CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2004 recommended by the Committee of Conference, with comparisons to the fiscal year 2003 amount, the 2004 budget estimates, and the House and Senate bills for 2004 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2003	$20,111,481
Budget estimates of new (obligational) authority, fiscal year 2004	19,890,979
House bill, fiscal year 2004	19,601,125
Senate bill, fiscal year 2004	20,012,291
Conference agreement, fiscal year 2004[1]	20,171,163
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2003	+59,682
Budget estimates of new (obligational) authority, fiscal year 2004	+280,184
House bill, fiscal year 2004	+570,038
Senate bill, fiscal year 2004	+158,872

[1] Conference agreement excludes 0.646% across-the-board cut.

CHARLES H. TAYLOR,
BILL YOUNG,
RALPH REGULA,
JIM KOLBE,
GEORGE R. NETHERCUTT, Jr.,
ZACH WAMP,
JOHN E. PETERSON,
DON SHERWOOD,
ANDER CRENSHAW,
NORMAN D. DICKS,
JOHN P. MURTHA,
JAMES P. MORAN,
JOHN W. OLVER,
Managers on the Part of the House.

CONRAD BURNS,
TED STEVENS,
THAD COCHRAN,
PETE DOMENICI,
ROBERT F. BENNETT,
JUDD GREGGNEW JERSEY,
BEN NIGHTHORSE CAMPBELL,
SAM BROWNBACK,
BYRON L. DORGAN,
ROBERT C. BYRD,
PATRICK J. LEAHY,
ERNEST HOLLINGS,
HARRY REID,
DIANNE FEINSTEIN,
BARBARA A. MIKULSKI,
Managers on the Part of the Senate.

PROVIDING FOR RECOMMITTAL OF CONFERENCE REPORT ON H.R. 2115, FLIGHT 100—CENTURY OF AVIATION REAUTHORIZATION ACT

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 377 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 377

Resolved, That upon adoption of this resolution the conference report to accompany the bill (H.R. 2115) to amend title 49, United States Code, to reauthorize programs for the Federal Aviation Administration, and for other purposes, is hereby recommitted to the committee of conference.

□ 1830

The SPEAKER pro tempore (Mr. GIBBONS). The gentleman from Florida (Mr. LINCOLN DIAZ-BALART) is recognized for 1 hour.

(Mr. LINCOLN DIAZ-BALART of Florida asked and was given permission to revise and extend his remarks.)

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 377 is a rule providing for the conference report accompanying H.R. 2115, the Flight 100–Century of Aviation Reauthorization Act to be recommitted to the conference committee. In an effort to ensure support for the bill, the House committees of jurisdiction have committed to making this important legislation even better through another conference.

I would like to thank the gentleman from Alaska (Chairman YOUNG) for his extraordinary leadership on this issue, as well as the other Members who have worked hard to make this a reality as we continue to address the concerns of Members on both sides of the aisle.

Mr. Speaker, I urge my colleagues to support this important rule.

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

Mr. MCGOVERN. Mr. Speaker, I yield myself 7 minutes.

Mr. Speaker, I thank the gentleman from Florida (Mr. LINCOLN DIAZ-BALART) for yielding me the customary time.

Mr. Speaker, the conference report for H.R. 2115, the FAA Reauthorization Act, is not quite ready for prime time. The good news is that the conference report is complete. The bad news is that there is no way it can pass the House in its current form. That is why we are here today. By voting for this rule, the House will send this conference report back to the conference committee for further consideration, an action that is sorely needed.

Mr. Speaker, the reason we need to recommit this conference report back to the conference committee is simple: There are three major provisions in this bill that will undermine efforts to protect the American public, while weakening our country's competitive position in the international air cargo markets.

The first and most obvious problem with the conference report is the provision that would allow for the immediate privatization of 69 air traffic control towers, with the authority to privatize all other air traffic control towers after 4 years. If this provision becomes law, it will begin the dismantling of the air traffic control system as we know it. We cannot allow our air traffic control system to be farmed out to the lowest bidder. Safety must come first, and we cannot do it on the cheap. Members on both sides of the aisle feel so strongly about this provision that they have pledged to vote against the conference report.

Mr. Speaker, FAA controllers responded magnificently during the tragic terrorist attacks of September 11. They successfully landed 4,482 aircraft within 2 hours without a single operational error. Their performance on that fateful day earned them the U.S. Department of Transportation's highest award for achievement. But the fact of the matter is they did an outstanding job before 9/11, and they have continued to do so every day since.

The FAA controllers and technicians are a highly-skilled group of dedicated professionals who deserve better than to be discarded just 2 short years after the world became so familiar with the challenges that they face. This conference report does not accord them the respect and the gratitude that they have earned and so rightly deserve.

Contrary to the various claims that have been made, this provision would not just affect airports that exclusively serve general aviation aircraft. Eighteen of the airports included in the list of 69 airports that could be privatized are served by commercial carriers. This includes Hanscom Airfield in my home State of Massachusetts, which is served by several commercial carriers, including Continental, Delta and Northwest. But even more alarming is the fact that 11 of these 69 air towers are among the 50 busiest in the country.

Now, as misguided as this provision is, the way it magically appeared in the conference report is just as galling. Not only was the provision not included in either bill passed by the House or the Senate, it runs completely counter to language in both the House and Senate bills that expressly prohibited the privatization of air traffic control. Yet, the conference committee, acting on orders from the White House, defied the wishes of the Members who serve in both Chambers and snuck this unwise, special-interest provision into the conference report.

This tactic, Mr. Speaker, is a new favorite of the Republican leadership. They ignore what the full House and full Senate have done, and secretly rewrite important bills in some back room. It is a terrible way to do the people's business. It makes a mockery of the legislative process and confirms the most cynical suspicions people have about how this Congress operates.

And it gets worse. A last minute one-word change in the conference report has changed antiterrorism training for flight crews from mandatory to discretionary. The Homeland Security Act of 2002 directed the Transportation Security Administration to issue security training guidelines for flight crews.

Section 603 of the FAA conference report guts this directive in order to give air carriers the authority to establish such training requirements.

The TSA has developed the training for Federal flight deck officers and the Federal air marshals. It only makes sense that the TSA should be responsible for developing the antiterrorism training for flight attendants so that there is a coordinated response from the entire flight crew in the event of a terrorist attack. To do anything less, Mr. Speaker, is to place special interests above passenger and crew safety, and that is absolutely unacceptable.

The third and final provision of this conference report that must be fixed is the giveaway exemption that will allow foreign airlines to carry air cargo between two U.S. domestic points, provided one of those domestic points is in Alaska and only in Alaska. There is no similar exemption for international air cargo going through Hawaii, Florida or California; just Alaska.

This provision represents an unprecedented change in U.S. transportation policy that for 200 years has protected domestic point-to-point service from foreign competition. No other country in the world grants U.S. carriers the kind of open access to its domestic transportation network that this provision would grant to foreign carriers operating in the United States. It is unfathomable that we would make such a dramatic change to long-standing transportation policy without a single hearing or a minute of debate.

Now, make no mistake, the Alaska cargo provision will add the U.S. aviation industry to manufacturing, textiles and other sectors of our economy that are hemorrhaging jobs to other countries. The U.S. airline industry has seen losses of $7 billion per year since September 11, resulting in the layoffs of 150,000 American workers.

This provision will do nothing but harm our efforts to help the U.S. aviation industry recover, while widening the gaping holes that already exist in our homeland security with respect to screening air cargo.

So, Mr. Speaker, it is important that the conference committee not just meet to strip the privatization provision, an action that will not fully fix the problem, but that the conference actually reconvene and address all of the flaws now contained in this bill.

Mr. Speaker, I urge my colleagues to support this rule and send this conference report back to the conference committee, where, hopefully this time, the will of the House will be respected.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Pennsylvania (Mr. PETERSON).

(Mr. PETERSON of Pennsylvania asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. PETERSON of Pennsylvania. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, as Representative of one of the largest rural districts east of the Mississippi and cochairman of the Rural Congressional Caucus, I rise today because I feel an obligation to uphold the will of the House, which seems to have been bypassed in this report.

Just several months ago, we had an amendment on the floor here that removed a provision that forced rural airports to pay a portion of up to 10 percent of the essential air service that helps them provide service in difficult times. The House removed it; the Senate removed it. Today, it is back here.

Now, it is limited to 10 communities and it will not hurt as many, but it is very possible that for these 10 communities, it could cost over $100,000.

Rural airports have a very limited income stream. They do not have much means of income. They are fortunate to have money to match Federal money to pave their runways, fix their lights and run the airport.

So I ask that if this bill is recommitted to conference for other issues, and many other rural Members strongly urge the committee leadership, to remove Section 408, the Essential Air Service Local Participation Pilot Program, from this provision. I personally will find it extremely difficult, and many other rural Members will too, to support the conference report, and I do not want to be in that position.

Mr. Speaker, I include for the RECORD copies of letters signed by 48 House Members and 16 Senators.

CONGRESS OF THE UNITED STATES,
Washington, DC, October 8, 2003.

Hon. JOHN MCCAIN,
Chairman, Committee on Commerce, Science, and Transportation, Dirksen Office Building, Washington, DC.

Hon. FRITZ HOLLINGS,
Ranking Member, Committee on Commerce, Science, and Transportation, Dirksen Office Building, Washington, DC.

Hon. DON YOUNG,
Chairman, Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

Hon. JAMES OBERSTAR,
Ranking Member, Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN YOUNG, CHAIRMAN MCCAIN, RANKING MEMBER OBERSTAR, RANKING MEMBER HOLLINGS: We write out of grave concern for a provision added to the Vision 100—Century of Aviation Reauthorization Conference Report regarding the adoption of a local cost share for certain Essential Air Service communities. This addition to the conference report not only goes against the will of both the House and the Senate, but may also have a disastrous effect on many of our small rural airports. Therefore, we urge the conference committee to remove this language before bringing the report to the respective floors for a vote.

As you know, the local cost share provision was removed in H.R. 2115 by an amendment offered by Representatives McHugh, Peterson (PA) and Shuster, which passed by a voice vote. Likewise, a similar local cost share provision was removed from S. 824 by an amendment offered by Senator Bingaman.

It is our understanding that negotiations are currently under way to remove language from the conference report regarding the privatization of air traffic controllers. This provides the conference committee an excellent opportunity to remove the EAS local match provision that was already stricken on both the House and Senate floors and not included in either bill brought to the conference committee.

Additionally, this provision will have untold effects on many small rural communities. It is unacceptable to force communities to pay up to $100,000 in a local cost share, in addition to the many costs they currently incur in running a small local airport.

We respectfully request the removal of Section 408 from the Vision 100—Century of Aviation Reauthorization Act Conference Report before it is brought to the House and Senate floors for consideration and we look forward to working with you in the future to ensure rural communities continue to receive essential air service.

Sincerely,

John E. Peterson, Allen Boyd, Tom Osborne, Nick Rahall, Phil English, Max Burns, Bud Cramer, Earl Pomeroy, Steve Pearce, Ray LaHood, James A. Leach, ——— ———, Lincoln Davis, ——— ———, Michael H. Michaud.

U.S. SENATE,
Washington, DC, September 29, 2003.

Hon. JOHN MCCAIN,
Chairman, Committee on Commerce, Science, and Transportation, Dirksen Office Building, Washington, DC.

Hon. ERNEST F. HOLLINGS,
Ranking Member, Committee on Commerce, Science, and Transportation, Dirksen Office Building, Washington, DC.

Hon. DON YOUNG,
Chairman, Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

Hon. JAMES OBERSTAR,
Ranking Member, Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

GENTLEMEN: We write out of grave concern for a provision added to the Vision 100—Century of Aviation Reauthorization conference report regarding the adoption of a local cost share for certain Essential Air Service communities. This addition to the conference report not only goes against the will of both the House and the Senate, but may also have a disastrous effect on many of our small rural airports. Therefore, we urge the conference committee to remove this language before bringing the report to the respective floors for a vote.

The local cost share provision was removed from S. 824 by a bipartisan amendment offered by 15 senators, which passed on a voice vote. Likewise, a similar local cost share provision was removed from H.R. 2115 by an amendment offered by Representatives McHugh, Peterson (PA) and Shuster.

It is our understanding that negotiations are currently under way to remove language from the conference report regarding the privatization of air traffic controllers. This provides the conference committee an excellent opportunity to remove the EAS local match provision that was already stricken on both the House and Senate floors and not included in either bill brought to the conference committee.

Additionally, this provision will have untold effects on many small rural communities. It is unacceptable to force communities to pay up to $100,000 in a local cost share, in addition to the many costs they currently incur in running a small local airport.

We respectfully request the removal of Section 408 from the Vision 100—Century of

Aviation Reauthorization Act conference report before it is brought to the House and Senate floors for consideration, and we look forward to working with you in the future to ensure rural communities continue to receive essential air service.

Sincerely,

Jeff Bingaman, Olympia Snowe, Hillary Rodham Clinton, Patrick Leahy, Blanche L. Lincoln, Jim Jeffords, Mark Pryor, Tom Udall, Charles Schumer, Jim Daschle, Arlen Specter, E. Benjamin Nelson, Susan M. Collins, Chuck Grassley, Mark Dayton, Chuck Hagel.

CONGRESS OF THE UNITED STATES,
Washington, DC, September 24, 2003.

Hon. JOHN MCCAIN,
Chairman, Committee on Commerce, Science, and Transportation, Dirksen Office Building, Washington, DC.

Hon. FRITZ HOLLINGS,
Ranking Member, Committee on Commerce, Science, and Transportation, Dirksen Office Building, Washington, DC.

Hon. DON YOUNG,
Chairman, Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

Hon. JAMES OBERSTAR,
Ranking Member, Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN YOUNG, CHAIRMAN MCCAIN, RANKING MEMBER OBERSTAR, RANKING MEMBER HOLLINGS: We write out of grave concern for a provision added to the Vision 100—Century of Aviation Reauthorization Conference Report regarding the adoption of a local cost share for certain Essential Air Service communities. This addition to the conference report not only goes against the will of both the House and Senate, but may also have a disastrous effect on many of our small rural airports. Therefore, we urge the conference committee to remove this language before bringing the report to the respective floors for a vote.

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It is our understanding that negotiations are currently under way to remove language from the conference report regarding the privatization of air traffic controllers. This provides the conference committee an excellent opportunity to remove the EAS local match provision that was already stricken on both the House and Senate floors and not included in either bill brought to the conference committee.

Additionally, this provision will have untold affects on many small rural communities. It is unacceptable to force communities to pay up to $100,000 in a local cost share, in addition to the many costs they currently incur in running a small local airport.

We respectfully request the removal of Section 408 from the Vision 100—Century of Aviation Reauthorization Act Conference Report before it is brought to the House and the Senate floors for consideration and we look forward to working with you in the future to ensure rural communities continue to receive essential air service.

Sincerely,

John E. Peterson, Allen Boyd, John McHugh, Jerry Moran, Bill Shuster, Chris Cannon, John Shimkus, Marion Berry, Barbara Cubin, Charles F. Bass, Ron Paul, John Tanner, Frank D. Lucas, Scott McInnis, Kenny C. Hulshof, Rick Renzi, Rob Bishop, Dennis A. Cardoza, Jim Gibbons, Jim Matheson, Ed Case, Anibal Acevedo-Vilá, Mike Ross, Tom Udall, Lane Evans, Timothy Johnson, Bernie Sanders, John Boozman, Tom Latham, Heather Wilson, Ron Lewis, Jo Ann Emerson, Doug Bereuter, Bart Stupak, Collin C. Peterson.

Mr. MCGOVERN. Mr. Speaker, I yield 4 minutes to the gentleman from Oregon (Mr. DEFAZIO).

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

Mr. Speaker, the House finds itself in a bit of an awkward position here. The Federal aviation reauthorization legislation passed this body some months ago with little controversy, an excellent bill moving us forward with investment in the future of aviation air traffic control air safety. A quite similar bill passed the Senate, and it appeared we were on our way to meeting the October 1 deadline.

Unfortunately, something strange happened on the way to adopting a Federal aviation reauthorization, and that is White House ideology and politics and stupidity.

We were summoned to an emergency meeting of the conference the day before the House was to adjourn for the August recess, because the FAA bill was going to be brought to the floor the next day. There was just one little change, an unwritten amendment to privatize 71 air traffic control towers.

Well, the gentleman from Alaska (Chairman YOUNG) did not like that much, so, whoops, suddenly these deeply-held principles could be changed, and it was suddenly 69 towers could be privatized, because the two in Alaska did not need to be privatized anymore.

Now, when the Senator from Arizona was questioned as to how he came up with the list of 69 that presented to him by the White House, he said, oh, there were really good reasons for it. These were all just little VFR dinky airports and this would be a more efficient way to do it.

I said well, I wonder if he ever landed at Boeing Field in Seattle. I did not think Boeing was aware of the fact that that was just a VFR field, a little dinky field. I thought it was actually kind of crucial to the aviation industry of the United States of America and Boeing, our largest manufacturer, in fact, our only commercial manufacturer. Then others went on to question about others on the list. The bottom line was he was defending the indefensible.

The White House wants to say that it is not the business of the government of the United States of America, it is not the business of government employees, to control air traffic, to provide for safety and control of the national air space. That should be a private sector function. Somebody might be able to make a little bit of money doing it, despite the fact there is no successful model of privatization in the world. They are all more expensive and less efficient.

Well, what the heck, that does not matter to this White House. So what if we gouge the taxpayers for more money, if someone can make a little money, and maybe we can bust another union here. That is all this is about. It is quite simple.

Both the House and the Senate, by near unanimous majorities, voted to not privatize the air traffic control system. But the ideologues at the White House presented to their compliant lap dogs that order, and they trotted into the conference with it. They got it done by voice vote, no one signed the conference report from this side of the aisle. But they have not been able to bring the bill to the floor because, guess what? They cannot get the support in the House or the Senate for what they wanted and what they got, which is privatization of air traffic control, jeopardizing the safety and the future of the air space of the United States of America.

Now they say, well, we will just go back to conference and strike it. Now, they are going to try the bait and switch rouse here which is to say, well, we will strike out that offensive and stupid provision out of the bill, you know, the arbitrary privatization of 69 air traffic control towers against the will of the Senate and the House. We will just strike that out altogether.

But, of course, what they are conveniently omitting there is that both the Senate and House had had affirmative language to prohibit privatization, and absent that, the ideologues at the White House can actually privatize more air traffic control towers, further jeopardizing the safety of the traveling public and the control of the air space of the United States of America. So that is what they are going to try now.

But I do not think that this House, the Members of this House or the Members of the other body, are that dumb that they are going to fall for that. I do not think it gives those who are weak-kneed enough cover to go in that direction.

It is the same issue: Do you believe in privatization of air traffic control or not. Do you want to follow the failed models of other countries that are more expensive and less efficient or not? That is the bottom line when this comes back up on Thursday.

They are going to say, oh, we took that out of the bill. It is underlying the bill without a prohibition, and the ideologues at the White House will sure as heck rush forward with privatization, because someone might be able to make a little bit of money. So what if it kills people and jeopardizes the air space.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, given the fact that I see the distinguished chairman of the Subcommittee on Aviation seated over there, perhaps he could give us some assurance that as we vote for this rule to send this flawed conference report

back to the conference committee, that maybe he can give us an assurance that the conference committee will be open and Members will be allowed to offer amendments in the committee.

□ 1845

Mr. Speaker, I am happy to yield to him if he would be willing to answer that question.

Mr. MICA. Mr. Speaker, I thank the gentleman; but I will close, hopefully, for our side and answer that question at that time.

Mr. MCGOVERN. Mr. Speaker, I appreciate the gentleman's response. We are all anxiously awaiting the answer to that question.

At this juncture I yield 9 minutes to the gentleman from Minnesota (Mr. OBERSTAR), the distinguished ranking member of the Committee on Transportation and Infrastructure.

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

I am pleased, Mr. Speaker, that we are finally going forward with the rule to commit the conference report back to conference, and I will vote for that motion. But I am concerned that going back to conference simply will repeat the sham we had the first time that there was a conference. I have served for 24 years on conference committees, and this is the first time I have been to a conference that did not have legislative language. We had concepts. So at a certain point I was allowed to offer a conceptual amendment to a concept that had been presented. And after some discussion, there was a vote, the concept that I offered was defeated on a voice vote, the bells rang for a vote in the House, and Senators were notified of a vote in their body. The conference dissolved and, the next thing I knew, the next day, miraculously, legislative language appeared and it contained a number of items that we were expecting; but we did not have it the day before, and it was an urgent matter to get this conference completed. That is 94 days ago. I marvel at the urgency that suddenly vanished along with the legislative language which also then miraculously appeared the next day.

There is a lot of good in this bill. We need to provide funding for the airport improvement program, facilities and equipment account for the operation air traffic control system. There are three issues that are very critical to the future of aviation. The first the gentleman from Oregon and the gentleman from Massachusetts on our side have discussed at some length, and that is privatization of the air traffic control system.

This is not the first time this issue has been raised before our Committee on Transportation and Infrastructure. When I chaired the Subcommittee on Aviation, it was raised by the first Bush administration and we had a discussion about it; and my colleague, the ranking member on the Republican side, Mr. Clinger, and I both agreed that was a bad idea and it went away. Then it came back during the Clinton-Gore administration and it was more fully refined and defined, and I said it was a terrible idea and vigorously opposed it, with great support on the Republican side. Now that the idea has surfaced for a third time from a Republican administration, my colleagues, many of my colleagues on the other side of the aisle, suddenly have had a change of heart, or maybe many of them were not here in the House when the first two attempts were made. The fact is, this is just a very bad idea.

The second issue is to establish training guidelines for flight attendants. The House bill said, you ''shall'' establish these training guidelines. We were all agreed on that. We marched arm in arm together in subcommittee, in full committee, and to the House floor, and through the House. And then a one-word change in Senate floor debate from ''shall'' to ''may'' makes the whole thing speculative. We were all agreed that it was important. If you are going to arm the flight deck crew, have guns on the flight deck and you are going to have the sealed door, the bullet proof, bomb-proof door protecting the flight deck crew, the flight attendants say, what about us? Should we not have training? Should that not be mandatory? We say yes. This body voted ''yes.'' But somehow, miraculously in conference, or in Senate floor debate, the White House said, no, we do not want it mandatory.

The question we have to raise is, are we a three-party government or are we a parliamentary system in which the legislative is merely an extension of the executive branch? This body has time and again stood up against the executive branch for what we believe, the people's elected representatives, is the right thing for the best national interest; and we made that decision here in an overwhelming vote, not to privatize, to train the flight attendants on board aircraft; and all of a sudden, that just vanished, succumbed.

Then the third issue is that of training cabin crews, I mean of cabotage, which we have never permitted previously to allow foreign airlines to ferry goods between cities. Well, that is, as the gentleman from Oregon said, the beginning of dissolution of another major sector of the American economy that other countries protect. Why should we let our guard down now just because that exchange of goods will take place in Alaska? I think that is just dead wrong.

The gentleman from Pennsylvania has very well expressed a fourth issue requiring small communities to underwrite essential air service. That was an issue that was fundamental to deregulation in 1978. I sat on the committee. I voted for deregulation because it had protection for essential air service for small communities that they would not have to pay for. Now we are going to bring that concept back and make it almost a certainty that some communities in my district, if they do not have air service, the only way to get there is to be born there. Well, I do not want to see that happen; the gentleman from Pennsylvania does not want to see that happen; and we must not let that happen.

Then the thing that I find, the step that I find very unpalatable, two steps, one is we will just remove the offending language when we recommit this bill to conference about the 69 towers and go back to current law. That is the poison pill. The current law is the President's executive order stating that air traffic control is not an inherently governmental service. That then opens the whole system up for privatization. I know there is language that says the rest of the air traffic control until 2007 cannot be privatized; but once we start down that road, the whole chain becomes unraveled.

Then there is the second effort that we have been hearing about and reading about in news accounts of trading towers: if you agree to vote for this, we will take your tower out. Well, I find if you take this to its logical conclusion, eventually all the Members who have their tower in their district voted taken out of the privatization will have protected themselves against privatization, but they will be voting for the privatization system. So all of those who voted against privatization will have privatized towers. Those who want to vote for privatization will have their towers removed from the privatization requirement. I do not understand how anybody can take that home and sell that to their constituencies.

Let us commit this bill to conference. I appeal to the chairman of the subcommittee and the chairman of the full committee to have a real conference, not a sham. Let us gather the members together. Let us have full debate. Let us have a discussion of the merits of the issues. Let us have real give and take on this issue as we have done time and again historically in House-Senate conferences on aviation legislation. Let us do it the right way, not this back-door sham way.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. MICA), the chairman of the Subcommittee on Aviation.

Mr. MICA. Mr. Speaker, I thank the gentleman from Florida for yielding me this time. I am pleased to address some of the issues relating to this motion to recommit.

First of all, I do support the motion to recommit the FAA reauthorization legislation and urge those on both sides of the aisle for this recommittal.

To answer the gentleman from Massachusetts' question to me previously about commitments that I would make as to what would be in and what would be out of the final legislation and conference report that comes out, I can make no guarantee tonight. I am but

one member of the conference committee, even though I chair the Subcommittee on Aviation and am willing to work with the other side.

But let me set some facts straight tonight as we conclude the debate on the motion to recommit. First of all, my colleagues heard the ranking member of the full committee just cite that air traffic control is an inherently governmental function and that somehow this has been politicized by our side of the aisle. Nothing, I say to my colleagues, could be further from the truth. In fact, for 7½ years of the Clinton administration, there was no inherently governmental label placed on FAA air traffic control. That was done in the last waning months of the Clinton administration as a bone to some of those in organized labor. But prior to that, there was no inherently governmental label. President Bush did remove that when he came into office and has asked for the option to look at which tower should be privatized or which should be contract towers and which should be fully FAA-operated towers.

The fact is, almost half, 219, of our towers today are contract towers. They are run by the FAA, but managed by a private company. The fact is, on September 11, half of the towers in this country that were contract towers, so-called privatized towers, also brought down the planes safely on September 11. The fact is, the President wanted the ability to look at every tower that is fully FAA-staffed and decide which should be fully FAA-staffed and which should be contract. We decided in this report, not just by picking towers at random, but by taking a report that was first done in the year 2000 by the Inspector General who looked at some 71 FAA, fully FAA-run towers. He looked at all 71 of them. And he came back and he said, based on first safety and secondly on cost, these are towers that should be looked at for becoming contract towers.

Then, not only in the year 2000 did he look at it, but NATCA, the union that runs air traffic control, asked for a relook and disputed the cost figures. So we asked for a relook. And in the year 2002, he conducted a relook; and we just got that report. It showed that the contract towers, in fact, when compared to the fully FAA towers, had a 2½ times better safety rate in the year 2000; and then the relook, I have a copy here, says 4½ times safer with a contract tower than a fully FAA; that is on the basis of safety.

Then just turning to the next page and looking at cost, the cost here, our analysis showed that the 12 contract towers on average cost about $917,000 less to operate. So on the basis of safety and cost, it was safer to have contract towers. And they compared the 2000 study and the 2002 study which we just got in 2003, and both confirmed this.

But a campaign of disinformation to Members in Congress, to the public, and to everyone who has had the opportunity to see it, a campaign of disinformation to the tune of $6 million has tried to say just the opposite of what the facts are. Now, these, I say to my colleagues, are the facts.

So we will take this back to conference, and we will revisit this issue. Anyone who would like, we will make a copy of this report available. But this campaign of disinformation is now forcing us to go back to conference. I make no guarantees as to what will come out of that conference. None of these provisions or the 69 towers that we have included were secretly written provisions.

□ 1900

That provision was voted on in open conference and the other side lost in this issue. So these are the facts that we deal with.

Finally, the cargo extension provision in Alaska, I hope we do not change that. Because if you want to see more jobs lost in the United States, if you want to see a transportation cargo hub moved from Alaska to Canada, go ahead and change this provision. And you will put thousands of people out of work and move cargo to another country. Try that. See how that works.

Finally, the local share match, we heard the plea of the rural communities. The administration wanted a match. We eliminated all the match except in 10 demo essential air service locations. And even with those 10 demos, we have allowed for a waiver. I hope we keep that provision that that allows that waiver and allows essential service.

Those are the facts. We can deal with fantasy, or we can deal with a multimillion dollar disinformation campaign. I urge the recommittal of this legislation, and I ask that you fasten your seat belts and put your tray tables in an upright and locked position and get ready for a ride to conference.

Mr. MCGOVERN. Mr. Speaker, I yield 1½ minutes to the gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR. Mr. Speaker, I have got my seat belt in place, tray table is up, waiting for a real conference. The points the gentleman from Florida raised are the kinds of issues that we should be discussing in the conference. We did not have that kind of discussion before, and if you go back to the report of the Inspector General and, as verified by, as reviewed further by GAO, you find that the selection of air traffic control towers was arbitrary, did not follow a consistent pattern, was flawed in the number of towers selected.

Furthermore, there are 63 million operations a year run by our FAA control towers. The contract towers handle a fraction of that amount, and they handle different kinds of traffic. And those are the kinds of issues I say to my good friend, the distinguished chairman of the Committee on Transportation and Infrastructure Subcommittee on Aviation, the gentleman from Florida (Mr. MICA) that we should be discussing in the House-Senate conference. That is where we ought to have that debate, not here in 1-minute sound bites.

Mr. Speaker, the gentleman from Florida cited 7½ years of the Clinton administration not doing anything. That was because I, with the support of Republicans in the House, vigorously opposed the Gore reinventing government proposal to privatize air traffic control. We took it on head-on and stopped them dead in their tracks. I say to the gentleman, keep that in mind.

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

Mr. Speaker, let me just close by saying we are here today because the Republican leadership in the White House have forgotten that the House of Representatives is a deliberative body where Members of both parties insist that when they express their will, it will be respected and in conference committees. They do not like secret deals in back rooms.

The question that I ask the gentleman from Florida (Mr. MICA), the distinguished chairman of the Subcommittee on Aviation, was not a question of whether or not he could guarantee that certain provisions would be in the bill or provisions would be removed from the bill, what I asked him was very simply a guarantee that this would be an open conference, unlike what happened before, that this would be an open conference, an open process, a fair process, where Members of both parties, Democrats and Republicans, would have the opportunity to not only discuss issues, but to be able to offer their amendments. That was the question that the gentleman did not answer.

And I would hope, and I would urge all my colleagues to vote for this rule, to send this flawed conference report back to the conference committee and let us hope this time they get it right.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I appreciate the debate. I think it is very important that the facts alluded to by Mr. MICA are here in writing, written down, black and white here. So the gentleman from Florida (Mr. MICA) has the copies available for the membership if any of the Members want to review the facts.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, today, the House of Representatives is making a procedural vote on whether not to recommit the FAA Reauthorization bill to conference. What this is really is an attempt to circumvent the real legislative process—an up or down vote on the merits of their proposal. Why is the Republican leadership doing this? Because they are trying to sneak through provisions that are seriously flawed and pose a major risk to flight safety and national security.

As a cochair of the newly created Congressional Labor and Working Families Caucus, I find it appalling that Congress would consider

privatizing air traffic controllers when our security is at a greater risk that ever. This and two other provisions in this bill would do less—not more—to protect us from terrorism, and seriously undermine the airline industry in our country and jeopardize the safety of our personal air travel.

First, this bill opens the door for private companies to purchase air traffic control towers from the Government. This means our Government will no longer be in control of the safety of our airspace. Privatizing the Nation's air traffic control system is a risky and dangerous experiment at a time when public safety is of the highest importance.

Also, under this bill flight attendants are no longer required to receive antiterrorism training. Following the events of 9/11, flight attendants want to be properly trained; passengers want them to be trained; and as a frequent flyer I personally want them to be trained.

Lastly, it would allow international airlines to carry cargo throughout the United States without it being properly screened or tracked. The proposed changes would affect national security as well as jeopardize the livelihood of our domestic industry.

Ironically, after 9/11, airport screeners were federalized because we realized that our safety depended on the individuals working those posts to be under Federal supervision. It is same with air traffic controllers.

Look at it this way . . . the price of a plane ticket—$235, the price of airport parking for a week—$75, and the expertise and experience of air traffic controllers to land your airplane, priceless.

There is no price tag to our safety. For the safety for all Americans, I strongly urge my colleagues to vote ''yes'' to recommit the FAA Conference Report and take out these heinous provisions. Let's put safety first.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. GIBBONS). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, I object to the vote on the ground that the quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. GIBBONS). Evidently, a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 of rule XX this 15-minute vote on the House Resolution 377 will be followed by four other votes. The middle three votes in this series will be 5-minute votes. The first and last votes will be 15-minutes votes.

The vote was taken by electronic device, and there were—yeas 407, nays 0, not voting 27, as follows:

[Roll No. 569]

YEAS—407

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Ballance
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Becerra
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Carter
Case
Castle
Chocola
Clay
Clyburn
Coble
Cole
Collins
Conyers
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Foley
Forbes
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Greenwood
Grijalva
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Israel
Issa
Istook
Jackson (IL)
Janklow
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (IA)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCotter
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Sullivan
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velazquez
Vitter
Walden (OR)
Walsh
Wamp
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—27

Bell
Burns
Chabot
DeMint
Dooley (CA)
Fletcher
Ford
Frost
Gephardt
Green (WI)
Gutierrez
Hoekstra
Isakson
Jackson-Lee (TX)
King (NY)
LaHood
Lampson
Lantos
McCollum
Nethercutt
Pryce (OH)
Royce
Schakowsky
Stupak
Sweeney
Thornberry
Visclosky

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GIBBONS) (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1926

Mr. SOUDER changed his vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on one motion to suspend the rules and on three motions to instruct conferees previously postponed.

Votes will be taken in the following order:

H.R. 2359, a suspension;

H.R. 6, a motion to instruct;

H.R. 1, a motion to instruct;

HR. 1308, a motion to instruct, all by the yeas and nays.

Votes on suspending the rules with respect to H. Con. Res. 291 and H. Res. 409 will be taken tomorrow. The next three votes will be conducted as 5-minute votes. The fifth and final vote in this series will be a 15-minute vote.