

any outward symptoms and, of course, 80 percent of all osteoporosis occurs in women.

The quality of life for those affected often takes a downward spiral, leaving those who suffer from osteoporosis unable to walk, to stand up or even to dress themselves.

National Osteoporosis Awareness and Prevention Month is celebrated each May, and becomes a chance for our Nation to become more familiar with the effects of this disease, and about the preventable steps that we can take to deal with it.

Unfortunately, too many people are not at all aware that osteoporosis can be prevented through diet and exercise, both of which help maintain bone density.

Research clearly shows us that the earlier women think about maintaining their bone mass and take the steps to do so, the better their health will be in the long run. And you know, these aren't difficult steps to take. Proper diet, including calcium, proper exercise, are good for very many reasons, but knowing that at the same time you are making yourself healthy, you are also preventing osteoporosis is an important message to get out to everyone. So I encourage the public to take advantage of National Osteoporosis Awareness and Prevention Month by speaking to their health care providers about their risks, and encouraging health care providers to proactively address this subject with their patients.

I proudly support this resolution, and I encourage my colleagues to do the same.

I now invite my colleague, Ms. BERKLEY, about whom I was speaking, who has now arrived, to speak for as long as she may wish to, 3 minutes or whatever.

Ms. BERKLEY. Mr. Speaker, I would like to thank the Congresswoman, Mrs. CAPPS. She is an extraordinary advocate for health care, not only for women, but for families, men, everyone in this country, to make it a healthier country to live in. And I am so grateful for her, for her friendship and for the remarkable mark she has made on this Congress and on this country.

I rise in strong support of House Resolution 265 and ask for its immediate passage.

Mr. Speaker, May was National Osteoporosis Awareness and Prevention Month. Osteoporosis and low bone density affect 44 million Americans over the age of 50. It is a disease in which the bones become more fragile and prone to breaking. Many of those affected are unaware they have osteoporosis and therefore, they are unable to take steps to prevent it.

Like many Americans, I had no idea I was at risk for developing osteoporosis. I thought I simply had bad posture. And it never occurred to me to be screened for osteoporosis. Yet, when I was running for Congress in 1998, I was diagnosed with this disease. Fortunately, within 10 months of the diagnosis, with proper treatment, I was able to stop my bone loss and my bones actually began to strengthen again.

My bill will help raise awareness about the prevention and treatment of this increasingly common disease and encourage those at risk to have a quick and painless bone density test.

While more Americans than ever before have been diagnosed with osteoporosis and are receiving treatment, much more remains to be done to raise awareness about the importance of healthy bones.

Often called the silent disease because it goes undetected in many Americans until they actually break a bone, osteoporosis affects more than 10 million individuals and an estimated 34 million men and women. And yes, Mr. Speaker, men are susceptible to osteoporosis too. They suffer from osteoporosis and have low bone mass which places them at an increased risk for developing this condition.

As of 2003, there were an estimated 3.6 million people who have been diagnosed with osteoporosis. In my home State of Nevada, over 300,000 men and women suffer from osteoporosis and low bone mass. One in two women, and one in four men age 50 and older will have an osteoporosis related fracture in their lifetime.

The consequences of osteoporosis are devastating and very painful. Hip fractures, which occur about twice as often in women as men, are more serious than people realize. Approximately 20 percent of the hip fracture patients over the age of 70 will die in a year after that fracture, usually from complications such as pneumonia or blood clots in the lungs.

Prevention, diagnosis and treatment are the keys to tackling osteoporosis and as a Nation, we must teach people of all ages how to take the necessary steps to keep their bones healthy and strong for a lifetime.

Those at risk who have not yet been tested for osteoporosis need to make an appointment with their physician to have a bone density test. The exams are quick and they are painless and they can be done in conjunction with a regular checkup.

Because of my personal experience with osteoporosis, I am committed to ensuring that my fellow Americans are aware of the importance of early detection and prevention. Men and women can reduce their chances of developing this disease. I encourage everyone to see their doctor and get screened for osteoporosis. It is very silent, but it is a deadly disease.

I urge all of my colleagues to support this resolution that will increase awareness of this disease. I thank my colleague and dear friend, Mrs. CAPPS, for working with me to ensure that this resolution becomes a reality. Thank you very much.

□ 2100

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. DEAL) that the House suspend the rules and agree to the resolution, H. Res. 265.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

AMENDING TITLE 49, UNITED STATES CODE

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5449) to amend title 49, United States Code, to modify bargaining requirements for proposed changes to the personnel management system of the Federal Aviation Administration.

The Clerk read as follows:

H.R. 5449

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

SECTION 1. REPEAL.

Paragraph (2) of section 40122(a) of title 49, United States Code, is repealed.

SEC. 2. EFFECTIVE DATE.

The amendment made by section 1 shall be effective as of April 1, 2006, including with respect to any proposed changes to the personnel management system of the Federal Aviation Administration that were transmitted to Congress, on or after that date and before the date of enactment of this Act, in accordance with the provisions of section 40122(a)(2) of title 49, United States Code, as last in effect.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Illinois (Mr. COSTELLO) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. MICA. Mr. Speaker, I would like to request the time in opposition.

The SPEAKER pro tempore. Is the gentleman from Illinois in opposition to the bill?

Mr. COSTELLO. Mr. Speaker, I support the bill.

The SPEAKER pro tempore. The gentleman from Florida will control the time in opposition.

Mr. LATOURETTE. Mr. Speaker, I ask unanimous consent that half of my time, 10 minutes, be yielded to Mr. COSTELLO, and that he be permitted to yield time.

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

There was no objection.

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

Mr. Speaker, first I want to thank Speaker HASTERT for allowing us to have this debate tonight and also Majority Leader BOEHNER. There are some people on our side of the aisle that are not so happy that we are doing it, but I have to tell you that when you have 80 Republican Members of Congress supporting a piece of legislation, I think it is important to have the debate and have it now.

I also want to thank Congressman LOBIONDO of New Jersey and Congresswoman SUE KELLY from New York for being my partners in this endeavor as we move this legislation forward, and I want to thank Mr. COSTELLO for standing up in support of the bill.

Mr. Speaker, this bill is pretty simple. There is a contract dispute currently going on between the air traffic controllers in this country and the Federal Aviation Administration, and this bill simply sends them back to the table and asks them to reach a fair and equitable conclusion.

Under current law, the FAA has unilaterally imposed their contract terms on the hard-working air traffic controllers in this country. Congress is not in the business of contract negotiations, nor should it be. The FAA is also at an impasse with four other bargaining units, and the Congress really shouldn't be in the business of constantly reviewing labor contracts.

When this bill passes, the sides will resume negotiating and the existing contract will remain in place, there will be no disruption in service.

If they are unable to bridge the gap, the matter then goes before the Federal Service Impasses Panel. The FSIP, as it is called, will assure that both sides are negotiating fairly, and if no agreement can be reached, FSIP then can impose contract terms on both parties.

Some people might say, oh, man, FSIP, that sounds like a tough place for the FAA or the administration to go to. The FSIP board is made up of seven members, all seven appointees of this president, President George W. Bush.

During the course of this debate tonight, we are going to hear, I think, some facts and figures, and I want to lay some of them to rest now. We may hear that the average salary for air traffic controllers is \$173,000. While that may be true if you include all of their benefits, anybody that is lucky enough to have health care or a retirement package knows that about 40 percent of that is made up in those benefits.

The average salary is really about \$127,000. I don't know a lot of people in Cleveland, Ohio, that thinks that is too much for people that land the millions of passengers that travel our Nation's airways. You may hear that air traffic controller salaries have increased 75 percent, and we will explore that a little bit later.

Some people are going to criticize the FSIP board saying, oh, man, there is no incentive for the air traffic controllers to go back and negotiate. I will tell you I have talked to both lead negotiators. There is a strong desire to get this done. And, again, at any time after the passage of this bill, if either side thinks that the other side isn't negotiating fairly, they can immediately call up FSIP and go to this seven-member panel, all appointed by President George W. Bush.

Mr. Speaker, this is a good bill. I hope our colleagues can support it with the two-thirds majority necessary.

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

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

Mr. Speaker, I rise in opposition to H.R. 5449. Unfortunately, my very good friend, Mr. LATOURETTE, the gentleman from Ohio, and Mr. COSTELLO, the gentleman from Illinois, support this proposal, but this, unfortunately, is a very seriously flawed bill and piece of legislation, and it comes at a time when we are trying to do everything we can to stabilize and provide economic reform for the aviation industry.

Let me talk a little bit about the history of how we got to this situation. Mr. LATOURETTE has also spoken to the increases that the air traffic controllers have received from 1998 to last year. They did receive some 75 percent, and maybe there was need to adjust the salaries. That translates into about 10 percent per year. But that contract did expire last year, and the air traffic controllers were required and FAA also began negotiations for a new contract.

Unfortunately, that drug out for some time, and by the terms of the existing contracts and agreement, as long as no contract was in place, the terms of the old contract prevailed, with some pretty hefty increases in place.

What has taken place in fact is an impasse occurred. Under existing law, when that impasse was declared by FAA, the matter was sent to Congress. That has all taken place. That is all history. For some 60 days, Congress had an opportunity to overturn that. And it is true that there was legislation with many Republican cosponsors sympathetic with changing some of the procedures. However, that bill was not retroactive, like the LaTourette proposal. This is a reach-back provision, and it also takes Congress completely out of the process, as opposed to the bill that others had cosponsored.

So, this is a bill, again, H.R. 5449, that, if enacted, will change the rules of the game at the bottom of the ninth inning just because one of the teams does not like the outcome of fair negotiations, a legislative process that has already been completed, and, again, we take Congress out of the process.

The Constitution provides in Article I that all bills relating to funding and appropriations come out of the House of Representatives, emanate in the House of Representatives. This legislation, again, reaches back and changes the rules of the game. It allows a panel that is not confirmed by Congress, by the Senate, again, a panel of seven, to make appropriations and also authorization decisions that are left to the Congress.

So, I have great concern about this procedure. I think it sets a horrible precedent.

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

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

Mr. Speaker, I rise today in support of H.R. 5449, legislation that will send the FAA and the air traffic controllers back to the bargaining table. H.R. 5449 seeks to ensure a fair process to resolve impasses that arise during collective bargaining negotiations with the FAA instead of the current one-sided process.

The FAA and NATCA started contract negotiations in July of 2005. The FAA declared an impasse on April 5 and promptly sent the contract to Congress just days before we went out on our April district work period. The 60-day clock expired yesterday, June 5, with the FAA imposing its last offer immediately.

I believe the best way to get a fair contract between the two sides is for Members to sign Discharge Petition No. 13 to bring H.R. 4755, a bipartisan bill with 265 cosponsors, including 75 Republicans, to the House floor for a vote. Congresswoman SUE KELLY and I introduced H.R. 4755 which would insist on binding arbitration, ensuring an end to the dispute, protecting collective bargaining rights and to promote good faith, fair negotiations. One hundred ninety-five Members, all Democrats, signed the Costello discharge petition to bring H.R. 4755 to the floor.

Because I filed the discharge petition, the Republican leadership has decided to bring up H.R. 5449, introduced by my good friend, Mr. LATOURETTE, to the House floor today for consideration. While I would have preferred to see H.R. 4755 on the floor today, I support H.R. 5449, the legislation before us, as a means of reversing the current one-sided process that does not promote good faith negotiations.

I want to remind my colleagues as we hear a lot about salaries and working conditions and other issues that this bill is about process only, plain and simple. There are no mandates concerning salaries, benefits or anything concerning working conditions with the air traffic controllers. It simply gets both sides back to the bargaining table.

Today's debate really comes down to whether Members support the rights of workers and the rights of collective bargaining. Anytime one side comes to the bargaining table knowing that they will get what they want at the end of the day, which is exactly what the current law does, it gives the FAA what they want, their last proposal at the end of the day, then there is no incentive to reach an agreement.

The current law is grossly unfair and needs to be permanently changed. If you truly believe in collective bargaining, you will send both sides back to the bargaining table by supporting H.R. 5449.

I urge all Members to vote "yes."

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

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

Just for the record, Mr. Speaker and my colleagues, the average compensation for an air traffic controller today

is \$173,000. That is average. The highest paid controller earns \$277,937. That is the highest controller. I have 1,397 controllers earning \$213,500.

Just for the record, the average median household income in Illinois, the home State of the gentleman who just previously spoke, is \$48,953. For Mr. LATOURETTE, the sponsor of this legislation, the average median household income is \$42,240.

Further for the record, an air traffic controller for the military, and we have a whole corps of air traffic control servicemembers serving in the United States and across the world, right now a sergeant in the U.S. Air force with 10 years experience and those in the combat zone as we speak tonight serving in Iraq at Baghdad Airport, earn \$35,919. Of course, they get many benefits on top of this, such as housing. I want to be fair.

But that brings some of this debate and the amount of compensation we are talking about hopefully into perspective.

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

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

Mr. Speaker, just briefly to the gentleman's baseball analogy, that is exactly why they make extra innings and we should have extra innings here.

Secondly, again, this \$173,000 figure, people in Cleveland, Ohio, that are sitting on their couch know that \$173,000 is a lot of money, but again, if they are lucky enough to have health care and pension, that is 40 percent of that cost. The average is \$127,000.

Now, again, people in Cleveland, Ohio, think that that is a lot of money as well, but I am going to tell you, they think that the guy that walked away from Exxon with a \$400 million retirement package, that really is a lot of money.

The sum of \$127,000 for someone who has dedicated his or her life to safely landing your family at an airport is not too much money.

Mr. Speaker, it is now my pleasure to yield 2 minutes to the gentlewoman from New York (Mrs. KELLY), the sponsor of the original bill.

Mrs. KELLY. Mr. Speaker, I rise in support of this bill. I have spent a lot of time working on aviation safety on this issue because we need to establish more fairness in the contract negotiation process between the Federal Aviation Agency and our air traffic controllers. When one side is able to cut off negotiations and impose its will on its employees at any time, it is difficult to argue that this is an environment for fair negotiation.

Unfortunately, this is the system we have in place right now for recruiting and maintaining America's best assets for keeping our air safe, our air traffic controllers. It is a flawed system that would weaken aviation safety. It is appropriate that Congress take action to correct this situation now, before prob-

lems grow to a point where we can no longer fix them.

□ 2115

Our air traffic controllers are absolutely essential to protecting our skies. We need to ensure that we are recruiting and maintaining the best possible personnel for our really vitally important jobs. That is why I introduced the legislation this year with my colleague, Mr. COSTELLO, to address this situation.

And as he pointed out, we had a bipartisan group of 267 Members behind our legislation that seeks to establish more fairness in the negotiation process. Well, it would be my preference that it would be our bill that would be up for debate today. I sincerely appreciate the leadership's recognition that this matter merits debate and action by this body. The bill that is offered by my colleagues, Mr. LATOURETTE and Mr. LOBIONDO, provides us with a positive step in the right direction.

Mr. Speaker, it does not favor one side over the other. It does not speak in favor of one specific contract proposal over another. It simply sends them back to the negotiating table. This is the right thing to do to keep our negotiation process fair and our skies safe.

I support this legislation. I encourage the other 265 cosponsors that have cosponsored this bill with Mr. COSTELLO and myself to similarly support this bill offered by my colleagues, Mr. LATOURETTE and Mr. LOBIONDO.

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

Mr. Speaker, just a couple of clarifying points, if I may. We heard the gentleman from Illinois talk about sending this contract back to the bargaining table. We heard reference by the previous speaker also of the panel that will get this.

I had the honor and privilege of chairing the House Civil Service Committee for some 4 years. I know a little bit about the Federal Service Impasse Panel. The Federal Service Impasse Panel is not confirmed by the Senate. It has no congressional confirmation. It has seven appointees by the President. Ninety-eight percent of the issues it has handled, and this is what the LaTourette bill would do is send it to this panel, 98 percent of the issues that it has handled are nonwage. That is a fact.

It deals primarily with quasi-governmental and nonappropriated, that is nonappropriated by Congress, mostly agencies that generate their own income through fees.

So this is unprecedented in sending it to this panel. Now, they do not have the staff to deal with this. Maybe it will go on to the Labor Relations Board and then maybe it will be further appealed. But remember, the name of this game is keeping this stirred up and not resolved as long as possible, because we have then the provisions of the Clinton contract, which expired on Monday.

In addition, there are differences between the bill by Mrs. KELLY, and I applaud her for her bill, first her bill did not reach back as the LaTourette bill did, and secondly, her bill kept Congress in the process.

The LaTourette bill takes Congress out of the process, turns this process really over to, again, a board that has really no congressional oversight or participation in even confirming the members in an unprecedented fashion. So that again provides us with some statistics.

Just to also further clarify cash compensation versus total compensation. The highest controller, if we take cash compensation, only is \$231,477 for the record. The 1,397 controllers about the statutory cap, they receive, again without benefits, \$175,366.

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

Mr. COSTELLO. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. Mr. Speaker, I thank Mr. COSTELLO for yielding me time.

Mr. Speaker, when two parties enter negotiations, it is generally expected that both sides play by the same rules. But there is an exception made for the FAA which enjoys a decided advantage over air traffic controllers.

For instance, there was no penalty or consequences for FAA negotiators when they walked away in the middle of negotiations expecting that congressional inaction would automatically impose a new contract with lower pay and benefits for the air traffic controllers have earned through their hard work and impeccable service record since the terrorist attacks.

Mr. Speaker, I would say that this is not an argument about average compensation or cash compensation. This is an argument that is essentially about fairness. The current process is anything but fair. Whatever one's position might be on the underlying issue, most of us can agree that Congress should let the process run its course and refrain from dictating the terms of an agreement that should be settled like any other labor dispute.

Mr. Speaker, the diligent and hardworking men and women who guide America's air traffic serve a critically important role in our homeland security. At the very least we should level the playing field so that they can negotiate a fair contract.

Mr. Speaker, I strongly urge my colleagues to support this resolution.

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

Mr. Speaker, again for the record, first of all, the gentleman from New York just talked about this unfair process. This is the same process that was put into effect during the Clinton administration in 1996, and in 1998 gave the air traffic controllers a 75 percent increase, the same exact process that we are working under.

The gentleman from New York (Mr. BISHOP) and my good friend, the gentlewoman from New York (Mrs. KELLY),

the average median household incomes by State that I have for New York is \$47,349. Now, I do not want anyone to think that we are cutting existing air traffic controllers. Under the contract that went into effect on Monday, their compensation and their benefits, they will rise from 2007 to 2011 from \$173,000 to \$185,000.

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

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

Mr. Speaker, I just want to make a brief comment before yielding to my friend from New Jersey (Mr. LOBIONDO).

Mr. MICA continues to talk this bill reaching back. I just want to focus on the 60 days that was in the current law. It is inconceivable that anybody that has been here for any period of time thinks that this Congress can act in 60 calendar days on anything.

Mr. Speaker, I have been here 12 years. For that entire 12 years we have been trying to repeal a telephone tax that was put into effect to pay for a war. Now some people say, oh, was it the Iraq war? Maybe the gulf war? Maybe Korea? No, the Spanish-American War.

The Treasury Department just announced this week that they are going to let us repeal the tax that is 100 years old, but we were supposed to act in 60 days.

Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. LOBIONDO).

Mr. LOBIONDO. Mr. Speaker, I thank my colleague for yielding me time.

Mr. Speaker, I rise in strong support of H.R. 5449. I would like to thank Congressman LATOURETTE for his dogged determination in pursuing this issue. Also I thank Congresswoman KELLY and Congressman COSTELLO for their help on this very important issue, and also Speaker HASTERT and Majority Leader BOEHNER.

H.R. 5449 is a fair way of resolving the contract dispute between the controllers and the FAA. It simply brings both parties back to the table to reach a mutually acceptable solution.

I share the concerns regarding the budget shortfall at the FAA and the need to free up funds to modernize our air traffic control system. But I do not think that forcing both parties back to the table to agree to a contract will undermine those goals in any way, shape, or form.

When the talks between the parties reached an impasse, the controllers were offering \$1.4 billion in cost savings. Let me repeat that: they were offering \$1.4 billion in cost savings. I believe that if the parties were to return to the table, consensus would be reached in a very short period of time.

Congress should encourage both parties to continue to negotiate and not allow the FAA to unilaterally impose their last offer. Mr. Speaker, I urge all of my colleagues to support this good piece of legislation.

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

Mr. Speaker, if I may, I would like to take just a minute. I have the greatest respect for Mr. LOBIONDO. He is one of the hardest workers in Congress. I went up to some of the Federal aviation facilities, testing facilities and others in his district. He is one of the strongest advocates in Congress for good, sound aviation. I am sorry we disagree a bit. I know a lot of Members are under pressure.

I thought about this. And I thought this is one reason why we should not even have these issues before Congress. Ninety-eight percent of the Federal employees, in fact, have a general wage chart and schedule. You can see why countries like Argentina, Germany and others have the tail wagging the dog. I feel bad for Members who are in that predicament.

But our responsibility is to the taxpayer. It is also to a sound aviation system, which I think both Mr. LATOURETTE, Mr. LOBIONDO, Mr. COSTELLO, everyone agrees is important.

The dilemma that we face if we pass LaTourette, and we are working under existing law that did give us 60 days, that did expire on Monday, and we have a new contract. What happens is, given the nature of this impasse panel and its lack of any experience in dealing with these kinds of issues, this could go on and on.

Now, Mr. KNOLLENBERG was on his way. He is an appropriator and oversees appropriations and was to speak against Mr. LATOURETTE's proposal. But what happens here, Members of Congress, Mr. Speaker, is, quite simply put, H.R. 5449 pulls the rug out from underneath actually our entire national aviation system and the whole funding process when we can least deal with it.

Airport projects, and Members should be aware of this, when you have to put 1.9, and I asked the attorneys from FAA, is this enough, at bay for a number of years, and they said, it will probably be double that figure that will be put at bay. I have right now \$1.9 billion, Mr. COSTELLO knows this, left in our entire airport improvement funds at this time.

So we put airport projects at risk with unpredictable costs and salaries, leaving this hanging out. Then we also hurt the core of other FAA employees. This chart shows the total compensation gap between controllers and other FAA employees. It is a gigantic gap, some 42 percent.

So we leave them hanging out. We leave all of our projects for funding around the country, we leave air traffic control modernization, which is the system that gives us the very best technology for safety. So that is of a great concern to me.

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

Mr. COSTELLO. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, with all due respect to my good friend from Florida, when a Member stands here and makes an assertion about the pay that air traffic controllers receive, and then you make comparisons with what the average pay is in any area, the unstated implication is that, well, they are just getting paid so much or too much, and the remedy is then to deny them their collective bargaining rights. That seems to be an unstated conclusion.

Mr. Speaker, I hope that is not what my friend is saying, because if you carry that logic forward, then we are going to be here arguing about how much a brain surgeon makes, or how much an engineer makes or how much an architect makes.

If we get into that argument, well, you can always get a better deal on brain surgery, you just might end up dead. Or a better deal on a bridge, it just might fall. Or a better deal from an architect, and have plans with a house with no doors.

I mean, we are talking about highly specialized work here. And for the Congress at this point to make a simple statement that all we want to do, we are not talking about the conclusion, we are not saying that we want to shift or tilt in favor of one side or another, we are just saying, we stand for collective bargaining rights. Let the parties work out their disagreements, and in doing that, we perform a public service.

Mr. MICA. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. ISSA) for the purposes of entering into a colloquy.

Mr. ISSA. Mr. Speaker, I am deeply concerned about the effects that this bill or the absence of this bill might have on my own region of California where we are, I believe in many cases at our major centers, to be at about 80 percent staffing, meaning that we have overtime because of shortages.

□ 2130

What will be the effect of either having or not having this bill on the staffing levels that we need to have to get to full staffing in California?

Mr. MICA. Again, I do think that we have some serious consequences. Not only would this unprecedented reach back and change in policy put us in turmoil for financing the entire system, what will happen is—this is simple math. If you are paying these people over \$200,000 per year on average, it allows you less entrants. And Congress is the appropriator. We decide on how many hires.

Mr. ISSA. I thank the gentleman.

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

Mr. COSTELLO. Mr. Speaker, I yield 30 seconds to myself to make a point.

The gentleman from Florida just stated that they are paying these people over \$200,000 on average, and I have to tell you that I do not believe that to be an accurate statement. I would just suggest to the gentleman that if you

think about over \$200,000 a year on average, and I think that is very misleading.

Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me thank the distinguished gentleman from Illinois for his leadership along with the gentlewoman from New York. I rise to have hopefully supported 4755, but I support H.R. 5449, simply to give air traffic controllers the right to return to the bargaining table. But I really want Americans to learn as we sit here, stand here and debate this question, the airways of America are safe in the hands of sacrificing air traffic controllers who sit under the most intense, stressful occupations that you can ever have.

Let us not go back to the busting of these wonderful hard-working Americans, such as done under the Reagan administration. Let us, in a bipartisan manner, send these good working folk back to the bargaining table to be able to solve their problems. Is it not interesting that most Members fly to work and they take their flying for granted because they believe that the airways are safe because our air traffic controllers are on the front lines of handling their responsibilities.

As I respect the opposition to this bill, let us, as Members of Congress, not having done this timely, let us now do the right thing and give, if you will, the sense of appreciation to hard-working Americans, not to give them any particular benefits, but to allow them to go back to the table and have a matter resolved in the fair and practical way. Let us not repeat the busting of a union and let us go back to the negotiating table. I ask for support for H.R. 5449.

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

Again, for the record, and I believe these figures to be correct, that under the new contract which was put into place on Monday and which the LaTourette reachback would actually wipe out, the average salary with benefits would increase from \$173,000 to \$185,000 under this new proposal.

If we leave the contract that was negotiated during the Clinton administration in place, it is my understanding that compensation and benefit would reach \$211,000. That is not really the question here. Although it is an increase, it is, again, a question of fairness.

We have gone through the process adopted under the Clinton administration in 1996. They did receive, in fact, a 75 percent increase in 1998. The process worked then. The same processes work now. We had the 60 days to consider it. It was not overturned in Congress. The LaTourette proposal is, in fact, different than the Kelly proposal. The Kelly proposal would have gone for-

ward before the Monday deadline. The LaTourette proposal, it is in his legislation. It reaches back to April 6, the date of the impasse. It would overturn, again, all precedents, all laws. I am for fairness in dealing with labor, fairness in dealing with everyone.

I might point out for the record that the median household income for the State of Texas, the gentlewoman who just spoke, is \$41,759.

There is great concern about this proposal because again it leaves our safety, it leaves our airport projects, it leaves the future really of bringing on new hires which is so important and an aging workforce all in limbo. It would be an unprecedented reachback.

This is so serious that this afternoon the administration, the President, I am sure, checked off on this. It says, if a bill such as H.R. 5449 that changes or negates the impasse resolution process or the revised terms and conditions of employment that were presented to the President, the President's senior advisors would recommend that he veto the bill.

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

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

Mr. Speaker, I have great respect for the President but on this issue, quite frankly, he is wrong. I think that if he talked to his FAA administrator, we might have a different conclusion.

I want to tell you what has my dander up this evening because Mr. MICA is right. This is an unusual procedure. This has happened once before since this legislation went into effect. The last time, 60 days went by, the Congress didn't do anything. Just like we didn't do anything this 60 days. The administrator of the FAA waited 19 months before she imposed the contract. This, the deadline was up Monday, the 5th of June. You get the feeling she was sitting with one of those desk calendar for left-handers that people get for Christmas and she could not flip to the 5th of June fast enough. I assume she reads the newspaper. She knew this debate was going to take place this week and that action of imposing that contract on the very first day that she could, in my mind, is a direct affront to this people's House and the 300 million people that are represented by it and shame on her.

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

Mr. COSTELLO. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I thank the gentleman.

Well, surprise, the political appointees at the Bush Federal Aviation Administration and their supporters in Congress want to undermine the safest, most productive air traffic control system in the world by any measure. Why? Because there is one basic flaw. There is an agenda no one is talking about here tonight. It is not privatized. It

does not provide a profit for Halliburton or some other contractor. That is what this is all about. Let's kill off the existing FAA and the air traffic controllers and then the private sector will save us.

Well, in the three countries where the private sector has come in, it has not worked out so well, neither for the safety nor for the taxpayers. They have all had to be bailed out. They are all more expensive. They are all less productive and they are nowhere near as safe.

Now, the gentleman from Florida complains about the salaries. The salary he is talking about with benefits is less than a Member of Congress like himself or me or the gentleman there or any of the rest of us. Now, I could not handle 20 planes on approach with obsolescent equipment and keep people alive day in, day out across America and in our skies. Could he? I think not.

Now, I am not going to complain about that salary. In fact, I don't find anybody at 30,000 feet or 40,000 feet that is complaining about that salary. And if we said, well, let's talk about the productivity. Well, they are handling 20 planes at once on approach, death defying air time here. That is about \$8,000 per plane. That is even less than the Republicans mandated federal minimum wage. Now, is that where they want to drive this or do they maybe want to outsource it to India so we could send the data over there and they could do it for even less?

This is about safety, security, air space, the American public and, yes, it is about fairness. There has been a little bit of talk about fairness. Let's talk about fairness. 265 Members out of 435 have co-sponsored the Costello-Kelly bill; but the chairman of the committee, the operatives at the White House, and the Republican leadership will not allow a bill supported by an overwhelming majority of the House of Representatives, Democrats and Republicans, to come up for an up or down vote. Instead, they give us this option. We will give you a vote and then we will complain about the terms of it because it is retroactive and has all these other problems. We will complain about it here and we will require, guess what America? A two-thirds vote for passage.

This is not a straight deal for the people who keep us alive every week in the skies, who have an unparalleled record of safety and security for the American traveling public. Yeah, you can quibble and complain about the salaries and you can get up and talk about the average salary in my district, but I know the air traffic controllers in my district. There is not a single one of them earning \$173,000. They would be living in the mansions on the hill if they did and they do not live in the mansions on the hill. So they can come up with the mythical air traffic controller somewhere.

And then the gentleman from Los Angeles comes up and feigns concern

about the number of air traffic controllers. Where is someone going to move and relocate and live in the Los Angeles area on the new \$50,000 a year salary?

Vote for this bill. We need a two-thirds vote. And if it does not pass then come down to the well. I invite my Republican colleagues to come down here, sign the discharge position, and bring up the Kelly-Costello bill for a straight up vote, simple majority.

Mr. MICA. Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentleman from Florida has 3½ minutes remaining.

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

I do not see Mr. KNOLLENBERG or Mr. SHADEGG and try to wrap up for opposition side, and if they come, I will be glad to yield.

First of all, from Oregon, the average median household income is \$41,794.

I have the greatest respect for Mr. DEFAZIO. He was my ranking member on aviation. He does a great job, but I disagree with him on this issue.

First let me talk about the fairness. I have been here in the minority. I have been here in the majority. I have never seen anything fairer than this. How would you like to be me, chairman of aviation. We had a bill with 250 cosponsors, many Republicans. That bill was not brought out but people cosponsored it. Everyone was open to cosponsor. We had a discharge petition. Mr. COSTELLO, I believe he had 195, not even every Democrat signed it, no Republicans. So that procedure ended last week. And then I get the notice that of course the new contract is going into effect on Monday and there is going to be a vote, it was supposed to be today. It will be tomorrow.

I feel like the guy that is trying to carry the ball down the field. I get to the end of the line, the goal line, and now they moved the goal for me out into the parking lot. So I do not think I would complain.

Again, I think this has been a very fair and open process. And I admire the Speaker and Majority Leader and others who have participated, Mr. LATOURETTE.

We do want, again, the very best system but we want fairness for the taxpayers. I do not think this is all about fairness for the taxpayers. And I have to go back to John Carr, again, a good friend and he represents the air traffic controllers as well. These are his words, March 31, 2006: "There is absolutely no reason for NATCA to end talks. The current contract is better than our last concession-laden contract proposal at the bargaining table and stays in effect until there is a new contract. We could literally talk forever."

That is what this is about. If you reverse the contract that went into effect on Monday and we go back to talking forever, that is the plan because again these huge increases that were allowed under the Clinton administration do continue.

□ 2145

We still have increases, but we have a limit on those increases.

Now, many groups have looked at this. The National Taxpayers Union has strong opposition. Here is a letter I would like to submit for the RECORD. The Citizens Against Government Waste, they oppose it. Americans for Tax Reform, they oppose it. The National Chambers of Commerce, your chambers of commerce have looked at it; they oppose it. The American Conservative Union. If you are on that side of the aisle, the American Association of Airport Executives will be impacted by this. Our airports oppose it.

VOTE NO ON H.R. 5449

As representatives of the aviation industry, we strongly urge you to oppose legislation, H.R. 5449, that would intervene in the negotiation process between the Federal Aviation Administration (FAA) and the air traffic controllers union.

The law governing this process was passed nine years ago and was in place when the air traffic controllers union successfully negotiated its 1998 contract and 2003 extension of that contract.

Current law requires that if Congress wants to intervene, it has 60 days from the Administration's submission to do so. The deadline for Congressional action was June 5, H.R. 5449, unfairly changes the rules of negotiation nine months into the process. To apply a new process retroactively does not comply with the current law. All parties entered into these negotiations knowing the statutory rules and impasse processes well in advance.

The continued health of our industry depends on the Federal Aviation Administration's ability to effectively and safely manage the national airspace, control costs, achieve efficiencies and expand capacity.

H.R. 5449 changes the rules of a process that has been in place for a lengthy period. This would create uncertainty in terms of cost and efficiencies. The impact would be significant at a time that the industry is facing enormous problems.

Please vote "NO" on H.R. 5449.

Sincerely,

JAMES C. MAY,
President and CEO,
Air Transport Association.

CHARLES BARCLAY,
President, American
Association of Airport Executives.

JAMES K. COYNE,
President, National
Air Transport Association.

RONALD N. PRIDY,
President, National
Air Carrier Association.

STEPHEN A. ALTERMAN,
President, Cargo Air-
line Association.

DEBORAH C. MCELROY,
President, Regional
Airline Association.

EDWARD P. FABERMAN,
Executive Director, Air
Carrier Association
of America.

NATIONAL TAXPAYERS UNION,
Alexandria, VA, June 5, 2006.

NATIONAL TAXPAYERS UNION VOTE ALERT

NTU strongly opposes any attempt to interfere with the negotiation process be-

tween the Federal Aviation Administration and National Air Traffic Controllers Association and, as such, our annual Rating of Congress will include any roll call votes on H.R. 5449. Negotiations are taking place under existing law and should not be subject to legislative fiat. The controllers' proposal would cost taxpayers \$3.7 billion more than the FAA plan. In lieu of needed reforms to privatize air traffic control (and follow the example of our free market friends in Canada, Germany, and the U.K.), money should be devoted to modernization and safety, not ever-higher air traffic controller salaries. For that reason, we urge you to vote "NO" on H.R. 5449.

AMERICAN ASSOCIATION OF AIRPORT
EXECUTIVES,

Alexandria, VA, June 2, 2006.

Hon. J. DENNIS HASTER, T,
Speaker of the House,
Washington DC.

DEAR MR. SPEAKER: On June 6, the House is scheduled to consider under suspension of the rules, H.R. 5449, a bill to modify bargaining requirements for proposed changes to the personnel management system of the FAA. I am writing to inform you that the American Association of Airport Executives (AAAE) opposes this legislation. AAAE is comprised of the thousands of men and women who manage our nation's airports.

It is our view that the existing law governing the personnel management system of the FAA should not be modified at this time. Further, we believe it unfair and unwise to change the "rules" governing the current dispute between the FAA and the National Air Traffic Controllers Association (NATCA) at this very late point in the process.

Sincerely,

CHARLES BARCLAY,
President.

THE AMERICAN CONSERVATIVE UNION,
June 5, 2006.

AN OPEN LETTER TO ALL REPUBLICAN MEMBERS OF THE UNITED STATES HOUSE OF REPRESENTATIVES

OPPOSE H.R. 5449

On behalf of the American Conservative Union, the nation's oldest and largest grassroots conservative lobbying organization, I urge you to oppose H.R. 5449, which would interfere in air traffic control labor-management negotiations.

In September of 2005, the existing controller contract expired. Despite recent negotiation efforts by the Federal Aviation Administration (FAA) and the National Air Traffic Controllers Association (NATCA), the discussions have reached an impasse.

The FAA took steps to get the negotiations back on track by involving the Federal Mediation and Conciliation Service (FMCS). The process again was brought to a standstill, as negotiations broke down in early April 2006.

The Federal Aviation Reauthorization Act of 1996, (P.L. 104-264) allows controllers to bargain over pay. In return for this right, the law required that in the event of an impasse, the FAA could implement its final offer after a 60-day congressional review.

Next year, Congress will reauthorize the FAA. A key component of the legislation will be to modernize the nation's air traffic control system and continue to make airport investments to meet growing aviation demands. All elements of the aviation industry, including the controllers, support the modernization and improvement of the nation's aviation system. Securing the funding for the modernization will be one of the biggest obstacles during the reauthorization process.

The American Conservative Union strongly supports and appreciates the efforts air traffic controllers make every day to safeguard the skies. But the facts are that since the last labor agreement in 1998, controllers have received a 75 percent pay increase. The average controller now earns \$173,000 in pay and benefits. The current FAA proposal would fully protect the salary and benefits of every current controller. It would control costs for new controllers by offering up to \$127,000 in salary and benefits in the first five years.

If the FAA cannot have the ability to follow existing law in negotiating this controller contract, its ability to modernize the air traffic control system is diminished. Additionally, the efforts of FAA Administrator Marion Blakey to manage the agency like a business, with higher productivity and accountability, would be severely compromised. We believe sending this matter to the Federal Services Impasses Panel would do a disservice to both the FAA and NATCA.

The applicable law, ratified less than ten years ago, provides a process by which disputes between the FAA and NATCA are to be reconciled. No compelling reasons have been presented to justify departing from the mandated process and to do so would undermine the basis of the ongoing negotiations. The established legal process should be followed to mediate the contract impasse. Stated simply, the legal process should be followed. The precedent this legislation would create, in terms of involving Congress in collective bargaining negotiations would be extremely troublesome.

The American Conservative Union strongly urges you to vote "No" on H.R. 5449, and will consider using votes on, or in relation to, this issue for inclusion in our annual Ratings of Congress.

Sincerely,

J. WILLIAM LAUDERBACK,
Executive Vice President.

CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA,
Washington, DC, May 31, 2006.

Hon. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER HASTERT: On behalf of the U.S. Chamber of Commerce, the world's largest business federation representing more than three million businesses and organizations of every size, sector, and region, I urge you to oppose a bill sponsored by Congressman Steve LaTourette (R-OH) [H.R. 5449], that would interfere in air traffic control labor-management negotiations.

Since the existing controller contract expired in September 2005, the Federal Aviation Administration (FAA) and the National Air Traffic Controllers Association (NATCA) have made efforts to negotiate a new contract. Unfortunately, those discussions reached an impasse. The FAA then invited the Federal Mediation and Conciliation Service (FMCS) to join the discussions to help reach a deal. Even with the involvement of FMCS in the negotiation process, the impasse persisted, and negotiations broke down in early April 2006.

Under the Federal Aviation Reauthorization Act of 1996, (P.L. 104-264), the controllers were allowed to bargain over pay. In return for this right, the law required that in the event of an impasse, the FAA could implement its final offer after a 60-day congressional review.

Next year, Congress will reauthorize the FAA. A key component of the legislation will be to modernize the nation's air traffic control system and continue to make airport investments to meet growing aviation demands. All stakeholders in the aviation industry, including the controllers, support

the modernization and improvement of the nation's aviation system. Securing the funding for the modernization will be one of the biggest challenges during the reauthorization period.

The U.S. Chamber strongly supports and appreciates the efforts air traffic controllers make every day to ensure that our airways are safe. But the facts are that since the last labor agreement in 1998, controllers have received a 75 percent pay increase. The average controller now earns \$173,000 in pay and benefits. The current FAA proposal would fully protect the salary and benefits of every current controller. It would control costs for new controllers by offering up to \$127,000 in salary and benefits in the first five years.

If the FAA cannot have the ability to follow existing law in negotiating this controller contract, its ability to modernize the air traffic control system is diminished. Also, the efforts of FAA Administrator Marion Blakey to force the agency to operate like a business, with higher productivity and accountability, would be severely compromised. We believe sending this matter to the Federal Services Impasses Panel would do a disservice to both the FAA and NATCA.

The applicable law, enacted less than ten years ago, establishes a process by which disputes between the FAA and NATCA are to be settled. No compelling reasons have been presented to justify departing from the mandated process and to do so would undermine the basis of the ongoing negotiations. Stated simply, the legal process should be adhered to and the precedent this legislation would set, in terms of Congress interfering in collective bargaining negotiations on a politically driven basis outside of the legal process, would be extremely troublesome.

The U.S. Chamber of Commerce strongly urges you to vote "No" on H.R. 5449, and will consider using votes on, or in relation to this issue for inclusion in our annual How They Voted ratings.

Sincerely,

R. BRUCE JOSTEN.

AMERICANS FOR TAX REFORM,
Washington, DC, June 2, 2006.

Hon. DENNIS HASTERT,
House of Representatives,
Washington, DC.

DEAR SPEAKER HASTERT: Next week, HR 5449 is slated to be on the suspension calendar. This misguided bill would take away the ability to the Federal Aviation Administration to resolve its current labor dispute with the air traffic controllers union in a timely manner. This costly bill, which is little more than a sop to corrupt labor unions, is too controversial and has no place on the suspension calendar.

In 1996, Congress wrong-headedly allowed air traffic controllers to collectively-bargain with the FAA. In the event of a labor impasse, the FAA would be allowed to implement its final offer after a 60-day review. Removing this 60-day protection for taxpayers is tantamount to changing the rules in the middle of the game—and in favor of the National Air Traffic Controllers' Union.

This bill is expensive (costing taxpayers \$1.9 billion over five years), a sop to our opponents, and divisive. At the very least, it should have to proceed via regular order. With the average air traffic controller making \$173,000 in pay and benefits, Congress doesn't need to stack the deck in the union's favor by using special rules and gimmicks.

President Reagan knew back in 1981 that the controllers' union was holding air traffic hostage with labor gimmicks—does our Republican Congressional majority today?

Sincerely,

GROVER NORQUIST.

COUNCIL FOR CITIZENS AGAINST
GOVERNMENT WASTE,
June 5, 2006.

House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE, Soon you will have the opportunity to vote on H.R. 5449, which would amend Title 49 of the U.S. Code and modify bargaining requirements for proposed changes to the personnel management system of the Federal Aviation Administration (FAA). This is an unwise piece of legislation that would turn over contract negotiations to a third party and take away any legislative or executive authority over a \$6 billion annual payroll for air traffic controllers. On behalf of the more than 1.2 million members and supporters of the Council for Citizens Against Government Waste (CCAGW), I ask that you oppose this bill.

The FAA recently declared a deadlock in contract negotiations with the National Air Traffic Controllers Association (NATCA). The union wants a new five-year contract that includes an 18 percent pay increase, which would increase cash earnings from \$128,000 to \$151,000, with total compensation amounting to \$200,000 by the last year of the contract. The FAA is attempting to slow the growth of controller compensation costs, comparable to patterns found in the private and government sectors, a commendable action and one appreciated by taxpayers.

According to a law passed during the Clinton Administration, NATCA was given the ability to bargain for wages and benefits, making it one of the few federal unions that are allowed to do so. However, since this law was supposed to encourage savings and increase productivity, it also included a provision that if the FAA and NATCA could not reach agreement on a contract, the two offers would be reviewed by Congress. If Congress makes no decision on the opposing offers within 60 days, the FAA is allowed to implement its final offer. But if H.R. 5449 is passed, it will force the parties into a long arbitration process that would allow NATCA to operate under its current contract with automatic pay raises and old work rules. Considering air traffic controllers have already received a 75 percent pay increase since 1998 and are among the highest paid federal employees—the average salary is \$173,000 including benefits—it is no wonder NATCA would prefer a long, drawn-out negotiation.

Congress should not allow a third party to settle this matter. At a minimum, Congress should revisit the idea of wage negotiations before it arbitrarily alters the impasse process found in the 1996 law. Passing this legislation would prevent the FAA from saving \$1.9 billion in salaries over the next five years that can be used to modernize the air traffic control system and improve safety. Again, I ask you to oppose H.R. 5449. All votes on H.R. 5449 will be among those considered in CCAGW's 2006 Congressional Ratings.

Sincerely,

THOMAS SCHATZ,
President.

Mr. COSTELLO. Mr. Speaker, I yield myself the balance of the time.

A couple of points very quickly. Number one, the average air traffic controller in the United States does not make over \$200,000 a year. Number two, the 75 percent increase that has been referred to by the chairman of the subcommittee, 60 percent of that came through the normal process when every government employee received a raise.

Finally, let me close by asking our colleagues to support this legislation

and I would ask my friend, the chairman of the Aviation Subcommittee, and the 75 Republicans who cosponsored the Kelly-Costello bill, that if this legislation fails tomorrow, if it does not get two-thirds vote and pass in this House tomorrow, then we want to see just how many Republicans who are supporting this legislation today will go up and sign discharge petition No. 13.

Mr. LATOURETTE. Mr. Speaker, I yield myself the remaining time, and I will close.

Just a couple of observations. One, Mr. MICA, as the chairman of the Aviation Subcommittee, does a great job, and a lot of the advances in this country are due to his leadership and Mr. COSTELLO's leadership. So I do not want anybody to leave the floor thinking they are having some kind of tiff, but there are some things that need to be straightened out.

What both sides do agree on is that the air traffic control population is aging. Both sides agree that in 2007 between 4,000 and 7,000 of the 15,000 air traffic controllers are going to retire, and we do not have a farm team. We do not have a pipeline that is really working. For instance, through May of this year, the FAA has only hired one controller. Last year, they hired 762, but since they hired that 762, 400 have retired. It is a program and it is a process that is serious. You just do not show up at work one day and say I am going to be an air traffic controller and I am going to guide your family into Cleveland or Chicago or Washington, D.C.

Secondly, I would say that the reason that the Kelly-Costello bill did not come to the floor is because things are scheduled on the floor. For anybody who is not familiar with our process, things have to be scheduled by the majority leader. The majority leader chose not to schedule the Kelly-Costello bill on the floor. That is why I began my remarks by thanking Speaker HASTERT and Mr. Leader BOEHNER for having the courage to put this on the floor tonight so that Republicans and Democrats could talk about it.

Lastly, there has been some discussion that somehow the Federal Services Impasse Panel is not competent to handle this complicated matter. I would say just from their Web page, the panel resolves impasses between Federal agencies and unions representing Federal employees arising from negotiations over conditions of employment under the Federal service labor management relations statute and the Federal Employees Flexible and Compressed Work Schedules Act.

I do not know what other body is capable of doing it; and I have to tell you, I would have preferred the Kelly-Costello bill. I would have preferred that it be brought up to a vote, but when the administrator of the FAA was flipping through her desk calendar so fast just so she could implement this contract, when she waited 18 months

when given the same tools and the same opportunity, the only time that this has ever happened, I think, and I am a pretty calm guy, but I really think that she just took her finger and stuck it in the eye of 268 Members of this House and 75 of them happen to be Republican, 75 of them happen to be members of this President's party. I am insulted.

And I hope tomorrow when this vote occurs, everybody that cosponsored that bill, everybody that signed our letter has the courage to not only be a cosponsor of legislation but has the courage to defy the President of the United States on this vote because, quite frankly, although I admire him, he is wrong on this issue.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 5449, introduced by the Gentleman from Ohio, Mr. LATOURETTE, which would ensure fair treatment of air traffic controllers, by allowing their contract dispute with the Federal Aviation Administration (FAA) to be resolved by the procedures that govern collective bargaining for pay at other federal agencies.

While I appreciate that the Gentleman from Ohio has taken these steps to ensure that air traffic controllers are given a fair shake in this contract dispute with the FAA, I am disappointed that the Republican Leadership has forced this vote under Suspension of the Rules, which requires two-thirds of the House to vote for passage—a threshold much higher than the majority vote required under regular order. Members of this Body have cosponsored legislation similar to Mr. LATOURETTE's and this substantial, bipartisan majority should be given a chance to work its will.

On April 6, the FAA declared an impasse in its negotiations with the National Air Traffic Controllers Association and sent the dispute up to Congress under a provision that FAA argues gives it the right to unilaterally impose its contract terms if Congress does not act within 60 days.

FAA's interpretation of the law gives it an inherent, unfair advantage to impose its contract terms on its employees. Such a one-sided process has been an impediment to good faith negotiations that could lead to a voluntary contract. Under H.R. 5449, the parties would return to the bargaining table and, if a settlement could not be reached, the Federal Service Impasses Panel (FSIP) would have jurisdiction to resolve the dispute, including the power to impose binding arbitration on the parties.

Other federal agencies that have collective bargaining for wages must use the FSIP procedures and, as recently as 2002, the NTEU, on behalf of the Security and Exchange Commission employees it represents, went before the FSIP to settle several issues regarding pay.

The FAA has gone to great lengths to try to persuade the general public that the highly-skilled air traffic controller workforce is overpaid. I can recall no other instance in which a federal agency has gone so far in disparaging its workforce. Air traffic controllers deserve better. They are responsible for the 24/7 operation of the most robust and complex air traffic control system in the world. In 2005, for example, they moved more than 700 million airline passengers. Each day, the federal controller

workforce safely and efficiently manages approximately 130,000 take-offs and landings in a system whose passenger volume is expected to grow to one billion by 2015. Our lives, and those of our constituents are in their hands, and I believe that they deserve their current pay.

Under the FAA's proposal, many controllers are being asked to take a reduction in their take home pay. FAA is proposing to limit or eliminate differential pay for controllers at some of the Nation's busiest airports, such as New York's JFK and Chicago's O'Hare airport. The average federal controller at one of these facilities could see a pay reduction of more than \$10,000 per year.

Moreover, the FAA has misrepresented the facts regarding the controllers' compensation package. First, the FAA states that the current average controller pay is \$173,000. This is misleading because approximately 40 percent of the controllers' compensation is in the form of federal health and retirement benefits that all government employees and Members of Congress receive. In addition, the FAA argues that the controllers have received an average 75 percent increase in salaries since 1998. However, this statement blatantly ignores the fact that nearly 60 percent of these increases are attributable to government-wide pay raises. Most of the remainder comes from a reclassification to recognize the responsibility of controlling traffic in busy facilities.

I am also concerned that if the FAA is permitted to unilaterally impose this contract there will be a mass exodus of highly-skilled, senior controllers that are eligible to retire. This exodus could cause severe understaffing at our Nation's towers, negatively impacting the safety as well as the efficiency of our air traffic control system. It is therefore imperative that we send the parties back to the negotiating table to hammer out a voluntary agreement to avoid any disruptions to air traffic control operations.

Accordingly, I strongly urge my colleagues to support H.R. 5449, and restore fairness in the bargaining process between the FAA and its labor unions.

Mr. SHAYS. Mr. Speaker, I urge support of H.R. 5449, which requires the Federal Aviation Administration and the National Air Traffic Controllers Association to return to the bargaining table and negotiate a contract.

If this legislation is not passed, the FAA can impose unilaterally its contract on the union. By passing this legislation, Congress is not choosing sides, but is simply asking the two sides to come to a mutually agreeable contract solution.

I believe Congress must encourage employers and unions to come to amicable solutions. I recently introduced legislation to improve the negotiating process at the National Labor Relations Board because many union employees feel that employers have an unfair advantage because they can hold out as long as it takes to get favorable terms in the contract.

It seems to me Congress can lead by example by putting the air traffic controller contracting process on a more level playing field. Under current procedures for the FAA and the air traffic controllers, the FAA would have an advantage by holding out because they can eventually unilaterally impose their contract offer. It seems to me this legislation is fair to both sides.

Our Nation's air safety relies on the men and women who work in air traffic control towers. I am hopeful both sides will work diligently towards a solution.

Mr. KNOLLENBERG. Mr. Speaker, I rise today in strong objection to H.R. 5449, a bill to modify bargaining requirements for proposed changes to the personnel management system of the Federal Aviation Administration.

I currently serve as the Chairman of the Appropriations Sub-Committee on Transportation, Treasury, HUD and other agencies. This legislation today would put an enormous strain on my committee's resources and force all programs under my jurisdiction into greater budgetary peril.

Simply put, a "yes" vote on H.R. 5449 could cost the FAA \$1.9 billion over the next 5 years. The FAA would be forced to divert funds from critical safety initiatives—such as air traffic control modernization—to cover the cost of sky-rocketing controller salaries.

I understand that air-traffic controllers provide a valuable service to the flying public and that they work hard to ensure safety and security. I also understand that due to the unique ability of their union—an ability that is not available to every other federal employee union—they have negotiated some of the highest wages in federal service.

The average air-traffic controller earns \$173,000 per year, and their salaries have gone up 75 percent in the past 8 years. The top 100 NATCA union members earn an average salary of \$197,000.

How does this compare with other federal employees? Well, quite well I would say. These controllers make more than Members of Congress (\$165,200), Cabinet Secretaries (\$180,100), and almost as much as Supreme Court Justices (\$199,200) and the Vice President of the United States (\$208,700).

The comparison is even more striking when we weigh their salary levels against other critical safety, security, and health professions.

In my home area of Detroit, an average NATCA member makes \$118,490. Compare that to the average firefighter (\$42,100), police officer (\$48,770), or registered nurse (\$59,380). And, this kind of pay disparity is not unique to my home area, but is consistent across the Nation.

At a time when our federal workforce is stretched at home and abroad to protect our Nation, there is no justification for air traffic controllers to enjoy unparalleled salary hikes, especially when our military personnel, homeland security officials, first responders, and other government employees do not receive the same treatment.

Some may try to indicate that a "yes" vote on H.R. 5449 would be a "free" vote to give to the unions. However, nothing could be further from the truth.

If H.R. 5449 is enacted, it will effectively render the new FAA/NATCA control null and void, and cause FAA costs and salaries to spiral out of control. The new NATCA/FAA contract would be superseded by the previous contract, reached between the Clinton Administration and NATCA in 1998, and the continuation of the 1998 contract would cost taxpayers \$1.9 billion in the short-term, and \$3.8 billion in the long-term.

It should be obvious that a cost of \$3.8 billion taxpayer dollars is far from "free."

A vote for this bill is not about protecting workers wages and stopping the FAA from

slashing controllers' salaries. To be crystal clear: the FAA has offered to protect the compensation of each and every current controller. A new contract would only apply to new hires, and not affect the salaries of existing controllers.

Mr. Speaker, I strongly oppose H.R. 5449—a bill that would ban the FAA from reigning in out-of-control controllers' salaries and cost taxpayers and my committee billions of dollars. I strongly urge a "no" vote on this financially reckless legislation that will set a dangerous precedent for years to come.

Mr. FITZPATRICK of Pennsylvania. Mr. Speaker, I rise today in support of H.R. 5449; legislation that will strengthen the negotiation process between unions and the federal governments. As many of my colleagues know, the Federal Aviation Administration recently declared a deadlock in negotiations with the National Air Traffic Controllers Association (NATCA). The issue is simple; on one hand, the air traffic controllers unions want to increase the pay package for their employees and on the other, the FAA wants to cut the pay package. On June 5, 2006, the 60 day period for Congress to take action on the FAA's contract offer to the NATCA officially expired. Under current law the FAA would now be able to unilaterally impose the contract because Congress has not acted.

The legislation being considered tonight would provide air traffic controllers with a fair negotiation process. H.R. 5449 would break the current impasse by sending negotiators to the Federal Service Impasse Panel (FSIP), a neutral third party, for a final resolution instead of keeping them bound to the FAA.

Mr. Speaker, American workers must be provided with the opportunity to participate in a fair bargaining process. Contracts should be the result of a fair deliberate process that ensures that the rights of workers are protected through a full hearing of their grievances in front of a neutral third party. Congressional inaction and the forced acceptance of one sided contracts are not the way to settle employment disputes.

There has been a lot of talk about this bill interfering with the FAA's ability to budget its compensation packages. Opponents say that this legislation will cost the FAA \$1.9 billion over the next 5 years. This bill does none of these things.

H.R. 5449 does nothing to modify or manipulate the compensation scheme of air traffic controllers. It only deals directly with the bargaining process itself by reaffirming the meaning of good faith bargaining by requiring the parties to submit their impasses to the Federal Service Impasses Panel (FSIP) for final resolution—the natural course for employment disagreements and negotiations at the federal level.

I call on my colleagues to cut through the clutter that this issue has created. The ability for American workers to fairly negotiate with the federal government is at stake here and Congress has a chance to stand up for our Air Traffic Controllers. I call on my colleagues to support and pass H.R. 5449.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in support of H.R. 5449, which would move current and future contract disputes between the FAA and the air traffic controllers to the Federal Services Impasse Panel.

Current law has an extremely unusual disadvantage for our Nation's air traffic control-

lers: if their union negotiators cannot reach a contract agreement with FAA, then the FAA can impose a contract unless Congress says otherwise within 60 days.

The FAA declared an impasse in the negotiations and has stated that they will be imposing their terms unilaterally within a matter of days in the face of majority opposition in Congress.

This is an extreme burden that few other American workers, if any, must meet in their contract negotiations. Current FAA contract law grants too much power to the FAA management and makes a mockery of the collective bargaining process.

H.R. 5449 is a good compromise, because we as Congress are not taking sides and picking the air traffic controllers contract offer or pick the FAA's contract offer.

The bill is good policy because Congress is not the best place to negotiate the details of employment contracts. Instead, this legislation would place the decision in a specialized board that has plenty of experience mediating federal workers' contract disputes.

The Federal Services Impasse Panel is fair—they resolve numerous disputes in favor of different sides, sometimes going with the agencies' positions and sometimes with federal employees.

The air traffic controllers in the Houston Center and the Houston TRACON and throughout Texas deserve the same fair shake in arbitration that other federal workers receive.

Much of the opposition to this legislation and to air traffic controllers in general comes from groups that voice knee-jerk opposition to any and all federal spending. They fail to offer any answers to the simple fact that air traffic controllers have a hard, complicated job with extremely high stakes.

I doubt that many of the opponents to this bill have ever been in an air traffic control tower, or a control center or a TRACON when a large bank of flights comes into a major hub airport.

We want our skies to be safe, and you don't get safety by cutting corners and nickel and dimeing the workforce.

Our air traffic control system is about to experience a wave of retirements. If we want to recruit quality employees to keep us and our children flying safely into the future, we should approve H.R. 5449.

Mr. LATOURETTE. Mr. Speaker, I yield back my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and pass the bill, H.R. 5449.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. MICA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

GENERAL LEAVE

Mr. LATOURETTE. Mr. Speaker, I ask that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 5449, the matter just considered by the House.

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

There was no objection.

AMENDING HOUSE RESOLUTION 517, RECOGNIZING THE LIFE OF WELLINGTON TIMOTHY MARA

Mr. ISSA. Mr. Speaker, I ask unanimous consent that House Resolution 517 be amended as follows: in the first Resolved clause, strike "61 years" and insert in lieu thereof "51 years".

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

There was no objection.

SUPPORTING THE GOALS AND IDEALS OF THE VIGIL FOR LOST PROMISE DAY

Mr. ISSA. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 422) supporting the goals and ideals of the Vigil for Lost Promise day.

The Clerk read as follows:

H. CON. RES. 422

Whereas over 26,000 citizens die from the effects of drug abuse each year;

Whereas the damage from drugs is not limited to drug abusers; the collateral damage from drugs is enormous, and drug abuse costs society over \$60 billion in social costs and lost productivity;

Whereas drugs rob users, their families, and all Americans of dreams, promise, ambitions, talent, and lives;

Whereas drug abuse affects millions of families in the United States;

Whereas the stigma of drug abuse and the cloak of denial keep many individuals and families from dealing with the impact of drugs;

Whereas many friends and families are ashamed to acknowledge the death of their loved ones caused by drug abuse;

Whereas all Americans can benefit from illuminating the problem of drug abuse and its impact on families, communities, and society;

Whereas the futures of thousands of the Nation's youth have been cut short because of drug abuse; and

Whereas law enforcement, public health and research organizations, community coalitions, drug prevention outreach organizations, individual parents, siblings, friends, and concerned citizens are joining together on June 8, 2006, in a Vigil for Lost Promise, to call public attention to the tremendous promise which has been lost with the deaths of those affected by drugs: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress supports the goals and ideals of the Vigil for Lost Promise day.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ISSA) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ISSA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the resolution under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of H. Con. Res. 422, offered by the distinguished gentleman from Virginia (Mr. TOM DAVIS), the committee chairman. This resolution would support the goals and ideals of the Vigil for Lost Promise Day.

Mr. Speaker, drug use and abuse is a national crisis that affects the health of many of our citizens and affects all our communities. Drugs affect people from all walks of life, and addiction does not discriminate. Millions of families and friends have experienced the loss of a loved one to drug use. Addiction has many dimensions and disrupts multiple aspects in an individual's life. Drugs rob users, their families and their friends of dreams, promises and their ambition, their talents and their vitality.

This resolution honors those family members and friends who feel the pain and tragedy each day from the loss of life to drugs. The Vigil for Lost Promise is a national event which brings together parents and friends who have lost someone to drugs and for those who are dedicated to the promise and potential of our Nation's youths.

The stigma attached to drug use causes many friends and families to feel ashamed to acknowledge the death of their loved ones. However, this event offers an opportunity for families to remember those and is dedicated to the education of others on the importance of keeping our youth drug free.

I ask that all Members join with me in supporting H. Con. Res. 422 in the hope that we can offer support to the families and friends of those who have lost loved ones to the perils of addiction.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, many people view drug abuse and addiction strictly as a social problem. Parents, teens, older adults and other members of the community tend to characterize people who take drugs as morally weak or as having criminal tendencies. They believe that drug abusers and addicts should be able to stop taking drugs if they simply are willing to change their behavior. These myths have stereotyped those with drug-related problems, their families, their communities and the health care professionals who work with them.

Drug abuse and addiction comprise a public health problem that affects many people and has wide-ranging social consequences.

A Vigil for Lost Promise Day will help replace the myths and long-held mistaken beliefs about drug abuse and addiction with scientific evidence that addiction is a chronic, relapsing, and treatable disease. Addiction does begin when an individual makes a conscious choice to abuse drugs, but addiction is not just using a lot of drugs.

Recent scientific research provides overwhelming evidence that drugs do more than interfere with normal brain functioning by creating powerful feelings of pleasure. They also have long-term effects on brain metabolism and activity. Changes occur in the brain that can turn drug abuse into drug addiction, a chronic and relapsing illness. Those who are addicted to drugs suffer from compulsive drug cravings and usage that they cannot quit alone. Treatment is necessary to end the compulsive behavior.

Drugs crush the hopes, dreams and potential of drug users, and they shatter the lives of the users' families and friends. I support Vigil for Lost Promise Day because it will draw attention to the impact drugs have, not only on users, but to their loved ones and the community at large.

I look forward, Mr. Speaker, to the day when our country will treat this illness the way it should be treated and that we will have available to individuals treatment on demand, that is, individuals when they know that they are ready and are willing to seek treatment ought to have resources and places to go.

So I commend the sponsors of this legislation and urge its support.

Mr. CUMMINGS. Mr. Speaker, As an original cosponsor of H. Con. Res. 422, I rise in support of this important resolution expressing the support of Congress for the goals and ideals of the Vigil for Lost Promise Day.

More than 26,000 lives may be lost to the effects of drug abuse this year. This tragic impact is felt in communities across this great nation. Sadly many of these deaths occur among our young people.

One thing we know about drugs is that they do not discriminate and they do not engage in favoritism—not on the basis of race, color, gender, class, geographic location, or age. Drugs have the same impact on everyone who succumbs to their influence.

Moreover, the pain felt by the tragic loss of a loved one to drug overdose or to the deadly effects of chronic drug abuse is universal. The sense of loss, bewilderment, and often shame are known to parents, children, spouses, loved ones and friends of the victims of drug abuse and addiction from all walks of life. These emotions can be especially acute when the victim is a young person who will never have the opportunity to express his or her potential, to live out the promise of a full and productive life.

Envisioned by eight families who have personally suffered the loss of a loved one because of drugs, the Vigil for Lost Promise will serve as a remembrance for those who are