

RONALD REAGAN NATIONAL AIRPORT

JANUARY 29, 1998.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. SHUSTER, from the Committee on Transportation and Infrastructure, submitted the following

REPORT

together with

DISSENTING AND ADDITIONAL DISSENTING VIEWS

[To accompany H.R. 2625]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 2625) to redesignate Washington National Airport as “Ronald Reagan Washington National Airport”, having considered the same, reports favorably thereon with amendments and recommends that the bill as amended do pass.

The amendments are as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. REDESIGNATION.

The airport described in the Act entitled “An Act to provide for the administration of the Washington National Airport, and for other purposes”, approved June 29, 1940 (Chapter 444; 54 Stat. 686), and known as the Washington National Airport, shall hereafter be known and designated as the “Ronald Reagan National Airport”.

SEC. 2. REFERENCES.

(a) IN GENERAL.—(1) The following provisions of law are amended by striking “Washington National Airport” each place it appears and inserting “Ronald Reagan National Airport”:

(A) Section 1(b) of the Act of June 29, 1940 (Chapter 444; 54 Stat. 686).

(B) Sections 106 and 107 of the Act of October 31, 1945 (Chapter 443; 59 Stat. 553).

(C) Section 41714 of title 49, United States Code.

(D) Chapter 491 of title 49, United States Code.

(2) Section 41714(d) of title 49, United States Code, is amended in the subsection heading by striking “WASHINGTON NATIONAL AIRPORT” and inserting “RONALD REAGAN NATIONAL AIRPORT”.

(b) OTHER REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Washington National Airport shall be deemed to be a reference to the “Ronald Reagan National Airport”.

Amend the title so as to read:

A bill to rename the Washington National Airport located in the District of Columbia and Virginia as the “Ronald Reagan National Airport”.

BACKGROUND

According to the National Park Service, in 1927, a joint airport committee voted to approve a site for a new municipal airport for the nation’s capital. It chose Gravelly Point, a shallow-water area on the west bank of the Potomac across from Haines Point, four and a half miles south of Washington, D.C. This was designed to replace the Washington Hoover Airport which was located approximately where the Pentagon is today.

At first, the proposed airport was referred to as the “Gravelly Point Airport Project.” However, over time it came to be known as National Airport. There does not seem to be any precise moment or action that can be cited for the name change. Nevertheless the name National Airport was appearing on documents as early as 1938. And in 1940, when legislation was enacted to provide for the administration of the new airport, the law referred to the airport as the “Washington National Airport.”

Washington National Airport opened for business in 1941. For its first 45 years, the airport was owned by the Federal government and operated by the Federal Aviation Administration or its predecessor agencies. During that time, there were several efforts to consider transferring the airport, and the Washington Dulles Airport, to a government corporation or local control.

However, it was not until the Reagan administration that the transfer really began to gain momentum. In 1984, President Reagan and his Secretary of Transportation Elizabeth Dole established an Advisory Commission and charged it with developing a proposal for transferring the two airports from Federal to local control. It was generally recognized at that time that continued Federal stewardship was resulting in dilapidated terminals, congested roadways, and an inability to improve the airports that was inconsistent with the need to create a world class gateway for the nation’s capital.

On December 18, 1984, the Commission issued its report recommending that National and Dulles airports be transferred to a single, independent public authority to be created jointly by the Commonwealth of Virginia and the District of Columbia, with the capacity to issue tax exempt revenue bonds to finance improvements at both airports.

With some modifications, Congress accepted the Commission’s recommendations and passed the Metropolitan Washington Airports Act of 1986. On October 30, 1986, President Reagan signed this bill into law (Title VI of P.L. 99–591). Under this legislation, the Federal government retains ownership of National and Dulles airports but leases them to a local authority known as the Metropolitan Washington Airports Authority (MWAA). This law has enabled MWAA to embark on an ambitious modernization program,

the most visible symbol of which is the new passenger terminal at National Airport which opened last year.

LEGISLATION

H.R. 2625 was introduced by Congressman Barr on October 7, 1997 to honor Ronald Reagan for his service to the nation and his contribution to the modernization of National Airport. The reported bill would name that airport the "Ronald Reagan National Airport."

Ronald Reagan was born on February 6, 1911 and in 1980 was elected the 40th President of the United States. H.R. 2625 would honor Reagan for his leadership to and for the citizens of the United States and all freedom-loving people throughout the world. In particular, the bill is designed to honor the President for the following accomplishments during his administration which were eloquently set forth by the Republican Governors Association on November 22, 1997 at its annual meeting in Miami, Florida:

President Reagan established fiscal policies that invigorated the American economy, revitalizing growth and investment while decreasing federal spending, inflation, interest and tax rates and unemployment;

When confronted by increasingly tense relations with the former Soviet Union, President Reagan's policy of "peace through strength" restored national security, ensured peace and paved the way for the successful end of the Cold War;

President Reagan's leadership encouraged a rediscovery of the values upon which our forefathers founded this nation;

In 1986 President Reagan persuaded Congress to end the inefficiency and expense of federal ownership of Washington National Airport and transfer control to an independent state-level authority, paving the way for long-overdue airport modernization projects, including construction of National's new terminal.

The naming of this airport does not require any change in the lease between the Federal government and the MWAA. Section 1.M of the lease refers to the airport as the one described in the Act of June 29, 1940 (54 Stat. 686). This legislation changes that 1940 Act by inserting the new name in the reported bill. Accordingly, the airport referred to in the lease will continue to be the airport described in the Act of 1940 and the airport described in that Act will now be the Ronald Reagan National Airport.

There is nothing else in the lease that would prevent this action. Provisions in the scope clause of the lease dealing with MWAA's authority "to occupy, control and use" the airport and to have "full power and dominion over" the airport do not prohibit the Federal government (the landlord) from naming the airport. Although there are certainly differences, the situation is not unlike that which existed in *County of Erie v. Buffalo Bills Division of Highwood Services*, 348 N.Y.S.2d 260 (1973) where the court found that the landlord had the right to change the name of the stadium but was limited in its ability to put up signs. Here the Committee believes that the naming of the airport does not affect MWAA's ability to operate, control, use, or exercise power and dominion over the airport. The naming itself does not undercut the airport's ability to decide where or how to place the signs.

Concerns that the name chosen for this airport would somehow denigrate the memory of George Washington are without foundation. The term "Washington" was probably included in the 1940 name of the airport in order to indicate the market that the airport served, that is Washington, D.C. That was certainly the case with other airport namings. For example, Public Law 98-510, 98 Stat. 2365, October 19, 1984 renamed Dulles International Airport the Washington Dulles International Airport. The purpose of this renaming was not to minimize the contribution of John Foster Dulles but to indicate to passengers the market that the airport served. Similarly, Baltimore Washington International Airport (BWI) was given that name not to honor Lord Baltimore and George Washington but rather to indicate to passengers that that airport served both the Baltimore and Washington markets. However, the Reagan National Airport with its close proximity to D.C. is now so closely associated with the Nation's capitol that there is no real need to continue to include the word Washington in its name.

The Committee is always concerned about the cost of its legislation but understands that there will be no significant cost to the Federal government and that the cost to MWAA should be minimal. The Committee expects MWAA to implement the name change in a timely fashion. To the extent that there is a cost, it should be noted that the Reagan Legacy Project has offered to raise money to help defray it. This name change would not necessarily affect the airport's DCA designator code.

SECTION-BY-SECTION SUMMARY

Section 1 states that Washington National Airport shall hereafter be known and designated as the "Ronald Reagan National Airport".

Section 2 amends various laws by inserting the new name of the airport. The laws amended include the following:

The Act of June 29, 1940 providing for the administration of the airport;

The Act of October 31, 1945 establishing a boundary line between D.C. and Virginia;

Section 41714 of Title 49 dealing with slots at the airport; and

Chapter 491 of Title 49 that authorized the transfer of the airport to MWAA.

The section also states that any other reference to the airport in law, map, regulation, document, paper, or other Federal record shall be deemed to be a reference to the "Ronald Reagan National Airport".

HEARINGS

No hearings were held on the reported legislation.

COMMITTEE CONSIDERATION

On January 27, 1998, the Committee on Transportation and Infrastructure met in open session and ordered reported H.R. 2625 with an amendment by a vote of 39 to 28 with a quorum present. The Subcommittee on Aviation was discharged.

ROLLCALL VOTES

Clause 2(1)(2)(B) of rule XI requires each committee report to include the total number of votes cast for and against on each rollcall vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against.

DEFAZIO AMENDMENT

This amendment would have made the name change contingent on securing the consent of MWAA. The amendment failed by a vote of 30 to 37 as follows:

<i>Members Voting Aye</i>	<i>Members Voting Nay</i>
Barcia	Bachus
Blumenauer	Baker
Borski	Bass
Boswell	Bateman
Brown	Blunt
Clement	Boehlert
Clyburn	Coble
Costello	Cook
Cummings	Cooksey
Danner	Duncan
Davis	Ehlers
DeFazio	Emerson
Filner	Ewing
Johnson of TX	Fox
Lampson	Fossella
Lipinski	Fowler
McGovern	Franks
Mascara	Gilchrest
Menendez	Granger
Millender-McDonald	Horn
Nadler	Hutchinson
Norton	Kelly
Oberstar	Kim
Poshard	LaHood
Rahall	LaTourette
Sandlin	LoBiondo
Tauscher	Metcalf
Taylor	Mica
Traficant	Moran
Wise	Ney
	Petri
	Pickering
	Pitts
	Quinn
	Riggs
	Thune
	Shuster

TAYLOR AMENDMENT

This amendment would have limited the Federal share of the costs of carrying out the name change to 50 percent. It failed by a vote of 28 to 38 as follows:

<i>Members Voting Aye</i>	<i>Members Voting Nay</i>
Barcia	Bachus
Blumenauer	Baker
Borski	Bass
Boswell	Bateman
Brown	Blunt
Clement	Boehlert
Clyburn	Coble
Costello	Cook
Cummings	Cooksey
Danner	Davis
DeFazio	Duncan
Filner	Ehlers
Johnson of TX	Emerson
Johnson of WI	Ewing
Lampson	Fossella
Lipinski	Fowler
McGovern	Fox
Menendez	Franks
Mascara	Gilchrest
Nadler	Granger
Norton	Horn
Oberstar	Hutchinson
Poshard	Kelly
Rahall	Kim
Sandlin	LaHood
Tauscher	LaTourette
Taylor	LoBiondo
Wise	Metcalf
	Mica
	Moran
	Ney
	Petri
	Pickering
	Pitts
	Quinn
	Riggs
	Thune
	Shuster

MOTION TO REPORT

The bill, as amended, was favorably reported to the House by a vote of 39 to 28 as follows:

<i>Members Voting Aye</i>	<i>Members Voting Nay</i>
Bachus	Barcia
Baker	Blumenauer
Bass	Borski
Bateman	Boswell
Blunt	Brown
Boehlert	Clement
Coble	Clyburn
Cook	Costello
Cooksey	Cummings
Davis	Danner
Duncan	DeFazio
Ehlers	Filner
Emerson	Johnson of TX
Ewing	Johnson of WI
Fossella	Lampson
Fowler	Lipinski
Fox	McGovern
Franks	Mascara
Gilchrest	Menendez
Granger	Millender-McDonald
Horn	Nadler
Hutchinson	Norton
Kelly	Oberstar
Kim	Poshard
LaHood	Rahall
LaTourette	Sandlin
LoBiondo	Tauscher
Metcalf	Wise
Mica	
Moran	
Ney	
Petri	
Pickering	
Pitts	
Quinn	
Riggs	
Taylor	
Thune	
Shuster	

COMMITTEE OVERSIGHT FINDINGS

With respect to the requirements of clause 2(1)(3)(A) of rule XI of the Rules of House of Representatives, the Committee's oversight findings and recommendations are reflected in this report.

COST OF THE LEGISLATION

Clause 7 of rule XIII of the Rules of the House of Representatives does not apply where a cost estimate and comparison prepared by

the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and is included in the report. Such a cost estimate is included in this report.

COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(1)(3)(B) of rule XI of the Rules of the House of Representatives, and section 308(a) of the Congressional Budget Act of 1974, the Committee references the report of the Congressional Budget Office included below.

2. With respect to the requirement of clause 2(1)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 2625.

3. With respect to the requirement of clause 2(1)(3)(C) of rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 2625 from the Director of the Congressional Budget Office.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, January 28, 1998.

Hon. BUD SHUSTER,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate (including a mandates statement) for H.R. 2625, a bill to redesignate Washington National Airport as "Ronald Reagan National Airport".

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Clare Doherty (for federal cost), and Kirsten Layman (for the state and local impact).

Sincerely,

JAMES L. BLUM
(For June E. O'Neill, Director).

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

H.R. 2625—A bill to redesignate Washington National Airport as "Ronald Reagan National Airport"

CBO estimates enacting this bill would have no significant impact on the federal budget. Because the bill would not affect direct spending or receipts, pay-as-you-go procedures would not apply. H.R. 2625 contains no private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995 (UMRA). The bill contains an intergovernmental mandate as defined in UMRA but CBO estimates that the costs of complying with this mandate would not be significant.

H.R. 2625 contains an intergovernmental mandate because the Metropolitan Washington Airports Authority (MWAA) would likely have to alter signs and change references to the Washington Na-

tional Airport in flyers, guides, and the Washington National Airport magazine. Based on discussions with staff of the MWA, CBO estimates that the costs of new signs would be minimal. Changes to other materials would probably not be made until current supplies of such items are depleted. Additional costs, therefore, would be negligible.

Finally, it appears unlikely that the Federal Highway Administration would require local jurisdictions to change the current road signs that refer to “National Airport.” According to the Virginia Department of Transportation, if the state chose to change these signs, costs would not exceed \$500,000.

The CBO staff contacts are Clare Doherty (for federal costs), and Kirsten Layman (for the state and local impact). This estimate was approved by Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause (2)(1)(4) of rule XI of the Rules of the House of Representatives, committee reports on a bill or joint resolution of a public character shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the measure. The Committee on Transportation and Infrastructure finds that Congress has the authority to enact this measure pursuant to its powers granted under Article I, Section 8 of the Constitution.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of the Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act (Public Law 104–4).

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

APPLICABILITY TO THE LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104–1).

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italics*, existing law in which no change is proposed is shown in *roman*):

ACT OF JUNE 29, 1940

AN ACT To provide for the administration of the Washington National Airport, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of this Act—

SEC. 1. (a) "Secretary" means the Secretary of Transportation.

(b) "Airport" means the **Washington National Airport** *Ronald Reagan National Airport*, which shall consist of, and include, the tract of land, together with all structures, improvements, and other facilities located thereon, lying partly in the District of Columbia and partly in the State of Virginia, particularly described as follows:

* * * * *

ACT OF OCTOBER 31, 1945

AN ACT To establish a boundary line between the District of Columbia and the Commonwealth of Virginia, and for other purposes

TITLE I—BOUNDARY LINE BETWEEN THE DISTRICT OF COLUMBIA AND THE COMMONWEALTH OF VIRGINIA

* * * * *

SEC. 106. The provisions of sections 272 to 289, inclusive, of the Criminal Code (U.S.C., title 18, secs. 451–468) shall be applicable to such portions of the George Washington Memorial Parkway and of the **Washington National Airport** *Ronald Reagan National Airport* as are situated within the Commonwealth of Virginia. Any United States commissioner specially designated for that purpose by the District Court of the United States for the Eastern District of Virginia shall have jurisdiction to try and, if found guilty, to sentence persons charged with petty offenses against the laws of the United States committed on the above-described portions of the said parkway or airport. The probation laws shall be applicable to persons so tried. For the purposes of this section, the term "petty offense" shall be defined as in section 335 of the Criminal Code (U.S.C., title 18, sec. 541). If any person charged with any petty offense as a foresaid shall so elect, however, he shall be tried in the said district court.

SEC. 107. The State of Virginia hereby consents that exclusive jurisdiction in the **Washington National Airport** *Ronald Reagan National Airport* (as described in sec. 1(b) of the Act of June 29, 1940 (54 Stat. 686)), title to which is now in the United States, shall be in the United States. The conditions upon which this consent is given are the following and none others: (1) There is hereby reserved in the Commonwealth of Virginia the jurisdiction and power to levy a tax on the sale of oil, gasoline, and all other motor fuels and lubricants sold on the **Washington National Airport** *Ronald Reagan National Airport* for use in over-the-road vehicles such as trucks, busses, and automobiles, except sales to the United

States: *Provided*, That the Commonwealth of Virginia shall have no jurisdiction or power to levy a tax on the sale or use of oil, gasoline, or other motor fuels and lubricants for other purposes; (2) there is hereby expressly reserved in the Commonwealth of Virginia the jurisdiction and power to serve criminal and civil process on the **【Washington National Airport】** *Ronald Reagan National Airport*; and (3) there is hereby reserved in the Commonwealth of Virginia the jurisdiction and power to regulate the manufacture, sale, and use of alcoholic beverages on the **【Washington National Airport】** *Ronald Reagan National Airport* (as described in sec. 1(b) of the Act of June 29, 1940 (54 Stat. 686)).

Subject to the limitation on the consent of the State of Virginia as expressed herein exclusive jurisdiction in the **【Washington National Airport】** *Ronald Reagan National Airport* shall be in the United States and the same is hereby accepted by the United States.

This Act shall have no retroactive effect except that taxes and contributions in connection with operations, sales and property on and income derived at the **【Washington National Airport】** *Ronald Reagan National Airport* heretofore paid either to the Commonwealth of Virginia or the District of Columbia are hereby declared to have been paid to the proper jurisdictions and the Commonwealth of Virginia and the District of Columbia each hereby waives any claim for any such taxes or contributions heretofore assessed or assessable to the extent of any such payment to either jurisdiction.

Any provision of law of the United States or the Commonwealth of Virginia which is to any extent in conflict with this Act is to the extent of such conflict hereby expressly repealed.

TITLE 49, UNITED STATES CODE

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SUBTITLE VII—AVIATION PROGRAMS

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PART A—AIR COMMERCE AND SAFETY

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SUBPART II—ECONOMIC REGULATION

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CHAPTER 417—OPERATIONS OF CARRIERS

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SUBCHAPTER I—REQUIREMENTS

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§ 41714. Availability of slots

(a) MAKING SLOTS AVAILABLE FOR ESSENTIAL AIR SERVICE.—

(1) OPERATIONAL AUTHORITY.—If basic essential air service under subchapter II of this chapter is to be provided from an eligible point to a high density airport (other than **Washington National Airport** *Ronald Reagan National Airport*), the Secretary of Transportation shall ensure that the air carrier providing or selected to provide such service has sufficient operational authority at the high density airport to provide such service. The operational authority shall allow flights at reasonable times taking into account the needs of passengers with connecting flights.

* * * * *

(b) SLOTS FOR FOREIGN AIR TRANSPORTATION.—

(1) EXEMPTIONS.—If the Secretary finds it to be in the public interest at a high density airport (other than **Washington National Airport** *Ronald Reagan National Airport*), the Secretary may grant by order exemptions from the requirements of subparts K and S of part 93 of title 14, Code of Federal Regulations (pertaining to slots at high density airports), to enable air carriers and foreign air carriers to provide foreign air transportation using Stage 3 aircraft.

* * * * *

(c) SLOTS FOR NEW ENTRANTS.—

(1) IN GENERAL.—If the Secretary finds it to be in the public interest and the circumstances to be exceptional, the Secretary may by order grant exemptions from the requirements under subparts K and S of part 93 of title 14, Code of Federal Regulations (pertaining to slots at high density airports), to enable new entrant air carriers to provide air transportation at high density airports (other than **Washington National Airport** *Ronald Reagan National Airport*).

(2) PERIOD OF EFFECTIVENESS.—Exemptions issued under this subsection shall cease to be in effect on or after the date on which the final rules issued under subsection (f) become effective.

(d) SPECIAL RULES FOR **WASHINGTON NATIONAL AIRPORT** *RONALD REAGAN NATIONAL AIRPORT*.—

(1) IN GENERAL.—Notwithstanding sections 49104(a)(5) and 49111(e) of this title, or any provision of this section, the Secretary may, only under circumstances determined by the Secretary to be exceptional, grant by order to an air carrier currently holding or operating a slot at **Washington National Airport** *Ronald Reagan National Airport* an exemption from requirements under subparts K and S of part 93 of title 14, Code of Federal Regulations (pertaining to slots at **Washington National Airport** *Ronald Reagan National Airport*), to enable that carrier to provide air transportation with Stage 3 aircraft at **Washington National Airport** *Ronald Reagan National Airport*; except that such exemption shall not—

(A) result in an increase in the total number of slots per day at **Washington National Airport** *Ronald Reagan National Airport*;

(B) result in an increase in the total number of slots at **Washington National Airport** *Ronald Reagan National Airport* from 7:00 ante meridiem to 9:59 post meridiem;

(C) increase the number of operations at **Washington National Airport** *Ronald Reagan National Airport* in any 1-hour period by more than 2 operations;

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PART D—PUBLIC AIRPORTS

CHAPTER 491—METROPOLITAN WASHINGTON AIRPORTS

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§ 49103. Definitions

In this chapter—

(1) * * *

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(3) “Metropolitan Washington Airports” means **Washington National Airport** *Ronald Reagan National Airport* and Washington Dulles International Airport.

* * * * *

(5) “**Washington National Airport** *Ronald Reagan National Airport*” means the airport described in the Act of June 29, 1940 (ch. 444, 54 Stat. 686).

§ 49104. Lease of Metropolitan Washington Airports

(a) GENERAL.—The lease between the Secretary of Transportation and the Metropolitan Washington Airports Authority under section 6005(a) of the Metropolitan Washington Airports Act of 1986 (Public Law 99–500; 100 Stat. 1783–375; Public Law 99–591; 100 Stat. 3341–378), for the Metropolitan Washington Airports must provide during its 50-year term at least the following:

(1) * * *

* * * * *

(5)(A) * * *

* * * * *

(C) The Airports Authority may not increase or decrease the number of instrument flight rule takeoffs and landings authorized by the High Density Rule (14 CFR 93.121 et seq.) at **Washington National Airport** *Ronald Reagan National Airport* on October 18, 1986, and may not impose a limitation on the number of passengers taking off or landing at **Washington National Airport** *Ronald Reagan National Airport*.

* * * * *

(9) A landing fee imposed for operating an aircraft or revenues derived from parking automobiles—

(A) at Washington Dulles International Airport may not be used for maintenance or operating expenses (excluding debt service, depreciation, and amortization) at **Washing-**

ton National Airport] *Ronald Reagan National Airport*;
and

(B) at [Washington National Airport] *Ronald Reagan National Airport* may not be used for maintenance or operating expenses (excluding debt service, depreciation, and amortization) at Washington Dulles International Airport.

* * * * *

§ 49105. Capital improvements, construction, and rehabilitation

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Metropolitan Washington Airports Authority—

(1) should pursue the improvement, construction, and rehabilitation of the facilities at Washington Dulles International Airport and [Washington National Airport] *Ronald Reagan National Airport* simultaneously; and

(2) to the extent practicable, should cause the improvement, construction, and rehabilitation proposed by the Secretary of Transportation to be completed at Washington Dulles International Airport and [Washington National Airport] *Ronald Reagan National Airport* within 5 years after March 30, 1988.

* * * * *

§ 49109. Nonstop flights

An air carrier may not operate an aircraft nonstop in air transportation between [Washington National Airport] *Ronald Reagan National Airport* and another airport that is more than 1,250 statute miles away from [Washington National Airport] *Ronald Reagan National Airport*.

* * * * *

§ 49111. Relationship to and effect of other laws

(a) * * *

* * * * *

(c) POLICE POWER.—Virginia shall have concurrent police power authority over the Metropolitan Washington Airports, and the courts of Virginia may exercise jurisdiction over [Washington National Airport] *Ronald Reagan National Airport*.

(d) PLANNING.—(1) The authority of the National Capital Planning Commission under section 5 of the Act of June 6, 1924 (40 U.S.C. 71d), does not apply to the Airports Authority.

(2) The Airports Authority shall consult with—

(A) the Commission and the Advisory Council on Historic Preservation before undertaking any major alterations to the exterior of the main terminal at Washington Dulles International Airport; and

(B) the Commission before undertaking development that would alter the skyline of [Washington National Airport] *Ronald Reagan National Airport* when viewed from the opposing shoreline of the Potomac River or from the George Washington Parkway.

(e) OPERATION LIMITATIONS.—The Administrator of the Federal Aviation Administration may not increase the number of instrument flight rule takeoffs and landings authorized for air carriers by the High Density Rule (14 CFR 93.121 et seq.) at **Washington National Airport** *Ronald Reagan National Airport* on October 18, 1986, and may not decrease the number of those takeoffs and landings except for reasons of safety.

* * * * *

DISSENTING VIEWS

Although we strongly oppose the bill to rename the Washington National Airport after President Reagan, our opposition should not be construed as a lack of appreciation for President Reagan's achievements or a lack of sympathy for his serious illness. Some of us were supporters of President Reagan's policies, while others opposed them. We all agree that President Reagan's service to the country should be recognized by an appropriate naming of public facilities. However, this does not mean we should blindly accept any proposal that is made. Our responsibilities as Members of the Committee with jurisdiction over the naming of public facilities require us to evaluate these proposals on their merits. By these standards, the proposal to rename Washington National Airport must be rejected. The proposal is an unwarranted federal interference with the rights of local governments and communities and is inconsistent with long-standing Congressional policies on the naming of public facilities.

1. Renaming Washington National Airport against the wishes of the local government authority running the airport, and the wishes of the communities in which the airport is located, would be contrary to law and inconsistent with President Reagan's philosophy

In many respects the Federal Government is still operating on the outdated, and, if I may say so, arrogant assumption that the States can't manage their own affairs.

* * * * *

Let us renew and enrich the power and purpose of States and local communities and let us return to the people those rights and duties that are justly theirs.

* * * * *

The greatest threat to freedom, even in today's perilous times, comes from no foreign force. It comes from a dangerous habit many of our leaders fell into over several generations—letting the power and the resources that are the basis of freedom slip from grassroots America into the hands of a remote central authority. Today we have the opportunity to turn that centralization of power around.

Remarks by President Reagan, 1981–1983.

A cornerstone of President Reagan's philosophy is that the Federal government should not carry out responsibilities which can be handled by state and local government. He strongly believes that, whenever possible, citizens should be governed at the level of government which is closest to them and can recognize their unique needs. This philosophy was embodied in the 1986 legislation which

transferred control of the only two airports run by the federal government, Washington National and Washington Dulles, to a local government authority. It would be completely inconsistent with President Reagan's philosophy and with the letter and spirit of the 1986 legislation for the federal government to reenter the picture and unilaterally rename Washington National Airport, against the wishes of the local airport authority, and the wishes of the communities in which the airport is located.

The 1986 Act made it clear that the local agency that would run the airport under a 50 year lease (an airport authority created by the commonwealth of Virginia and the District of Columbia) would be given the same authority to run the airports as is held by other airport authorities around the country. The findings of the 1986 Act states that "* * * all other major air carrier airports in the United States are operated by public entities at the state or local level" and that "* * * the Secretary of Transportation had recommended a transfer of authority from the federal to the local-state level that is consistent with the management of major airports elsewhere in the nation" (Sec. 6002). The Act also stated that the purpose of the legislation was "* * * to achieve local control, management, operation, and development of these important transportation assets" (Sec. 6003).

The 1986 legislation made it clear that the two Washington area airports were not to be treated differently from other airports just because the federal government retained an interest as a landlord under the 50 year lease of the Airports to the local authority. Sec. 6009(b) of the Act, provided that "* * * the metropolitan airports and the airport authority shall not be subject to the requirement of any law solely by the reason of the retention by the United States of fee simple title to such airports".

The 50 year lease of the airports from the federal government to the local authority makes it even more clear that the Airports Authority is to have complete power to run the airports. The lease provides the Airports Authority will have "* * * full power and dominion over, and complete discretion in, operation and development of the Airports" and that the Authority shall have the "same proprietary powers * * * as any other airport".

We believe that a law and a lease which (as discussed above) give "full power", "complete discretion" and the "same proprietary powers as any other airport" to operate an airport includes control over the name of the Airport. "Complete discretion" to operate a business ordinarily implies the right to select the name under which the business operates. Under the 1986 Act, the Airport Authority was expected to underwrite billions of dollars in bonds to modernize the long neglected facilities. It is only fair that a commitment of this magnitude be accompanied by protection against an unwanted name change.

It is clear that the name change proposed by the pending legislation is not acceptable to the local authority running National Airport, or to the citizens residing in the airport's community. The Chairman of the Board of Directors of the Airport Authority recently stated that he believed that if the Board of Directors voted on this name change, it would be rejected. The Committee has also received a letter from Congressman Moran, in whose District the

Airport is located, strongly opposing the transfer. If this legislation goes forward over his objections, it would be the *first time* that a building or facility would be named by the Congress against the wishes of the Congressman representing the district in which the building is located. As a further indication of local opposition to the renaming, the Committee has received letters opposing the transfer from the County of Arlington in which the airport is located, and the Greater Washington Board of Trade.

The desire of the supporters of this legislation to run roughshod over local rights was emphasized by the Committee's rejection (by a vote of 37-30 with only one Republican voting against) of an amendment which would have required the consent of the local Airport Authority before the name change could take effect.

We cannot understand why supporters of this legislation believe that it is a suitable honor for President Reagan to change the name of a locally-run facility over the objections of the facility itself, and the communities in which it is located. The heavy-handed nature of this proposal was emphasized in a discussion with Committee Counsel at the Committee markup. Counsel's interpretation of the lease was that the federal government could change the name of the Airport since this was not an "operational" matter, but that the federal Government could not direct the airport to change the name in signs on the airport property, since this would be operational. When asked whether this distinction could make a federal legislative change of name meaningless, counsel responded that the federal government could coerce compliance by taking away the airport's federal funding or refusing to allow the airport to collect locally instituted passenger facility charges to make the airport safer and more efficient. This assertion of federal authority should be shocking to proponents of a limited federal government, and those who strongly oppose unfunded federal mandates or unwarranted federal intervention in local affairs.

2. The proposed name change is inconsistent with long-standing congressional policy against renaming a federal facility

Washington National Airport should not be renamed because the airport already has an appropriate name which was chosen when the airport opened 50 years ago. The airport was named "National" because it serves the capital of our Nation. The name 'Washington' reflect the city the airport serves and honors the Father of our Country. The name of the airport should continue to reflect its service to the entire Nation. It should not be renamed to reflect a contemporary political agenda which many Americans do not accept. Renaming Washington National Airport after President Reagan would be especially divisive when the other airport that services our capital, Washington Dulles, is already named after a Republican official.

Renaming a public facility is contrary to long-standing congressional policy. So far as we are aware, Congress has never changed the name of a facility which already has a name. This policy has been followed by Democrats and Republicans alike. To cite just one recent example when Secretary Ron Brown tragically died while serving his country, Democrats did not propose changing the name

of the Herbert Hoover Department of Commerce Building to the Ron Brown Building.

Renaming National Airport after a controversial figure such as Ronald Reagan and against the wishes of the Congressman in whose district the airport resides would set an unwise precedent in regard to all future naming bills. Starting down the road of renaming could lead to a period of massive changes, as there are shifts in the Majority in Congress and changes in the nation's political philosophy. Presidents, whose historical reputations rise and fall, would be particularly vulnerable to these changes. If President Reagan's reputation declines in the future we would not want to see the Ronald Reagan Building & International Trade Center renamed to reflect the whim of the moment. The same protection should be afforded to an airport name which reflects an airport's service to the nation and recognizes our First President.

3. It is the supporters of this legislation who are turning a bill to name a public facility into a partisan political issues

Supporters of the bill have made it clear there is an agenda beyond honoring an ailing former President. A leading supporter of the proposal, former Governor George Allen of Virginia, " * * * noted with relish that with the new name, generations of lawmakers would be greeted by a memorial to a famous opponent of federal spending * * *" (Washington Post, November 23, 1997). Congressman Bob Barr, sponsor of the legislation to rename the airport, supported his bill with a statement that " * * * it is only fitting that the gateway to the city that still enjoys the Reagan legacy of smaller government and lower taxes be named after this American hero" (Associated Press, October 23, 1997).

Even more pointedly, on a recent "This Week" show on ABC, conservative columnist and commentator George Will remarked that if the renaming proposal is adopted, Washington passengers "would fly out of two airports, one named John Foster Dulles, and the other after Ronald Reagan, and that's an ideologically perfect choice." On the same program, fellow conservative Bill Kristol remarked that naming the airport after Ronald Reagan is "especially worth it because it will so annoy people like George [Stephanopoulos]." These remarks reveal that the renaming movement is motivated by an "in your face" attitude and a desire to turn the airport into a billboard for a political cause. In this environment, a new name for the airport will only promote controversy and divisiveness. Is this the way President Reagan's supporters want him to be remembered?

4. Naming an airport after President Reagan would be controversial and divisive because of his aviation policies

It is puzzling to us that President Reagan's supporters have chosen an airport as the focus of their efforts to honor him. We respectfully suggest to supporters of the legislation that they consider the dark symbolism of naming an airport after the President who fired 11,000 air traffic controllers after they went on strike in 1981, and then went on to prevent them from reapplying for their jobs far beyond any reasonable period of punishment. These actions are widely viewed within the aviation community as creating a controller shortage which handicapped the aviation industry far beyond President Reagan's term of office. When we talk to people about the proposed renaming of the airport, they immediately note the irony of naming the airport after the President who fired the controllers. Is this the legacy his supporters want?

5. There are alternative ways of honoring President Reagan

Congress has not ignored the Reagan legacy. He has been honored by naming the International Trade Center, the largest federal building other than the Pentagon; a federal court house in California; and the newest Nimitz-class carrier in the Navy's fleet. These are substantial honors, particularly when we remember that construction on George Washington's monument did not begin until 49 years after his death; President Lincoln was not honored with a memorial until 44 years after his assassination, and the Jefferson and Roosevelt memorials were not complete until 134 and 52 years after their respective deaths.

If the purpose of this whole exercise is to honor the 40th President of the United States, then we believe it cannot succeed. The legitimate problems which have been raised mean that even if the legislation is passed, it is too controversial and divisive to achieve its purpose. Unfortunately, the proponents have insisted on a proposal fraught with problems and rejected suggestions to find reasonable alternatives or make meaningful improvements and, we submit, it is only going to get worse with consideration by the Rules Committee and the House still to come.

Again, as we have stated, we are willing to support reasonable alternatives. We invite our majority colleagues to work with us to find an honor which is consistent with President Reagan's philosophy and accomplishments, and complies with time honored Congressional policies for naming public facilities.

WILLIAM O. LIPINSKI.
ELEANOR H. NORTON.
JAMES E. CLYBURN.
BOB FILNER.
JERROLD NADLER.
ELLEN TAUSCHER.
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JAMES L. OBERSTAR.
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MAX SANDLIN.
BILL PASCRELL.
LEONARD L. BOSWELL.
PAT DANNER.
JAMES P. MCGOVERN.
EARL BLUMENAUER.
ELIJAH E. CUMMINGS.
BOB BORSKI.
BOB WISE.
ROBERT MENENDEZ.
PETE DEFazio.
GLENN POSHARD.
NICK RAHALL.
NICK LAMPSON.
BOB CLEMENT.
FRANK MASCARA.
JUANITA MILLENDER-McDONALD.
EDDIE BERNICE JOHNSON.
JAY W. JOHNSON.

ADDITIONAL DISSENTING VIEWS OF JERRY F. COSTELLO

While I have a great respect for Ronald Reagan and what he was able to accomplish during his tenure in the White House, I strongly disagree with the proposal to rename Washington National Airport the Ronald Reagan National Airport.

Over the years, this Committee has named many buildings and public facilities for distinguished individuals, including the new Ronald Reagan Trade Center in Washington, D.C. However, to my knowledge we have never renamed a building, let alone an airport. To replace the name given to Washington National Airport—clearly named after the first president of our country, George Washington—with another president sets a terrible precedent.

There is overwhelming local opposition to renaming Washington National Airport. To do so is contradictory to the Republican philosophy that the federal government should stay out of local matters. The Airport Authority, which was granted control of Washington's two airports in 1986, does not support this name change. Representative Jim Moran, who represents the district in which Washington National is located, opposes the redesignation as do many of his constituents in the airport's community. Further, the County of Arlington and the Greater Washington Board of Trade both oppose changing the name.

This attempt to rename Washington National Airport does not serve Ronald Reagan well. I will not vote for this bill when it reaches the floor of this House.

JERRY F. COSTELLO.

