

I also doubt there are any two quarterbacks that respect one another's talents more and are quick to praise the other's achievements not only over the course of the season but in the contest in which they're in.

So we are extraordinarily proud, obviously, of Sam Bradford, Mr. Speaker, because he's led us to victory on the athletic field, because he's been a student; because, frankly, he's engaged in activities beyond being an athlete and beyond being a student to help others and to help his community, because of his Native American heritage. But most of all, simply because of the kind of person that he is.

He's a role model not just in athletics and not just from my State but, frankly, he's the kind of person that all of us should aspire to be. And he's wise beyond his years, and he conducts himself in a manner well beyond his years.

With that, again, I thank my colleague, Ms. FALLIN from the State of Oklahoma, for bringing this resolution. It's a privilege for me to speak on it.

Mr. SABLAN. Does the gentleman from Kentucky have any further speakers?

Mr. GUTHRIE. I have no further speakers, Mr. Speaker.

Mr. Speaker, I support this resolution, House Resolution 60, and urge my colleagues to join me in voting "yes." I yield back the balance of my time.

Mr. SABLAN. Mr. Speaker, once again I congratulate University of Oklahoma quarterback Sam Bradford for his outstanding year, and I urge my colleagues to pass this resolution.

Mr. BOREN. Mr. Speaker, I rise today to honor Sam Bradford and the entire OU Football team on their success, both individually and as a team, in the '08-'09 season.

Sam would be the first person to remind you that one doesn't win an award like the Heisman Trophy without the hard work, determination, and success of your fellow teammates, coaches, and staff.

He has said as much on many occasions. But in this instance, Sam Bradford also deserves special recognition for his poised leadership and his dedication to excellence on and off the field.

His exceptional play is matched only by the outstanding example that he sets for young student-athletes in Oklahoma and across the nation.

Congratulations, Sam, on winning the 2008-2009 Heisman Trophy.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H. Res. 60 "Recognizing and commending University of Oklahoma Quarterback Sam Bradford for winning the 2008 Heisman Trophy and for his academic and athletic accomplishments." I want to thank my colleague Congresswoman MARY FALLIN of Oklahoma, for introducing this resolution.

Sam Bradford of the University of Oklahoma was selected as the 74th winner of the Heisman Memorial Trophy as the Most Outstanding College Football Player in the United States for 2008. Bradford, Oklahoma's amazingly accurate and quick-thinking passer, won the Heisman Trophy after leading the highest-scoring team in major college history to the BCS title game.

Bradford hails from Oklahoma City, OK. This year, he completed 302 of his 442 passes this year, which amounted to 4,464 yards and 48 touchdowns while throwing only 6 interceptions during the regular season. He also rushed for 5 touchdowns.

While leading the highest scoring offense in the history of Division I College Football, Bradford broke the Oklahoma season and career touchdown records both previously held by 2003 Heisman winner Jason White. Bradford's 84 career touchdowns are the most ever for a player at the end of his sophomore season.

The Big 12 Athletic Conference was at the epicenter of college football this season, with both the national championship race and Heisman chase turning weekly on games played by its three powerhouse teams, including the pride of Texas, the University of Texas Longhorns. Bradford is the fifth Oklahoma player to win the award, and second during coach Bob Stoops' 10 seasons with the Sooners.

Mr. Bradford is not only outstanding on the football field, but he is a scholar in the classroom as well. He puts the student in student-athlete, as he has outstanding academics as a finance major. One of his professors acknowledged that "without reservation, if all of my students were like Sam, my job would be really easy."

Even though Sam Bradford was victorious over Quarterback Colt McCoy of my beloved University of Texas Longhorns, I extend my hand of congratulations on this wonderful accomplishment of winning the Heisman Trophy.

I know that Congresswoman FALLIN and the other Representatives from the State of Oklahoma are quite proud of this amazing feat.

Mr. Speaker, this commendation today recognizes Sam Bradford from the University of Oklahoma, and his 2008 Heisman Trophy win. This resolution also notes the extraordinary commitment and daily sacrifices made by this exceptional young man. I urge my colleagues to support this resolution.

Mr. SABLAN. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Northern Mariana Islands (Mr. SABLAN) that the House suspend the rules and agree to the resolution, H. Res. 60.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

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

The point of no quorum is considered withdrawn.

AIRLINE FLIGHT CREW TECHNICAL CORRECTIONS ACT

Mr. BISHOP of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 912) to amend the Family and Medical Leave Act of 1993 to clarify the eligibility requirements with respect to airline flight crews.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 912

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Airline Flight Crew Technical Corrections Act".

SEC. 2. LEAVE REQUIREMENT FOR AIRLINE FLIGHT CREWS.

(a) INCLUSION OF AIRLINE FLIGHT CREWS.—Section 101(2) of the Family and Medical

Leave Act of 1993 (29 U.S.C. 2611(2)) is amended by adding at the end the following:

“(D) AIRLINE FLIGHT CREWS.—

“(i) DETERMINATION.—For purposes of determining whether an employee who is a flight attendant or flight crewmember (as such terms are defined in regulations of the Federal Aviation Administration) meets the hours of service requirement specified in subparagraph (A)(ii), the employee will be considered to be eligible if—

“(I) the employee has worked or been paid for 60 percent of the applicable monthly guarantee, or the equivalent annualized over the preceding 12-month period; and

“(II) the employee has worked or been paid for a minimum of 504 hours during the preceding 12-month period.

“(ii) DEFINITION.—As used in this subparagraph, the term ‘applicable monthly guarantee’ means—

“(I) for employees described in clause (i) other than employees on reserve status, the minimum number of hours for which an employer has agreed to schedule such employees for any given month; and

“(II) for employees described in clause (i) who are on reserve status, the number of hours for which an employer has agreed to pay such employees on reserve status for any given month,

as established in the collective bargaining agreement, or if none exists in the employer's policies. Each employer of an employee described in clause (i) shall maintain on file with the Secretary (in accordance with regulations the Secretary may prescribe) the applicable monthly guarantee with respect to each category of employee to which such guarantee applies.”.

(b) CALCULATION OF LEAVE FOR AIRLINE FLIGHT CREWS.—Section 102(a) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)) is amended by adding at the end the following:

“(5) CALCULATION OF LEAVE FOR AIRLINE FLIGHT CREWS.—The Secretary may provide, by regulation, a method for calculating the leave described in paragraph (1) with respect to employees described in section 101(2)(D).”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. BISHOP) and the gentleman from Kentucky (Mr. GUTHRIE) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. BISHOP of New York. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H.R. 912 into the RECORD.

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

There was no objection.

Mr. BISHOP of New York. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I want to start by thanking Chairman MILLER for supporting this bill and for helping to bring it to the floor so quickly. I would also like to thank Representative MCCOTTER for being the lead Republican cosponsor of the bill, as well as my colleagues who have cosponsored this bill. In the 110th Congress, this bill passed by an overwhelming majority, 409-2. This legislation submitted today is identical to the measure that passed in the 110th Congress, and I hope it

once again receives the strong support it did in the last Congress.

H.R. 912 simply states that an airline crew member will be eligible for Family Medical Leave Act benefits if they have been paid for or completed 60 percent of their company's monthly hour or trip guarantee and have worked 504 hours.

The Family Medical Leave Act, or FMLA, has been a great program for working families in this country since it was passed in 1993. No one can question the benefit it has provided for working men and women by being able to take time off from work to care for themselves or for their family members.

The intent of the law was to provide for 12 weeks of unpaid leave if an employee had worked 60 percent of a full-time schedule over the past year, which equates to about 1,250 hours per year. Therefore, in order to qualify for FMLA coverage, an employee has to have logged in at least 1,250 hours over a 12-month period to be eligible.

While 1,250 hours adequately reflects 60 percent of a normal full-time schedule for the vast majority of employees in this country, that equation does not work for flight attendants and pilots. Flight attendants and pilots work under the Railway Labor Act rather than the Fair Labor Standards Act, which covers most 9:00 to 5:00 workers.

Time between flights, whether during the day or on overnight/layovers, is based on company scheduling requirements and needs but does not count towards crew member time at work. Flight attendants and pilots can spend up to 4 to 5 days a week away from home and family due to the nature of their job; however, all of these hours will not count towards qualification.

The courts have strictly interpreted the law and insisted that crew members must abide by the 1,250 hours for qualification, even though the intent of the law was to work 60 percent of a full-time schedule.

Thus, airline flight crews have been left out of what was once a legislation that was intended to cover them. Therefore, a technical correction is needed to ensure that FMLA benefits are extended to these employees. This legislation seeks to clarify the original intent of the law.

This legislation brings these transportation workers in line with the intent of the original legislation and as promised when the law was passed.

Last year, during a committee hearing, we heard from Jennifer Hunt, a flight attendant for U.S. Airways. Jennifer was denied FMLA benefits when she applied to take time off to care for her ill husband, an Iraq War vet. Jennifer, unfortunately, like many other flight attendants and pilots as well, did not meet the hourly requirements and, thus, was denied coverage.

Again, I thank the chairman for his support in bringing this legislation to the floor, and I urge the support of my colleagues.

I reserve the balance of my time.

Mr. GUTHRIE. Mr. Speaker, I rise in support of H.R. 912, the Airline Flight Crew Technical Corrections Act, and I yield myself such time as I consume.

Mr. Speaker, we just heard this bill is needed to address a very narrow, very specific concern. At issue is the fact that some airline personnel are subject to a unique scheduling process in which they are paid for being on-call but, in some cases, are not credited with those hours in the calculation used for Family Medical Leave Act eligibility. The practical impact of this technicality is that some flight crew personnel may work a full-time schedule but fail to qualify for family and medical leave. This is a real concern for those grappling with health conditions or family obligations.

Many Members have been uneasy about efforts to open the Family Medical Leave Act for small changes when it is clear that broader reforms are necessary. The FMLA has worked well for 16 years, offering workers the flexibility to tend to their own health or to care for a loved one in their time of need without fear of losing their job.

But despite the law's many successes, it has also become clear that changes are needed. The realities of today's workplaces are different than those of a decade and a half ago. Courts have offered evolving interpretations, and as is often the case with such a sweeping change to employment law, there have been unintended consequences for both employers and employees.

I know the majority has worked with Members on our side of the aisle to craft this legislation carefully and to avoid some of the pitfalls that could come with piecemeal reform of the FMLA. I want to thank them for ensuring this bill does exactly what it intends, no more and no less.

Mr. Speaker, the bill before us today is an important opportunity to extend the protections of the FMLA to flight crew who might otherwise be denied benefits under the law. I hope we can follow the example set with this legislation and work together to find sensible solutions to the challenges facing all of America's working families.

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

□ 1630

Mr. BISHOP of New York. Does the gentleman from Kentucky have any further speakers?

Mr. GUTHRIE. No, Mr. Speaker.

Mr. BISHOP of New York. Mr. Speaker, I continue to reserve.

Mr. GUTHRIE. Mr. Speaker, I support this narrowly crafted legislation and urge my colleagues to join me in voting "yes."

I yield back the balance of my time.

Mr. BISHOP of New York. Mr. Speaker, in closing, let me just say that the extent to which the two sides cooperated on this bill I think serves as a model for the way that legislation can go forward in this Chamber. We worked

together very cooperatively both at the staff level and at the member level to work out issues that existed that were sources of concern to various members. We were able to do that. And as I say, in the last Congress, we only had two dissenting votes.

I am hopeful that we will have similar support in this Congress, and I am also very hopeful that this measure, which last Congress was stalled in the Senate, this year will receive a somewhat better fate in the Senate so that we can act to correct this very narrow omission, if you will, in what is an otherwise very good law.

With that, Mr. Speaker, I urge the support of my colleagues.

Mr. McCOTTER. Mr. Speaker, I rise in support of the Airline Flight Crew Technical Corrections Act. In 1993, Congress passed the Family Medical Leave Act (FMLA) which provided up to 12 weeks of unpaid leave for employees to care for themselves or family members if the employee worked 1,250 hours (or 60 percent of a full time schedule for most 9–5 employees). Since then, the FMLA has provided many individuals and working families in my district and around the country an opportunity to provide for themselves and family members during medical emergencies.

As intended, the FMLA provides full-time workers unpaid leave in medical emergencies, however due to a United States District Court ruling, airline flight crew are largely ineligible to FMLA benefits. Specifically, the court created an insurmountable obstacle for flight crews by deciding flight attendants and pilots can only count in flight hours towards the 1,250 hours required to qualify for the FMLA benefits. Typically, flight time only accounts for a portion of flight crew's paid working hours. Between flights, airlines require flight attendants and pilots to spend numerous hours "on call" and away from their families. While airlines compensate flight crews for their time "on call," under the FMLA flight crews remain ineligible to receive benefits.

This is blatantly unfair.

To correct this oversight and restore the original intent of the FMLA, Representative TIM BISHOP introduced the Airline Flight Crew Technical Corrections Act. I commend Representative BISHOP for his leadership and I am proud to join him in ensuring flight crews are not penalized for working in an industry which does not run on a 9–5 schedule.

If enacted, the Airline Flight Crew Technical Corrections Act will extend FMLA eligibility to airline flight crews who work 60 percent of a full time schedule at their airline. Importantly, upon enactment over 200,000 full-time flight crew personnel will be able to receive FMLA benefits. Thus, Mr. Speaker I urge the immediate passage of the Airline Flight Crew Technical Corrections Act.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H.R. 912, the "Airline Flight Crew Technical Corrections Act." I thank my colleague Congressman TIMOTHY BISHOP from New York, for sponsoring this important resolution, I urge my colleagues to support this legislation.

Mr. Speaker, H.R. 912, the Airline Flight Crew Technical Corrections Act, is an amendment to the Family and Medical Leave Act of 1993. This resolution addresses the hours-of-service requirement airline flight crews must meet to be eligible for leave under such Act.

The Family and Medical Leave Act (FMLA) is a law that helps many workers be compensated when they must leave their work for an emergency. But airline workers do not meet the qualifications to get these benefits because their hours are calculated differently than most wage earners'.

Flight attendants spend only a part of their job in the skies, but that time in the sky is all that is recorded for determining their FMLA benefits. Flight attendants need H.R. 912, the Airline Flight Crew Technical Corrections Act, to be enacted so that they can be covered by the FMLA. Importantly, the bill would expand an existing private-sector mandate on employers by requiring them to allow additional employees to take up to 12 work-weeks of unpaid leave for certain family and medical reasons.

As a member of the Committee on Homeland Security and Chairwoman of the Subcommittee on Transportation Security and Infrastructure Protection, I am familiar with the pressures and expectations placed upon flight crews. Crewmembers work long inconvenient hours with little to no consistency in their workday.

H.R. 912, the Airline Flight Crew Technical Corrections Act, will give them that consistency that their career fails to provide. This legislation will set a standard for granting flight crew leave based on a measurable hours of service standard. Flight crew members will meet eligibility requirements if they meet 60% of the applicable monthly guarantee, or the equivalent annualized over the preceding 12-month period, or a total of 504 during that same period.

This would give flight crews a fair opportunity to receive the same benefits that are afforded to all other parties covered previously in the Family and Medical Leave Act of 1993. In the past weeks, Americans have seen and heard firsthand from the crew of flight 1549 and how they can react when all odds are against them. The flight crew's ability to react in time of emergency is clear and it is our job as members of Congress to ensure them that if and when they should be struck by personal crisis they will be able to take the necessary time off in order to fully tend to their family or their own situation. Situations already described in the Family and Medical Leave Act of 1993 are as follows: For the birth and care of the newborn child of the employee; for placement with the employee of a son or daughter for adoption or foster care; to care for an immediate family member (spouse, child, or parent) with a serious health condition; or to take medical leave when the employee is unable to work because of a serious health condition.

How do we tell these employees that their hard work does not give them the ability to care for their families in time of need? This is a promise we must keep.

Mr. Speaker, as a strong supporter of the rights of Transportation Security Administration employees I urge my colleagues to join me in supporting the Airline Flight Crew Technical Corrections Act. This bill will make the benefits given to flight crew members equal to those already covered under the Family and Medical Leave Act of 1993.

Mr. BISHOP of New York. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr.

BISHOP) that the House suspend the rules and pass the bill, H.R. 912.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

RESIGNATION AS MEMBER OF COMMITTEE ON ARMED SERVICES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Armed Services:

WASHINGTON, DC,
February 5, 2009.

HON. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER PELOSI: This letter is to inform you that I will be taking a leave of absence from my position on the House Armed Services Committee (HASC); however, I reserve the right to retain my seniority on HASC during my service on the House Permanent Select Committee on Intelligence.

Please do not hesitate to contact me or my Chief of Staff, Jason Buckner, with any questions or concerns.

Respectfully yours,

DAN BOREN,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

(Ms. ROS-LEHTINEN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

PUBLICATION OF THE RULES OF THE COMMITTEE ON HOUSE ADMINISTRATION, 111TH CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. BRADY) is recognized for 5 minutes.

Mr. BRADY of Pennsylvania. Madam Speaker, pursuant to clause 2(a)(2) of Rule XI of the rules of the House of Representatives, I submit the Rules of the Committee on House Administration for the 111th Congress for printing in the CONGRESSIONAL RECORD. The committee rules were adopted by voice vote, with a quorum present, at the organizational meeting of Tuesday, January 27, 2009.

RULES OF THE COMMITTEE ON HOUSE ADMINISTRATION, ONE HUNDRED ELEVENTH CONGRESS

RULE NO. 1: GENERAL PROVISIONS

(a) The Rules of the House are the rules of the Committee so far as applicable, except that a motion to recess from day to day is a privileged motion in the Committee. Each subcommittee of the committee is a part of the committee and is subject to the authority and direction of the chair and to its rules as far as applicable.

(b) The Committee is authorized at any time to conduct such investigations and studies as it may consider necessary or appropriate in the exercise of its responsibilities under House Rule X and, subject to the adoption of expense resolutions as required by House Rule X, clause 6, to incur expenses (including travel expenses) in connection therewith.

(c) The Committee is authorized to have printed and bound testimony and other data presented at hearings held by the Committee, and to make such information available to the public. All costs of stenographic services and transcripts in connection with any meeting or hearing of the Committee shall be paid from the appropriate House account.

(d) The Committee shall submit to the House, not later than January 2 of each odd-numbered year, a report on the activities of the committee under House Rules X and XI during the Congress ending at noon on January 3 of such year.

(e) The Committee's rules shall be published in the Congressional Record not later than 30 days after the Committee is elected in each odd-numbered year.