necessary steps to safeguard our airline industry from crippling in the midst of catastrophic circumstances. I thank the Transportation and Infrastructure Committee Chairman, Mr. Young, and the Ranking Member, Mr. Oberstar, for their leadership and concern.

Mr. RAHALL. Mr. Speaker, I rise in support of this bill to stabilize the airline industry. Since the September 11 tragedy, the airlines have lost $5 billion. There is fear in the industry that we could lose a payable 100,000 jobs. This includes pilots, flight attendants, mechanics, sky caps, and other airport-related jobs like firefighters and food service workers.

This bill will save these workers from layoffs. It also provides funding for the Comptroller General of the General Accounting Office and the Federal Reserve, the Secretary of the Treasury, and the Secretary of Transportation as well as the Comptroller General. I believe it is necessary that any loans or guarantees be provided in a reasonable, fair manner and will be made in a reasonable, fair manner and will not jeopardize taxpayer funds. This Board will determine the terms and conditions under the jobs we still have within the airline industry. Allowing the complete decimation of this industry benefits no one. It is my hope this bailout package assists the airline industry in a manner that allows it to, someday, rehire the workers it was forced to lay off. Nonetheless, my support for this legislation has not deterred my desire to assist workers that are displaced because of this terrible tragedy. The need to preserve the airline industry should not drown out the need to preserve its workforce. I urge leadership in both parties to address their needs in the same expeditious fashion. Mr. BENTSEN. Mr. Speaker, I rise today in strong support of the Air Transportation System Stabilization Act, legislation that would provide immediate financial assistance to our nation’s airlines. As the representative for William P. Hobby Airport, in Houston, Texas, and many Continental Airline employees who have been adversely impacted by last week’s events, I strongly believe that we must assist airlines. Last week the Government in response to the terrorist attacks, required that all airplanes be grounded for an extended period. This unprecedented event has caused financial harm to our airlines and we need to support them to ensure that they may continue to operate. It is estimated that for every directly employed airline employee, there are six ancillary jobs which are connected to these jobs. Our economy and our transportation infrastructure depend upon the airline industry to be operating at its full capacity.

This legislation would provide two forms of financial assistance, including $5 billion in direct compensation to reimburse airlines for the cost of grounding their planes last week. This direct payment would also help airlines to cover the cost of reduced trips and ridership during the month of September. In order to protect taxpayer funds. This direct compensation program requires that the Comptroller General of the General Accounting Office (GAO) as well as the Secretary of Transportation audit financial statements to justify the direct compensation payment. Second, this bill would provide $10 billion in loan guarantees so the airlines can have access to our capital markets. Earlier this week, we learned that the capital markets have evaluated the risks and have decided to decline to offer credit and capital to our airlines. This is due in part to the recent terrorist attacks. By providing federal government loan guarantees, we will help the airline industry to get the liquidity it needs to rebuild ridership. Our nation’s transportation is the envy of the world. However, with the intentional grounding of planes, we have caused serious financial hardship for these companies. I am pleased that the final package includes critically important changes which will strengthen this loan guarantee program. First, this legislation now requires that any loans or guarantees be determined and overseen by a board which would be made up of the Chairman of the Federal Reserve, the Secretary of the Treasury, and the Secretary of Transportation as well as the Comptroller General. I believe it is our duty to ensure that the loans will be made in a reasonable, fair manner and will not jeopardize taxpayer funds. This Board will determine the terms and conditions under
which airlines can apply for these loans. In addition, borrowers from these loans will be required to provide collateral where feasible in order to ensure that there will be an incentive for airline carriers to pay back the federal government and taxpayers.

This comprehensive package also includes provisions to help the airline industry with the immediate problem of cost-prohibitive liability insurance. Since the terrorists attacks, many insurance companies have either drastically revised premiums or refused to renew such necessary insurance. Without such insurance, the capital markets have indicated that they will not provide liquidity to airlines, which is a capital-intensive industry. This liability section would require the federal government to cover the cost of liability insurance for 180 days after these attacks if carriers cannot obtain it. This section does not preclude any claims which individuals may wish to bring against the airline industry.

Another important provision in this legislation would require the President to spend $3 billion on airline safety and security in order to restore public confidence in the airline industry. This $3 billion would come from the $40 billion that Congress has already provided to the President in order to recover from this devastating attack. This bill could have been more specific on security measures and we should press hard that the Transportation Department provide new rules very soon.

This bill would also establish a voluntary Victims Compensation fund so that victims of terrorist-related attacks of September 11 could seek compensation. This Fund would be administered by a Special Master appointed by the Attorney General. Air carrier liability is capped at the carriers’ insurance company limit. Any additional liability would be assumed by the federal government. The federal government will provide compensation above this carrier liability. If victims elect to use this compensation program, they would be required to provide that they were damaged by these attacks. For victims who seek compensation through the courts, they would also be required to prove that the airlines were negligent and had caused them damage. However, I believe it is important that families ultimately still have the right to seek higher compensation through a legal case.

I agree with my colleagues that this bill is deficient in providing necessary assistance to those airline employees who have been or will be laid off as a result of the attack on America on September 11, 2001. Such provisions addressing unemployment compensation, job retraining, and extended COBRA health benefits could have very easily been added to this bill and I regret that they were not. We have received a commitment from the leadership that a bill addressing these concerns will be brought up next week, and it should.

I strongly feel now is the time to provide confidence in our airport system. I urge my colleagues to support this legislation. Mr. DELAHUNT. Mr. Speaker, I share the serious misgivings which others have expressed about this legislation. But I intend to support it. What perseveres in my mind is I believe it is needed to preserve the viability of an entire industry—an industry which is at risk of collapse if we do not act now.

And second, because it will provide swift compensation to the victims and their families. They deserve everything we can do for them. The bill will give these families a way to obtain compensation without the expense, uncertainty, and pain of protracted litigation.

My chief concern is that the bill fails to provide any relief for the tens of thousands of airline workers who have been displaced as a result of the events of September 11. These workers are the heart and soul of the industry. It cannot function without them.

Were the need for this legislation any less acute, this issue alone would have caused me to oppose the measure until it could be addressed. But under the circumstances, I feel it would be even more unjust to hold these victims hostage. Again.

We have been assured that this matter will be taken up separately. If that promise is not kept we will bring shame on the House.

Finally, I want to express my appreciation to some people who get precious little praise in this institution. I wish to insert in the RECORD a letter to the Speaker from Mr. Leo Boyle, President of the Association of Trial Lawyers of America, pledging that members of his organization will provide free legal services to any family wishing to participate in the compensation fund. This means that claimants will be able to keep 100 percent of the proceeds.

This is just another example of the selflessness with which people from every walk of life have come together in our common cause.

HON. DENNIS HASTERT, Speaker

Hon. Dennis Hastert, Speaker and Hon. Richard Gephardt, Democratic Leader

U.S. House of Representatives
Washington, DC.

Dear Mr. Speaker and Mr. Leader: The Association of Trial Lawyers of America (ATLA) commends the United States Congress and President Bush for their leadership and decision to put families victimized by our national tragedy first and to ease their pain and suffering. The ATLA supports the victims of this inhuman act through the “September 11th Compensation Act of 2001.”

ATLA agrees with you that extraordinary situations demand extraordinary responses. At least seven thousand families are hurting more than any of us can imagine. And, because the first priority of every American should be prompt and full justice for the thousands of families who know first-hand the unspeakable horror visited upon the world on September 11, 2001, members of ATLA will provide free legal services to any family wishing to pursue justice through the fund established by this unprecedented, humanitarian legislation.

ATLA believes that 100 percent of the compensation from the fund should go directly to these families.

The officers and Executive Committee of ATLA has determined to be the first attorneys to provide legal services free of charge under this program.

God Bless America.

Sincerely,

LEO V. BOYLE, President
On behalf of the 60,000 men and women of ATLA

Mr. CONYERS. Mr. Speaker, I have a number of procedural and substantive concerns regarding the legislation before us.

In short, there has been almost no semblance of fair or deliberate procedure on the legislation. We had no committee markup. We had no committee hearings on the bill. The bill itself was drafted in the dead of night and has not been available to most members until a few hours before the vote. This is not the way we should legislate on a minor piece of legislation, let alone a major bill that impacts our entire airline industry.

This is one of the most important issues we face this year. Let me ask you, do we have the time to review or consider these serious measures? Why not take the time to read this legislation carefully? In our desire to help our fellow citizens, I fear we are pushing to judgment without recognizing the complexity or importance of these issues.

In terms of substance, I also have grave concerns about the dollar amount we are giving to airline carriers, $15 billion—$5 billion in direct aid and $10 billion in loan guarantees. First, we have no idea how the Members reached this dollar amount.

Second, we all know that the industry has and will face massive layoffs. More than 100,000 will be laid off in the industry, and Northwest announced 10,000 today. Yet the bill does not guarantee that a single employee will be rehired or will not be laid off.

Third, the bill does nothing to rehire the workers from the ancillary impacted industries—the airport workers, the hotel workers and the like. And what about the skyscrapers who work at substandard wages? The new security requirements mean they are totally out of these jobs. What does this bill do for them? Nothing.

I support the airline industry—but its needs must be balanced against all of our other priorities. Certainly, the air carriers need assistance but do they need it at the cost of medicare and social security? As much as we think this legislation is needed, we must balance it will all of our priorities, and not sacrifice all of our priorities for the sake of one.

Finally, I would like to speak to the liability provisions of the bill. As Ranking Member of the Judiciary Committee, I was intimately involved in the crafting of Title IV, and I am happy to report that I can support this aspect of the legislation.

The key provision creates a victim compensation plan, which provides individuals, present during the September 11, 2001 terrorist-related aircraft crashes at the World Trade Center, the Pentagon, or site of the aircraft crash in Shanksville, Pennsylvania, or the passengers and crew of aircrafts involved in terrorist-related aircraft crashes, with due compensation. The legislation would provide compensation to any individual who was physically injured or killed as a result of the terrorist-related aircraft crashes of September 11, 2001. Specifically, the legislation authorizes a Special Master, appointed by the Attorney General, to resolve claims, within 120 days, submitted by claimants.

These claims would include notice of the death of the deceased or the harms suffered by the claimant, where the claim is filed on the behalf of a decedent, information of the claimant and the death, economic loss, and information regarding collateral sources of compensation the claimant has received or could receive. The submission of
this claim would allow the claimants and relatives of the deceased to be compensated. By submitting a claim, the claimant waives the right to file or be a party to a civil action for damages as a result of the events on September 11, 2001. If an individual is a party to or has filed a civil action, that action must be withdrawn 90 days after the regulations regarding this Title are promulgated. 90 days after the date of enactment, the Attorney General, in consultation with the Special Master will promulgate regulations to carry out this compensation plan.

The Special Master may not include amounts for punitive damages in any compensation packages. In addition, the Special Master will not consider negligence or any other theory of liability. Only one claim may be filed and no claim may be filed two years after the date of enactment. Twenty days after the Special Master makes a determination of the amount of compensation due, the payment is authorized.

Finally, Section 409(b) of the legislation creates a Federal cause of action for damages arising out of the hijacking and subsequent crashes of September 11, 2001. This, individuals who elect not to file part of the victim compensation plan under this legislation have recourse of this Federal cause of action to claim damages. Of course, the availability of this new Federal action. This in no way supersedes recourse to the victim compensation fund, if the claimant so elects.

To help in the effort of aiding victims in receiving compensation, the Association of Trial Lawyers of America, has volunteered to provide legal services of its members, free of charge, under this program. I am attaching a copy of the letter to my statement. I commend the association for their extraordinary response to this extraordinary situation.

Mr. KIND. Mr. Speaker, I rise in support of this legislation.

In this time of crisis, it is essential that our nation maintain a strong economy for the upcoming challenges we will inevitably face. Having a viable, healthy airline industry is an essential component of a strong American economy.

There are, however, certain flaws in this bill. For instance, there is no language providing for the many thousands of airlines employees and their families that have been laid off. In addition, the provisions allowing for CEO compensation are questionable. How these cuts and joining the already-massive ranks of the uninsured.

Therefore, for the purposes of bipartisan unity, and based on the promise of future action on issues that will help those most hurt by this tragedy, I will support the legislation for the benefit of our nation’s catching—employers may charge employees the full premium, plus an additional 2 percent. Lay-off airline workers thus face a Hobson’s choice between making ends meet and protecting their families against the risks of high healthcare bills. This legislation does nothing to save them from having to make that awful choice. At a minimum, we should ensure that part of this generous gift to the industry goes toward guaranteeing these workers and their families continued health insurance coverage. I wish that my colleagues would develop the kind of compassion for working people that they have for corporations.

The Joint Economic Committee reports that the airline industry has lost $1 billion since this national crisis began. Yet, Congress plans to give the industry $5 billion to cover the incremental losses. This is an extra $4 billion in taxpayer funds that don’t need to be repaid and that don’t cover losses from last Tuesday’s catastrophe. We must also hold airlines accountable for any mismanagement they engaged in prior to these attacks. The bill before us does not ensure U.S. taxpayers that this is indeed the case. Instead, it allows the Comptroller General Accounting Office to look at the funding allocation after Congress has already given them $20 billion. It will take a subsequent act of Congress to recover any overpayments to the airline industry. We must act responsibly now. We must hold the airlines accountable for their own shortcomings. More importantly, however, we must address the needs of airline employees first. These employees provide the foundation of the airline industry and must be taken into consideration before any CEO walks away with more than his fair share.

Vote no on the Air Transportation System Stabilization Act.

Mrs. CHRISTENSEN. Mr. Speaker, I rise in support of the Air Transportation System Stabilization Act. While it doesn’t include everything I would have liked to have included in the bill, I nonetheless support its passage because I strongly agree that without immediate government financial support, many U.S. airlines will go bankrupt as a result of the September 11th attack.

As someone who represents a district, which is singularly dependent upon tourism to fuel our local economy, the lack of airline service has been devastating to us. As of September 18, 2001, after four days of virtually no check-ins and a severe drop in hotel room occupancy because of last week’s terrorist attacks, layoffs and dramatic cuts have already hit hotels in the Virgin Islands.

I believe Mr. Speaker that if we assist the airlines and keep the planes flying much of our economy will recover. We cannot afford to do otherwise or we will suffer even more. As a member of the steering committee of the Travel and Tourism Caucus, I am particularly aware of the importance of the airline industry to tourism and to our overall economy. Like it or not, air transportation is the engine that drives our nation’s economy and it is essential that our government support it in order to work and to normalcy. The staggering losses on Wall Street we saw this week illustrates the need for us to act and to act now.

We must also help those workers that will be and have been displaced because of last week’s attacks. In the coming days, this body must pass legislation to provide additional unemployment compensation to laid-off workers and to extend their health insurance coverage.
The leadership in both the House and the Senate has pledged to address this issue very soon and I intend to do all I can to hold them to their word.

If we are to get the public flying again, however, we must address the security at our airports.

I call upon the President to call out the National Guard and the Reserve to have them man security at our airports until such time that we can create a federal airport security force, to as much as is possible, guarantee the safety of the flying public.

Is there a perfect bill? No it is not. Should we be assisting laid-off workers and other segments of our economy such as the hotel industry? Yes we most certainly should. But it is necessary that we act on this bill now, if we are to prevent a critical component of our economy from going out of business. Without the airlines flying there will be no guest to fill the hotels on St. Thomas and St. Croix nor the airlines flying there will be no passenger.

Do we want to assist laid-off workers and other segments of our economy? Yes we do. But we must do it in a way that will prevent a critical component of our economy from going out of business.

The airlines want us to deal. They are not flying to Minneapolis or anyplace else because they have not heard anything from my colleagues on the Air Commerce and Transportation Committee.

Mr. YOUNG of Alaska (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill. The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. DEFAZIO

Mr. DEFAZIO. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. The motion is heard. The Clerk will continue the reading.

The Clerk read as follows:

Mr. DEFAZIO moves to recommit the bill H.R. 2926 to the Committee on Transportation and Infrastructure with instructions to report the same back to the House forthwith with the following amendments:

Redesignate sections 106 and 107 of the bill as sections 106 and 107, respectively.

SEC. 107. REQUIREMENT TO COVER CERTAIN EMPLOYEE HEALTH INSURANCE COSTS.

(a) In General.—The President may only provide financial assistance under this title to an air carrier after the air carrier enters into a legally binding agreement with the President that the air carrier agrees to pay, from any financial assistance received under this title, 100 percent of the costs attributable to providing health insurance coverage to employees of the air carrier during the 18-month period beginning upon the separation of such employee referred to in subsection (b).

(b) Eligible Employee.—For purposes of this section, the term "eligible employee" means, with respect to an air carrier, an employee of the carrier who, during the 2-year period beginning September 11, 2001, and ending September 11, 2003, becomes involuntarily separated (except for cause) from employment with such carrier.

At the end of the bill, add the following new section:

TITLE VII—SCREENING OF PASSENGERS AND PROPERTY

SEC. 501. SCREENING OF AIR PASSENGERS AND PROPERTY BY FAA.

Section 4901 of title 49, United States Code, is amended—

(1) in the second sentence of subsection (a) by striking "The" and inserting "Subject to subsection (d), the"; and

(2) by adding at the end the following:

(d) Screening To Be Conducted by FAA Employees.—As soon as practicable after the date of enactment of this subsection, the screening of passengers and property under subsection (a) shall be carried out by employees of the Federal Aviation Administration. The Administrator may prioritize the undertaking of screening responsibilities under this section with respect to an airport based on the Administrator's judgment as to the security threat to the airport.

Mr. YOUNG of Alaska (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

The SPEAKER pro tempore. The motion to recommit is considered as having been agreed to.

The Clerk concluded the reading of the motion to recommit.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill. The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. Pursuant to House Resolution 244, the bill is considered read for amendment, and the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. DEFAZIO

Mr. DEFAZIO. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. The motion is heard. The Clerk will continue the reading.

The Clerk concluded the reading of the motion to recommit.

The SPEAKER pro tempore. The motion to recommit is considered as having been agreed to.

The Clerk concluded the reading of the motion to recommit.

The Speaker, when they come back to town, will be sure that we are going to get anything out of this House except this vote tonight.

Mr. DEFAZIO. Mr. Speaker, I yield 45 seconds to the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Speaker, I have tremendous respect for Speaker HASTERT whom I believe has done a great job showing a unified stand to the world in the last week. But I represent 20 to 30,000 Boeing employees. The one thing I can tell them is you just cannot ask them to eat good intentions. We cannot be sure that we are going to get anything out of this House except this vote tonight.

To my friends on this side of the aisle, let me suggest to you this to think about when you vote for this motion. Those planes to Las Vegas, Florida, Minneapolis or anyplace else because they do not believe they are safe. They want this system federalized. They have had enough of the people sleeping at the security machines. They have had enough of people sneaking by them. They have had enough of the Federal agents going by the system all of the time. They want it federalized, they want law enforcement officials there, and we ought to direct the FAA tonight to do it. Then we will start to see people get back on the airplanes.

We can talk about it. We can have commissions. We can have studies. This Congress ought to direct the FAA to do this, to federalize this air safety system in this country. Then people will fly again.

Mr. DEFAZIO. Mr. Speaker, I yield 45 seconds to the gentleman from California (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, I object. The SPEAKER pro tempore. Objection is heard. The Clerk will continue the reading.

Mr. DOGGETT. Mr. Speaker, I yield myself 1 minute and 15 seconds.

This does not have to do with this thing. I know we are going to hear, "The Senate didn't include this. We can't do it."

We can do it. We are the United States House of Representatives. We are the House of the people. We can add these simple provisions, these necessary provisions to this bill and the Senate, when they come back to town on Monday, can add them and we still beat the deadline the airlines have said they have of Wednesday.

It does two things: One, it says any airline that takes billions, or hundreds of millions, of dollars under this bill will have to carry the health insurance of employees they lay off for 18 months. I do not think that is too much to ask. That is the first provision.

The second provision says, and the airline CEOs who seem to be getting a lot here tonight agree with this, they said in committee they think screening should be federalized immediately; they just do not want to pay for it. I remove the provision that paid for it, so we would just in this bill federalize the screening, as the airline CEOs, the security experts, the FAA, all the experts say we need to do to get control. Knives were taken through by a BATF agent in Miami this week, this week, were smuggled through. The screening is still not working. We need Federal control.

Mr. Speaker, I yield 45 seconds to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Let us face it, folks. This whole motion to recommit leaves the whole question of security for the traveling public in a holding pattern. It is time to get it out of...
the holding pattern and bring it down to Earth. Because when you ask the American people tonight what their concerns are, is it, is it safe? Is it secure? Will somebody else be sneaking by the minimum wage employees that are out at the airport something that is unsafe?

This is the first measure considered on this floor that does something to address that concern. It will not hold this bill up a bit. Let us approve it and answer the basic concern of the American people. Flying is safe, it can be safe, if we are assured we have the security there and it is not somebody who is concerned with our most basic security who could not get a job somewhere else.

Mr. DeFazio. Mr. Speaker, I yield 45 seconds to the gentlewoman from Ohio (Mrs. Jones).

Mrs. Jones of Ohio. Mr. Speaker, I thank the gentleman for yielding time. In fact, we are talking about security for the people who ride on the planes and security as well for the workers who have been working for the airline industry for the past years. It is not much to ask to provide them some health care for 18 months. We have given the industry dollars, or we are giving the industry dollars to continue. It is not a lot to ask for security for the fliers and riders on the airplanes who are entrusting their lives and their families to the airline industry.

I ask my colleagues to vote with us on this motion to recommit. I ask them to vote for health care insurance for the workers. Vote for security for the fliers. Put it in the hands of the FAA.

Mr. DeFazio. Mr. Speaker, I yield 45 seconds to the gentleman from Washington (Mr. McDermott).

Mr. McDermott. Mr. Speaker, Las Vegas is offering flights for $1 to come to Las Vegas, and nobody is taking them. Now, even the gamblers know that the planes are not safe; and we are out at the airport something that is unsafe?

They did not have in place a rule or properties is a smoke screen. This does not address the problem. Turning this responsibility over to somewhere between 18,000 and 27,000 new Federal aviation employees is not the answer, I do not make a scapegoat out of the FAA.

Secondly, the gentleman from Washington has made an urgent appeal that there are a number of people who are out of a job, every American who lost their job because of the consequences that we face?

Let us deal with this on a broad based basis, and not on this motion to recommit.

Mr. DeFazio. Mr. Speaker, I yield 45 seconds to the gentleman from Florida (Mr. Mica), the chairman of the Subcommittee on Aviation.

Mr. Mica. Mr. Speaker, tonight we have to deal with facts. The provision in this bill of screening of passengers and properties is a smoke screen. This does not address the problem. Turning this responsibility over to somewhere between 18,000 and 27,000 new Federal aviation employees is not the answer, I can assure you.

What happened on September 11, we had turned over the responsibility to the Federal Aviation Administration. They did not have in place a rule or regulation or directive that stopped box-cutting knives or small knives to be on board airplanes.

This screen makes a scapegoat out of the screens. The screening process has been in limbo since we passed, in 1996, legislation directing FAA who they want to turn this over to, to get a rule out. It has taken 6 years, and today we have to deal with fact that we need to have a certification of screens; and that is who they want to turn this responsibility over to.
The airlines, yes, they want to give up this responsibility, but they testified yesterday that they would continue to pay for that. They do not want the responsibility; but, yes, they will pay for it. So that is a bogus argument.

We are working on legislation. We are trying to craft legislation that will make the right decision, not knee-jerk decision, spending billions, like they did after the TWA 800 crash when they spent billions. We have heard testimony of equipment ordered by the Congress sitting in warehouses not doing the job. Do not make the same mistake. Defeat the motion to recommit.

The SPEAKER pro tempore. All time for debate on the motion to recommit has expired.

Without objection, the previous question is ordered on the motion to recommit.

The question is on the motion to recommit. The previous question was ordered on the motion to recommit. The question is on the motion to recommit. The motion to recommit was rejected. The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. THORNBERRY). The question is on the passage of the bill. The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. ORTIZ and Mr. VISCOSKY changed their vote from "nay" to "yea". Mr. ORTIZ and Mr. VISCOSKY changed their vote from "nay" to "yea".

The motion to recommit was rejected. The result of the vote was announced as above recorded.

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Mr. ORTIZ and Mr. VISCOSKY changed their vote from "nay" to "yea".
CONGRESSIONAL RECORD—HOUSE  

September 21, 2001

H.R. 2510. An act to extend the expiration date of the Defense Production Act of 1950, and for other purposes.

LEGISLATIVE PROGRAM

(Mr. BONIOR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BONIOR. Mr. Speaker, I would inquire of the distinguished majority leader the schedule for the remainder of the evening and next week.

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

Mr. BONIOR. I yield to the gentleman from Texas.

Mr. ARMEY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I am pleased to announce that the House has completed its legislative business for the week. Let me say that again, Mr. Speaker: I am so very pleased that the House has completed its legislative business for the week.

The House will next meet for morning business on Monday, September 24, at 12:30 p.m. and 2 o'clock p.m. for legislative business. The House will consider a number of measures under suspension of the rules, and a continuing resolution.

On Monday, no recorded votes are expected before 6 o'clock p.m.

Mr. Speaker, on Tuesday and Wednesday, the House will consider the District of Columbia Appropriations Act, and I am also hopeful that the House will be able to complete consideration of H.R. 2586, the National Defense Authorization Act for fiscal year 2002.

On Wednesday, only if it is necessary for the House to be in session, we will complete the business for the week. No votes are expected past 2 o'clock p.m. on Wednesday.

Mr. BONIOR. Mr. Speaker, I thank my colleague for his information this evening. I would ask him two questions:

Number one, I gather from his remarks with respect to Wednesday next that if we finish the business of the House Tuesday, that we will be finished, so Members who need to get back for religious holidays will be able to do so.

Mr. ARMEY. If the gentleman will continue to yield, Mr. Speaker, we are going to work as hard as we can, and in full cooperation, I am sure, with all the Members to try to complete our work on Tuesday night. Members need to be home by sundown, and sometimes that is California or someplace else on the West Coast. We want to give them every opportunity to get an early start in the morning so they can accomplish the work.

Mr. BONIOR. I thank my colleague. Finally, I would ask my friend, the gentleman from Texas, we had a