UNEMPLOYMENT RATE IS DOWN

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

Mr. ENGEL. Mr. Speaker, the reports have just come out a few minutes ago, and it's great news for America: 243,000 jobs were created in January, which is 150,000 more than were expected. The unemployment rate is down to 8.3 percent from 8.5 percent. So the programs are working. I congratulate President Obama, and urge my Republican colleagues to pass a jobs bill so we can continue to have a downslide on unemployment.

Now, I know Mitt Romney says he's not concerned about the very poor, but this is good news for all Americans, from the very poor to the middle class.

This Congress needs to work together with the President to pass a jobs bill and to make sure that unemployment keeps going down. This is great news for all America, great news for President Obama, and great news for all of us.

CBO REVEALS PRESIDENT'S FAILED POLICIES

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

Mr. WILSON of South Carolina. Mr. Speaker, throughout his campaign for the White House, the President made an empty promise to cut our deficit in half by the end of his first term. Earlier this week, the Congressional Budget Office announced its projection that the President's failed policies, sadly, have more than doubled the annual debt. Our debt has increased by almost $5 trillion over the last 3 years. This statistic shows that throughout the Presidency of the current President, the President has recklessly spent the tax dollars of hardworking American families.

The Wall Street Journal stated: ''To sum it all up, the CBO's facts plainly show that Mr. Obama has the worst fiscal record of any President in modern times. No one else even comes close.'' At a time when Americans are searching for jobs, the President must follow through with this promise to the American people and work with both Houses of Congress to stop Washington's out-of-control borrowing and spending.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

HONORING CENTENNIAL OF GIRL SCOUTS

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

Mr. TONKO. Mr. Speaker, I rise today to celebrate and honor the centennial of our Nation's Girl Scouts. For 100 years, the Girl Scout experience has enriched the lives of millions of girls and their families through innovative and progressive programming that embraces the rich diversity of communities across our country. A cornerstone of the Girl Scout movement, community service, allows girls to exercise their leadership skills on a variety of levels and at any age.

Each year, thousands of service hours are provided to communities. Cleaning parks, organizing food and toy drives, planting trees and clearing forest trails, tutoring young students in migrant camp summer schools, collecting basic essentials and backpacks for children entering foster care, sending school supplies to Third World schools, visiting the elderly, and helping deliver food to homebound citizens are just a few of the important activities that Girl Scouts do every day to make the world, our world, a better place. That is something from which each of us can and should learn.

I would like to personally honor the Girl Scouts of northeastern New York, which serves 12,000 girls and their families in a 15-county region. I look forward to dozens of these girls coming to visit Washington, D.C., in early June, where they will join others in song along the National Mall.

From their individual efforts to hosting the Women of Distinction Award, thank you to our Girl Scouts and their leaders, and a very happy and healthy centennial celebration.

CONFERENCE REPORT ON H.R. 658, FAA REAUTHORIZATION AND REFORM ACT OF 2012

Mr. WEBSTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 533 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 658) to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read. The previous question shall be considered as ordered on the conference report to its adoption without intervening motion except: (1) one hour of debate; and (2) one motion to recommit if applicable.

□ 0920

The SPEAKER pro tempore. The gentleman from Florida is recognized for 1 hour.

Mr. WEBSTER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlelady from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During the consideration of the resolution, all time yielded is for the purposes of debate only.

GENERAL LEAVE

Mr. WEBSTER. Mr. Speaker, I ask unanimous consent that all Members have 5 days to revise and extend their remarks.

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

There was no objection.

Mr. WEBSTER. Mr. Speaker, I rise today in support of this rule and the underlying bill. House Resolution 533 provides for a standard rule for consideration of the conference report for H.R. 658, the FAA Modernization and Reform Act of 2012.

According to the Federal Aviation Administration, the FAA, the United States aviation industry currently accounts for nearly 11 million jobs and contributes $1.3 trillion to the Nation's gross domestic product.

Regrettably, since September 30, 2007, the FAA has operated under a series of short-term, stopgap extensions. In fact, there have been 23 extensions of the FAA programs since the last multiyear reauthorization was signed into law 8 years ago. I'm relieved that we have finally stopped playing politics with the safety of our airline passengers and appear to be on the verge of passing a necessary, meaningful, and long-term FAA reauthorization.

The FAA conference report provides responsible funding for FAA safety programs, air traffic control modernization efforts, known as NextGen, and operations through 2015. It holds spending at fiscal year 2011 levels while providing $13.4 billion in projects that will create much needed construction jobs. The conference report contains no earmarks, and it does not raise taxes or passenger facility charges during this difficult economic time.

With the passage of the reauthorization, the deployment of NextGen technologies to replace our current, outdated, ground-based air traffic control system will begin. NextGen will bring an estimated net $281 billion benefit to the overall U.S. economy through decreased flight delays, decreased fuel use, and job opportunities for new, high-tech companies.

The House-Senate agreement will also improve aviation safety for passengers, reform antiquated programs that have become overly reliant on government subsidies, and establish a process to address outdated and obsolete air traffic control facilities, thereby saving taxpayer dollars.

Because we are finally passing a 4-year authorization, the conference report will provide long-term certainty for the aviation industry and all who rely upon it. This certainty will produce an environment which allows for the creation of high-paying and sustainable jobs. Instead of wondering whether or not the next extension will squeeze by just before the expiration, employees and job creators can budget,

plan, and grow with confidence that government will not pull the rug out from under them.

While I'm excited that we have finally embraced the benefits of certainty and stability when it comes to our aviation system, I can't help but state what many Americans probably feel is obvious: This is how the system is supposed to work.

Far too often, Congress jumps from crisis to crisis, many of which appear to this freshman Member to be self-created. Far too often, because of the unwillingness of some to cooperate, we have been forced to wait until we're up against some kind of deadline that if we don't act, something else looms on the other side. This is no way to legislate, and it's no way to govern. It certainly isn't the legislative process I learned in my 7th grade civics class. Instead, we should be striving to do our work as the Founding Fathers envisioned. They understood and anticipated that the House of Representatives and the Senate would not always walk in lockstep agreement on every issue.

On the second day of the first Congress, on April 7, 1789, there was a conference committee appointed by the House and Senate, and they worked out their differences. Since that time, the House and Senate have formulated positions, each of which may be somewhat different, and yet conferees would be appointed to manage that Chamber's position and to hash out differences and produce an agreement that both Chambers could agree on.

In my first year in Washington, however, it seemed that is the exception much more than the rule. Much more often, one side takes a position, and then on the other side they refuse to do the same, and there's a lack of any kind of compromise or cooperation. I'm not interested in assigning any blame on whom or why that has taken place or why the process is the way it is. I do believe, though, that cooperation takes a willing partner, and we can be that willing partner.

Today is a good day, but we have so much more work to do. Even though the process is not a headline-getting opportunity, the process is important. To me, the more we can push down the pyramid of power and spread out the base and let every Member be a player, we'll have a process that both the House and the Senate can work on and work with each other on and cooperate and the better the policy will be. If the process is broken, sure enough, the product is broken. If the process is good, as this process has been, then I guarantee you, the unintended consequences that usually appear in bills that are pushed through in the dark of night are done away with. And we have an opportunity to do that today. So no one got everything they wanted, and yet this is a picture of how it ought to be.

So, Mr. Speaker, I rise in support of the rule and the underlying legislation, and encourage my colleagues to vote ''yes'' on both of those measures.

I reserve the balance of my time.

Ms. SLAUGHTER. I want to thank my friend from Florida for yielding me the customary time of 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, after 23 short-term extensions, I am glad that we have finally brought the long-term FAA authorization bill to the floor. Twenty-three extensions are about 20 too long. Unfortunately, this legislation also contains unnecessary language that would inject politics into what should otherwise be a clean bill to make our skies safer.

Today's bill would change requirements for unionization that have existed for more than 75 years. This politically driven legislation is being done unilaterally without consulting unions and the workers whom it will impact.

During the 20th century, the rise of unions was quickly followed by the creation of the American middle class—the largest middle class on Earth; and thanks to their safety protections, fair pay and humane hours that were achieved by unionized labor for all the rest of us who labor, the American workers didn't just hear about the American Dream—they lived it. Meanwhile, American corporations, including airlines, were rewarded with the best workers that the world had to offer.

Over the years, a changing global economy and a deliberate effort to weaken unions has made life harder and harder for the middle class. In the aviation industry, airlines began to outsource repairs, often using counterfeit parts and even repairing airplanes in foreign countries, endangering our flying public. The unions fought these changes and tried to keep American workers in charge of protecting the American flying public; but over the objections of the unions, the airlines continued to outsource, sometimes resulting in very dangerous accidents.

Today, it's more challenging than ever for a middle class family to pay rising medical bills, to put food on the table, and to afford a college education for the next generation. For so many families, the American Dream has now become nothing more than a memory of times past.

At a time when some of our Nation's airlines are reporting record profits and our Nation's workers are struggling to get by, I don't think we should be considering legislation that makes it harder for the middle class to survive. In State capitals and in the Halls of Congress, the American worker has been under a sustained political attack. These attacks must not go undefended. For that reason, I cannot support this bill and ask for a ''no'' vote on the rule and the bill.

I reserve the balance of my time.

Mr. WEBSTER. I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to my colleague from New York (Mr. ENGEL).

Mr. ENGEL. I thank my good friend, Ms. SLAUGHTER from New York, and I rise in strong opposition to the rule and to the bill.

I will continue to oppose all FAA reauthorizations because I strongly oppose the FAA's New York-New Jersey-Philadelphia airspace redesign plan, which includes the rerouting of at least 100 additional flights over Rockland County, the district which I represent.

□ 0930

While this bill will likely pass, I will not stop insisting that the FAA revise their ill-advised redesign plan for the airspace around New York, New Jersey, and Pennsylvania.

I have spoken to and written letters to the FAA and to Transportation Secretary Ray LaHood asking for the reconsideration of their redesign plan. I continue to be outraged at the decision to direct even more flights over my district. Talk about government arrogance. Talk about not even caring about the people they affect. Talk about not even having any kind of hearings within the affected areas, trying to sneak it through. Talk about having the person who approves it, overseeing the plan, is the original one who drew it. So he has a stake in it, and of course he's going to approve it. There are a number of alternatives to address flight delays without requiring the people of Rockland to bear the burden.

As my constituents have noted to me, the noise and air pollution in the area will increase. It is unknown how this increase in air pollution will affect the disproportionate rate of childhood asthma in my district. I believe it's clear that this airspace redesign will result in a decline in the quality of life for my constituents in suburban Rockland County. And what for? The expected result of this ill-advised plan is a paltry reduction of delays—an average of only 3 minutes per flight. That's not good enough for the inconvenience it's going to cause my constituents.

The modernization of our aviation system is necessary to bring it into the 21st century, to keep pace with the increased number of flights and to also maintain our technological advancements by implementing new equipment to keep our system the safest in the world. While NextGen is important to upgrading our aviation system, it should not be exempt from environmental studies, which this bill makes it. I object to the provisions in this bill that grant such an exemption.

And, finally, I want to echo the words of the gentlewoman from New York (Ms. SLAUGHTER). I am also strongly opposed to the changes the bill makes to the National Mediation Board. While the middle class is suffering in this country, we should not be making it harder for workers to exercise their

right to engage in collective bargaining. Unions are essential to improving the middle class and strengthening the wages and benefits of our workers.

So I will continue to oppose the FAA reauthorization until the FAA halts and revises their deeply flawed airspace redesign plan. And I urge my colleagues to vote against the rule and against the bill.

Mr. WEBSTER. Mr. Speaker, I just want to let the House know and the Speaker know that this conference report was signed by all the Republicans and Democrats. There are a few people against this, but not many. It's a bipartisan effort. All the Democrats in the Senate signed the conference report. So I believe this is a great bill.

I reserve the balance of my time.

Ms. SLAUGHTER. I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I want to thank the gentlelady from New York for her courtesies of extending time on a bill that we have been waiting for for a very long time. I was speaking, as I was coming to the floor, and thinking about whether or not we could work together in a bipartisan manner.

I represent a number of airports generally, and specifically I represent Bush Intercontinental Airport, which has a reputation for being one of the top airports around the Nation. A couple of months ago, we stood together with our airport director and workers in the community, asking for an FAA authorization bill.

We are in need of repairs, and we are in need of growth. And how exciting it is to know that this has been one of the best job-growth months in our time, 243,000 jobs. We're on the right track, Ms. SLAUGHTER, and this bill would have certainly been on the right track.

But why in the world do we put in this bill a poison pill that some say is a settlement, a resolve, that takes a configuration of counting that is absurd? For those who want to come together as the First Amendment allows you to do, the right to assemble in unions and employee organizations—which to date has not harmed our airport industry—for those who want to come together, an absurd configuration of retirees and people who are not there are counted when you have an election to become a union.

Just yesterday, the Governor of Indianapolis, Indiana, signed a right-to-work. We have right-to-work States. We have recognized their existence. Whether we like them or not, they exist. Why can't unions have the right in a fair way to organize?

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. SLAUGHTER. I yield the gentlewoman 2 minutes.

Ms. JACKSON LEE of Texas. I thank the gentlelady for her kindness.

If any Member, any Governor had to go to the polls and work to bring people to the polls to vote in an election in a democratic process and in that election they had to count the people who were home, asleep in their beds, some who did not desire to vote—that was their democratic choice, although we want everyone to vote—most people would say that is absurd, including my friends on the other side of the aisle. Why did this have to be the scourge in this particular legislation?

Let me also say that, as the ranking member on the Transportation Security Committee and as formerly the chairperson, I believe in working together. We had a pilot program dealing with privatization in some small airports of the Transportation Security Administration. But the gentlelady is from New York. And if I recall, we were privatized on that fateful date of 9/11. The idea is to make our TSOs at a level that is responsible across the Nation. And we had language in this bill that said that we may look at other requests or make decisions on other requests for using privatization. No, they go and change the language.

Now, ''the Secretary shall.'' She has to. And there is no credible evidence that suggests that the privatization of TSOs or the Transportation Security Administration is going to make our Nation safer. Why do we mix infrastructure work—getting our airports safer and credible and ready to expand—with these kinds of poison pills in the box, in-your-eye initiatives?

So, Mr. Speaker, I came to the floor to say that I am shouting for the fact that we have finally come together in what could be a way forward; but, unfortunately, we have decided to use the poison pen strategy, divide but not conquer. We're going to fix this as we go forward.

I ask my colleagues to vote against the rule.

Mr. WEBSTER. Mr. Speaker, I have no further requests for time, so I would like to inform my colleague I am ready to close.

I reserve the balance of my time.

Ms. SLAUGHTER. Very briefly, in closing, politically driven additions to today's legislation mar what would have otherwise been a clean and commendable funding bill for the FAA, and I deeply regret it. I regret that some have opted to take this important legislation and inject politics where it does not belong.

I yield back the balance of my time.

Mr. WEBSTER. I yield myself the balance of my time.

Mr. Speaker, I am glad that we're finally getting ready to provide certainty and stability to our aviation industry and to those who depend on it for their livelihoods and safe travel.

The agreement reached between the House and Senate conferees is far from perfect, and I doubt everyone got everything they wanted. But it promises to improve air travel for passengers, comfort and safety, while ensuring a more modern air traffic control system. It keeps spending flat, and it's free of earmarks, tax increases, or any increase in passenger facility charges. It provides funding for airport infrastructure projects that will spur much needed construction jobs for an industry that has been hit particularly hard by the economic downturn.

This conference report represents a step in the right direction. While long overdue, in this instance, the legislative process has finally worked, and Congress stands ready to work the people's will.

I ask my colleagues to join me in voting in favor of the rule and its passage along with the underlying bill and its passage.

I yield back the balance of my time, and I move the previous question on the resolution.

□ 0940

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. MICA. Mr. Speaker, pursuant to House Resolution 533, I call up the conference report on the bill (H.R. 658) to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 533, the conference report is considered read.

(For conference report and statement, see proceedings of the House of February 1, 2012, at page H230.)

The SPEAKER Pro tempore. The gentleman from Florida (Mr. MICA) and the gentleman from West Virginia (Mr. RAHALL) each will control 30 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. MICA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on the conference report to accompany H.R. 658.

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

There was no objection.

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

Today, I am pleased to rise in support of the conference report for the FAA reauthorization. This is the FAA Reauthorization and Reform Act of 2012.

First, I want to take a moment to thank Ranking Member RAHALL, Chairman PETRI, Ranking Member COSTELLO, as well as Chairman ROCKEFELLER, Ranking Member HUTCHISON, and the conferees who worked on this conference report and the underlying bill so that we could reach an agreement on this conference report and this

bipartisan bill. I also want to thank the gentleman from Texas (Mr. HALL), the Science, Space, and Technology Committee chairman, who is with us this morning, as well as Ranking Member LEVIN of the Ways and Means Committee, for their assistance, and I want to thank other committees in Congress that have played important parts and have provided assistance to our Transportation and Infrastructure Committee to get this bill done.

I must also thank the staff. If I look a little bedraggled this morning, our staff is probably even more bedraggled. Almost all of the members of the T&I Committee stayed through a markup that ended at 2:49 a.m. this morning, and they are here bright and chipper this morning. I appreciate all of the staff. I want to particularly thank Holly Woodruff Lyons, who is our staff director on the FAA subcommittee; Mr. Jim Coon, our staff director of the full committee; Amy Steinmann Smith, who is our policy director; Bailey Edwards; and Suzanne Mullen.

I also have to give a special thanks to our legal counsel, who last night informed me she is resigning today. That was at about 2 a.m. in the morning, but it was with good plans for her, her family and her future. She has served the committee well. We'll miss her. It wasn't as a result of staying up all night and working on this bill, but I'm sure that provided some incentive.

People don't understand how our staff works. On this measure, our staff worked over the holidays—and I'm talking about through Christmas last year and the New Year's holiday. They worked on weekends, and they worked late into the night, not unlike many Americans. They did this for many Americans who want to work, and that's what this legislation is about.

This legislation deals with our entire American aviation industry. It sets all of the policy, all of the formulas. All of the major projects are outlined. This is the blueprint for the United States of America and, actually, for anywhere between 8 and 11 percent of our entire economic activity.

Aviation, we take for granted, but two-thirds of all the people who fly in the world fly in the United States. Aviation has provided a magic carpet where today, these Members are here, Mr. Speaker, and in a few hours or several flights later, they'll be home—across the continent, to the far reaches of the United States and our territories. That's the magic it provides us. It's the engine that drives business and the economy for the United States, and this Congress failed to provide a reauthorization.

I have only been the chair of this committee for a year now. I had the good fortune of being the chairman of the Subcommittee on Aviation in 2001, and we wrote the last authorization, a 4-year bill, in 2003 that expired in 2007 when the other side of the aisle had control. For 4 years, they had control of the House and the Senate, and for 2 years, they had total control—House, Senate, White House.

□ 0950

They could not pass a bill, a blueprint for the aviation industry. They passed 17 extensions, and the former FAA Administrator said it's causing havoc. These extensions cost the taxpayer millions of dollars, and you can't run an agency that's responsible for so much of our economy with these hiccup extensions.

Now, we've done a total of 23, probably more extensions in the history of any other legislation that's come before this Congress for authorization of an activity within the government. Twenty-three. Seventeen. I had to do six.

I got a little testy, I got tough, but I said, enough is enough. I was tough, and I think I did get people to come to their senses and say that this isn't a Republican or a Democrat issue. This isn't a labor a business issue. This is an issue about putting people to work and defining Federal policy for one of the most important aspects of our economy. So although it's tough, I intend to be tough.

Last night, we stayed till 3 o'clock in the morning. We'll stay as long as it takes to get these measures done that are so important to drive the economic engine of America. With the transportation legislation last night, there were historic reforms, and we took 90 amendments, I believe, from the other side, in a very open process, and everyone had an opportunity to participate and vote on this FAA authorization and in the historic legislation that we passed at 2:49 a.m. this morning. So no one has been denied the opportunity to participate.

It's amazing, when you come together, what you can get done, and the American people want that. They're tired of the bickering and they're tired of the fighting. Yes, we may have some heated discussions—yes, we may have differences of opinion—but we got the job done. So today is an historic day on two counts with two major accomplishments to pass a transportation bill, working, again, with Members, and I appreciate their work.

Today, this historic conference report finally sets a blueprint for aviation industry and an important aspect of our economy. This sets the policy for also taking us into the next generation of air travel. It's called NextGen, next generation air traffic control, so our planes can fly safer in the skies, so we have the ability to save fuel, so that we can get from point to point and know where those aircraft are both in the air and on the ground. This legislation sets that blueprint.

So I am very pleased to be here. I am pleased for the American people because the Congress has done its work. They don't want excuses. They want results. And today is a day of results for one of the longest-term extended authorizations in the history of the United States Congress.

Mr. Speaker, it is important to document for the RECORD a clerical error in the message to the Senate regarding the House appointment of conferees on H.R. 658. On January 31, 2012, the Speaker appointed members of the Ways and Means committee to serve as conferees on, among other provisions, title VIII of the Senate amendment. The Journal, the House Calendar and the signature sheets on the conference report accurately depict this appointment. However, the message to the Senate provided that the appointment was for title VII of the Senate amendment. I want to assure Members that the House conferees acted in accordance with the Speaker's appointment.

With those few remarks—and I will have additional—I reserve the balance of my time.

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

I had hoped for legislation today that would be laser-focused on creating jobs, on creating jobs and making our aviation system safer, more efficient and more accessible for our flying public. Instead, much of the drama over the FAA reauthorization, for the last year—and there's been plenty of that drama—erupted over a provision of the House-passed bill that would have changed how the National Mediation Board, the NMB, counts votes in representation elections at airlines and railroads.

Now, let me be clear. As I stated in our perfunctory one single, only conference meeting on this issue, that provision had no place and these labor provisions before the National Mediation Board have no place in FAA reauthorization because it has nothing to do with improving safety or creating jobs. Instead, it was a salvo aimed by the majority in this House at our American workers.

Today, we have a conference report with a so-called compromise, but that compromise still changes how airline and railroad workers join unions. Now, some will say that this compromise is several degrees better than the original provision in the House bill. Nevertheless, I strongly oppose the inclusion of this NMB provision in the pending legislation.

On the other hand, I am pleased that the conference committee flat-out rejected the proposal of the original House-passed bill to sunset the Essential Air Service program. I was beginning to suspect that my Republican colleagues were confusing the EAS title of this bill with the ESA, which, in my mind, refers to the Endangered Species Act. The gentleman in the chair will know to which I refer.

But this conference report will not make EAS an endangered species, fortunately, and the program will be continued with modest reforms to ensure that it remains a worthy investment. For communities in my home State of West Virginia, these airports are a vital lifeline and engine of economic growth that will be preserved, and this is what I reference when I refer to creating jobs.

This legislation will improve safety, and it will improve efficiency. It will create some jobs, though not enough, in my view. While it does not slash FAA funding to 2008 levels, it could have authorized more investment in our Nation's aviation infrastructure.

On the journey to a 100 percent sustainable, efficient, accessible, and safe aviation system, this bill is just a waypoint. Much more work is still ahead, but at least this legislation will set a course for the Federal Aviation Administration to follow in investing for the future and in keeping the skies safe in the coming years.

I do not want to see the FAA countinue to limp along in the no-man's land of serial extensions, to which the chairman has already referred—23 or 24 to this date—and I certainly do not want to see another shutdown of this agency, as we saw last August, with innocent individuals being laid off work.

But I will watch closely how the NMB provision affects workers' bargaining rights, and will be ready to act to correct any unfair imbalance if that becomes necessary.

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

Mr. MICA. I yield 4 minutes to the gentleman from Wisconsin (Mr. PETRI), the chair of the Aviation Subcommittee.

Mr. PETRI. Thank you very much, Mr. Chairman, for yielding. As are you and our other colleagues, I am happy to see this process coming to a conclusion.

The successful conference report that we're debating today domonstrates our ability to take on important issues and still reach bicameral, bipartisan agreement on how to move oru aviation industry forward, reform a critical government agency, and create jobs.

This legislation will, at long last, provide stable funding and policy direction for the FAA's safety programs, airport development grants, NextGen efforts, and operations for budget years 2012–2015. The legislation contains no earmarks and achieves savings for our taxpayers.

This legislation includes many important aviation-policy initiatives. I'm especially pleased with the reforms included in the legislation for the FAA's NextGen program. The conference report establishes timelines, performance metrics, and accountability for the NextGen program.

□ 1000

The conference agreement also authorizes the FAA to streamline environmental reviews that often stall out efforts to increase the efficiency of our national airspace system. To be clear, the benefits of the NextGen program are not only felt by aviation users. A May 2011 Deloitte study showed a $281 billion net benefit to the U.S. economy if the NextGen program is implemented on time. So I'm pleased to move this legislation that will help the FAA's efforts to implement the important NextGen modernization program.

By setting requirements and deadlines for FAA rules for the safe integration of unmanned aircraft systems, the conference report also unlocks the potential for private sector job creation here at home that has so far been stalled by government inaction.

Along with advancements in the NextGen program, this legislation enacts policies that will foster sustained, long-term job creation in our private sector, reaffirming the United States' leadership role in aerospace innovation and manufacturing.

In addition to policy changes that help spur job creation, the legislation makes over $14 billion available for airport projects over the life of the bill. As the spring construction season nears, it's important to have the stable funding available for airport projects. This legislation gives airport managers the ability to plan and execute airport projects that will support thousands of construction jobs. This legislation also enacts protections to assure airline passengers are treated properly and fairly in the event of travel delays.

The bill makes reforms to the Essential Air Service program, eliminating Federal subsidies in the most egregious circumstances, as highlighted last year.

Overall, the reforms included in the legislation will make the FAA work smarter, reduce its footprint, and deliver more.

The final product will provide the kind of stability and job creation for America's aviation infrastructure that this Congress and the American people have been looking for.

I strongly support this legislation, and before concluding would like to acknowledge the very hard work of Holly Lyons and our general counsel, Bailey Edwards, as well as Giles Giovinazzi and Alex Burkett, who have helped negotiate with the Senate and bring this project to a successful conclusion.

Mr. RAHALL. Mr. Speaker, at this point I am very honored, in a nostalgic way, to recognize the gentleman from Illinois, the former chairman of our subcommittee on aviation, the current ranking member, who is taking his expertise—and hopefully not his friendship—and going elsewhere after this year. He has been a very valued member of our committee, and his treasure chest of knowledge on this issue is boundless. I am just so happy and thankful that we've had JERRY COSTELLO to represent us on this issue for so many years.

I recognize him for as much time as he wants.

Mr. COSTELLO. Mr. Speaker, I thank the ranking member of the full committee, Mr. RAHALL. Let me thank him not only for his friendship and his kind words but for his leadership on the committee on so many issues.

As the chairman pointed out, we were in a markup until almost 3 a.m. this morning, and Mr. RAHALL led us on our side of the aisle in working together to try and come up with a better product than was presented to us last night. So I thank him.

Mr. Speaker, I rise in support of the conference report. I want to say from the outset that I'm deeply disappointed in the change to the Railway Labor Act that was added to the conference report during final negotiations on the National Mediation Board provision between Speaker BOEHNER and Majority Leader REID. The NMB language had been dropped altogether, as Mr. RAHALL indicated in his statement. Congress should not be amending the Railway Labor Act in this bill. Importantly, there are several provisions in the conference report that help organized labor, and after working on this legislation for over 5 years, I believe it's necessary to move forward and enact a multiyear reauthorization of the Federal Aviation Administration.

However, I want to be clear: I join the ranking member, Mr. RAHALL, and many others, that if the Railway Labor Act change proves to have a significant impact—negative impact—on the right to organize, we must come back and revisit this issue.

One of my highest priorities in the FAA reauthorization bill has been and is fair bargaining rights for employees at the FAA. After leading the fight for many years, I am pleased that the conference report establishes a process for mediation and binding arbitration of impasses between the FAA and its unions.

As Chairman PETRI indicated, the FAA Modernization and Reform Act provides $63 billion dollars for FAA infrastructure programs, operations, and research over the 4-year period of the bill. I wanted to see higher funding levels and a passenger facility charge increase for job-creating airport infrastructure projects. However, the funding levels in this conference report are an improvement over the 2008 levels originally proposed in the House-passed bill. They are roughly level with the current year's appropriation.

The conference report also includes a number of safety provisions in the FAA reauthorization bill that we had in previous Congresses, such as a stronger requirement for maintenance work performed on U.S. commercial airlines by outside contractors. It also requires the FAA to assess the appropriate staff levels for air traffic controllers, FAA managers, and aviation safety inspectors.

In addition, the conference report takes important steps to advance the next generation air traffic control system that is desperately needed not only by the industry and for the flying public but by the country as a whole. We create a new chief NextGen officer who will serve as the primary point of contact for NextGen implementation at the FAA to provide accountability and stability, and require reporting metrics to ensure that NextGen is making progress.

Further, it would require the FAA to work closely with affected unions in the planning, development, and deployment of NextGen. I wrote this provision in the bill 4 years ago, and I'm glad to see that it will be enacted into law in this conference report.

Finally, Mr. Speaker, despite the flaws that we talked about in the bill, we desperately need a long-term FAA reauthorization bill, and that's why I'm supporting this bill.

I thank the ranking member, Mr. RAHALL, Chairman MICA, Chairman PETRI, and other committee members for all of their hard work on this legislation, and I thank the staff on both sides of the aisle, who have worked very hard over the past 5 years to try and bring us to the point where we are today to get a bill on the President's desk.

Mr. MICA. I yield myself 15 seconds to say how much Pat Mica and I have enjoyed our relationship with JERRY COSTELLO and his wife, Georgia. People don't know a lot about Congress and how many friends there are across the aisle and how we can be privileged to have somebody like JERRY COSTELLO, both to chair an aviation subcommittee and to be a ranking member, a key player.

I now yield 3 minutes to the gentleman from Pennsylvania, one of the conferees, and a senior member of the Transportation and Infrastructure Committee, Mr. SHUSTER.

Mr. SHUSTER. I rise today in support of the conference report for the FAA Modernization Reform Act of 2012. This is a very good bipartisan, bicameral conference report.

I want to congratulate Chairman MICA, Ranking Member RAHALL, Chairman PETRI, and a special congratulations and thanks to Ranking Member COSTELLO for years of service here. It's been a pleasure serving with you, and I wish you the best as you ride off into the sunset, but I'm sure you'll be doing great things in the future. So, again, thanks for all your hard work in your years here in Congress.

Mr. Speaker, the Modernization and Reform Act does not raise taxes or passenger facility charges. It holds spending levels through 2015 at $63 billion over the 4 years, and it does not add to the deficit, which I'm very pleased to see.

It provides long-term stability for the FAA and the aviation industry, which is a certainty in that transportation sector that has sorely been missing in the economy. So we believe it's going to create and sustain good-paying jobs.

It accelerates and requires accountability for the deployment of NextGen, the FAA's air traffic control modernization program, which we need in order to be able to more efficiently manage the skies above us.

□ 1010

It provides for unprecedented reforms of the National Mediation Board.

While I'm disappointed that we were unable to include the European Union's Emissions Trading Scheme prohibition language, we will continue to pursue the passage of that bill. I think it's something we really need to focus on here in Congress before the taxes are starting to be collected and do great damage and harm to our aviation and airline industry.

This is a responsible and much-needed conference report. Therefore, I urge all Members to vote to pass the conference report for the FAA Modernization and Reform Act of 2012.

Mr. RAHALL. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. DEFAZIO), a member of the conference committee as well.

Mr. DEFAZIO. I thank the gentleman for yielding.

I was named conferee. I have been on the aviation committee for 26 years. There was no legislative conference.

The most contentious provision of the bill was a deal that was struck between HARRY REID, the majority leader of the Senate, and Speaker BOEHNER; and it was a take-it-or-leave-it deal.

Now, this bill is absolutely critical to the safety and security of the aviation system of the United States of America. It's critical for its modernization. It's critical for its competitiveness. These things are extraordinarily important to our country. Aviation constitutes, in aggregate, about 10 or 11 percent of our gross domestic product. It is not a sector that we can continue to ignore and underfund in terms of providing it with the tools it needs to be more fuel efficient and safer for the traveling public and more efficient for business transport and goods.

But those things should not be held hostage to the incredible anti-labor bias of the majority here in the House. The bill that passed our committee would have established a rule for the formation of a union that said anybody who was eligible to vote, who didn't vote, counts as a ''no.''

I went and reviewed the elections of every Member of Congress and, guess what, if we had that rule, if every person who was a potentially eligible voter would be counted as a ''no'' vote in your election, not one Member of Congress, even those who get 80 percent, would have been elected because you had more people who didn't vote than you got votes, not one Member of Congress; but that would be fair for the working people of America according to the Republicans here in the House. That was an incredibly egregious provision, outrageous.

So then we move to the Senate. Well, we go through this little thing last summer where we actually shut down the FAA. Now, I know you don't care about 4,000 Federal employees, that's fine. But you also put out of work 78,000 people who were working in the private sector on the modernization and updates of our aviation system at our airports—all over wanting and hating unions.

Now, I don't get it. I don't get why you hate unions and working people. I really don't understand that.

So here we come to the final product, and the final product will make it much easier for someone in the anti-labor airline out there, perhaps, to deunionize in, say, a merger or even in an election because their furloughed employees would count in an election. You don't know who they are, where they are. They get to vote. And you have to have an election to have an election, and you have to win the election to have an election.

This is not a fair provision. We need the changes in this bill, but we do not need to attack the working people of the United States of America.

Mr. MICA. Mr. Speaker, I yield myself 30 seconds.

Let me just say that we did not change the provision of the law, that it still requires the same provisions that the NMB put in place that changed 70 years of labor law. Of anyone who shows up—if there are 1,000 people in the union and 200 show up—101 can have a vote and go into the union. We did change a requirement, and actually, I didn't negotiate it specifically.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MICA. I yield myself 30 additional seconds.

That was negotiated by our Mr. BOEHNER, our Speaker, and the leadership controlled by the Democrats in the Senate. In fact, it is fair to labor because it does requires a certain number of people to sign up to have the election.

I think it's a good compromise. The House voted to do away with the provision that the gentleman spoke about. Republicans are concerned and want to help labor. In fact, the vice-chair of our subcommittee, Mr. CRAVAACK, is a card-carrying member of the union. So that's bogus.

I yield 3 minutes to the distinguished gentleman from Texas (Mr. HALL), the chairman of the Science, Space, and Technology Committee.

Mr. HALL. Mr. Speaker, I rise, of course, in support of the conference report of H.R. 658.

To begin with, I think I recognized our chairman gave accolades to all those he worked with, and I think we owe accolades back to him and his fine staff.

The word ''transportation'' indicates travel, and he's traveled all over this country to bring this bill together. I don't think he's turned anybody down that's asked him to come down to help them with their area and given us due consideration.

The Committee on Science, Space, and Technology, in working with our Senate counterparts, helped write title IX, reauthorizing Federal Aviation, Research and Development. We also worked with our friends on the House Transportation and Infrastructure Committee to draft various sections relating to the FAA's NextGen Air

Transportation System in title II, the section relating to Unmanned Aircraft Systems in title III, and the provision addressing commercial space-launch licenses.

I appreciated working with JERRY COSTELLO on that line. He has been a gentleman and we'll miss him.

The FAA underpins our Nation's economy and helps sustain a high quality of life, enabling people to travel safely, reliably, conveniently, and relatively inexpensively to virtually every corner of the Nation and the world. It's a 24–7 operation, staffed by highly trained and dedicated controllers and technicians who rely on evolving technologies to ensure mission success. A robust research and development program was fundamental to FAA's role. The NextGen program, which is expected to cost well over $20 billion when completed, will modernize our air traffic control system to accommodate ever-increasing numbers of flights, but doing so safely, efficiently, and with less fuel burn.

Even though FAA is a highly automated, technologically driven agency, one of the peculiar ironies is its low level of investment in R&D. For fiscal year 2012, FAA requested an R&D budget of $386 million, which amounts to slightly less than 2.5 percent of the agency's total budget. That's a small level of investment for an agency that relies heavily on automation and is only made possible because of aeronautics-related R&D activities funded by the National Space Administration, which is carefully coordinated with the FAA and the industry.

Mr. Speaker, I'm pleased that Mr. MICA and his leadership were able to bring closure on this matter and on this important bill.

I urge all Members to support this legislation.

Mr. RAHALL. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), who is not only a member of our Transportation and Infrastructure Committee, but also our ranking Democrat on the Science, Space, and Technology Committee.

Ms. EDDIE BERNICE JOHNSON of Texas. Let me thank the chairman and ranking member of the full committee of the Transportation and Infrastructure Committee, as well as the Science, Space, and Technology Committee.

I would simply say that, at the end of this year, I will have completed two decades on both of these committees. On committees is where you develop most of your friendships.

JERRY COSTELLO and his wife, Georgia, have been one of those true friendships that I have experienced, and I'll miss him greatly and I'll miss her greatly when he retires. I hope they'll visit often.

□ 1020

My role as a conferee on this conference committee was as ranking member of the Science, Space, and Technology Committee, and I would like to highlight some of the provisions in the bill that fall within the jurisdiction of this committee.

The NextGen modernization authorized in this bill will transform the National Airspace System. Through NextGen's satellite-based traffic management, we will be able to address increased congestion in our Nation's skies while improving safety and reducing the environmental footprint of our air transport. Transitioning to a GPS-based air traffic control system will allow airlines to reduce flight delays, save fuel, and cut the amount of harmful emissions from aircraft engines. There is no doubt that the successful implementation of NextGen will boost our economy and enable the creation of more jobs.

The bill also authorizes the Secretary of Transportation to establish a Center for Excellence to develop innovations in jet fuel production, spurring the development of new and better energy technologies.

Through the conference committee, we were able to improve upon the version initially passed by the House of Representatives; but as with all legislation, there were many compromises, and there were several aspects of this legislation which I believe could further be improved, as with any piece of legislation. On balance, however, the conference report contains needed policy direction and authorizations that warrant Member support.

While the funding proposed for research and development is less than I believe we need to invest, the conference report represents an improvement over the funding levels in the House-passed bill.

I'm also disappointed that the commercial space transportation provision included in this conference report was done so without the benefit of a serious review of its impacts. I expect that Chairman HALL and I will be taking a serious look at these issues associated with commercial space transportation and this provision during the remainder of the session of this Congress.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. RAHALL. I yield the gentlewoman 1 additional minute.

Ms. EDDIE BERNICE JOHNSON of Texas. I am, however, pleased that a number of policy provisions we worked on in the Science, Space, and Technology Committee have been included in this conference report. For example, the House mandates FAA research on methods and procedures to improve confidence in and the timeliness of certification of new technologies for introduction into the National Airspace System.

So, Mr. Speaker, there is much work to be done to keep our skies safe, but it is certainly time for Congress to act. This reauthorization is the culmination of years of work that has not been fair to the FAA and its employees who are trying to figure out whether they're going to exist or not with 23 extensions. So with the guidance to pursue its long-term initiatives, we will take our aviation system into the 21st century, and I urge my colleagues to support this imperfect bill. But let me say, Mr. Speaker, I have not yet experienced a perfect bill.

Mr. MICA. Mr. Speaker, I am pleased to yield 2½ minutes to the young, dynamic leader and chair of the Space and Aeronautics Subcommittee of the Science, Space, and Technology Committee, the gentleman from Mississippi (Mr. PALAZZO).

Mr. PALAZZO. I thank the chairman for the time.

Mr. Speaker, I rise in support of the conference report to H.R. 658, reauthorizing the Federal Aviation Administration through fiscal year 2015.

Early last year, the Space and Aeronautics Subcommittee held an oversight hearing on FAA's research and development programs. On March 9, 2011, Science Committee Chairman RALPH HALL introduced H.R. 970, the Federal Aviation Research and Development Act of 2011. A month later, it was reported out of the Science, Space, and Technology Committee. The bill was ultimately incorporated into H.R. 658, which is now before us.

FAA's Research, Engineering, and Development account funds a number of programs and projects that are essential to the agency's ongoing safety, capacity, and air traffic modernization efforts.

To give a few examples of its safety-related activities, FAA conducts research on the flammability of materials used in airplane cabins and on methods to improve fire suppression systems; research on mitigation of aircraft icing, on early detection of cracks and failure modes related to aging aircraft; and improving our understanding of human factors.

In the environmental arena, examples include research on fuel additives to replace lead in aviation gasoline that powers piston-engine aircraft and better characterizing aviation's impact on local air quality.

With regard to air traffic control, FAA is investing a considerable portion of its R&D funding on the NextGen modernization program to increase the capacity of air space, improve safety, and provide for more efficient routings.

Most of FAA's R&D is managed out of its technical center located at the Atlantic City, New Jersey, airport; but as many Members are aware, FAA also engages a large number of leading research universities using competitively selected cooperative research grants.

Mr. Speaker, this is a fiscally responsible R&D provision funding FHA's Research, Engineering, and Development account at its current spending level of $168 million a year for each year through 2015. This is well below amounts proposed by the Senate during conference negotiations.

I support this conference report and urge Members to support it as well, and I thank Mr. MICA for all his hard work.

Mr. RAHALL. Mr. Speaker, I am very pleased to yield 2 minutes to the gentleman from California (Mr. MILLER), our ranking member on the House Education and the Workforce Committee. He is a true friend and leader of the interests of all working men and women in this country, especially our coal miners.

Mr. GEORGE MILLER of California. I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in opposition to this conference report. This compromise stands as an example of why it is counterproductive to negotiate with hostage takers.

Initially, the Republicans insisted that to keep the FHA up and running we make union elections as unfair as possible. For instance, they said that in a union election we should count anyone who did not vote in that election as a ''no'' vote. Members of Congress immediately recognized that none of us would win those elections and none of us would be here today; and if it is unfair for us, it must also be unfair for the workers of this country. The Republicans gave up that demand thanks to the Democrats. The rule providing for fair elections is protected.

Instead of succeeding at making union elections unfair, this conference report makes these elections difficult, if not impossible, to hold at all. This report contains numerous statutory changes, not rules changes, but statutory changes, that will make it harder for workers to get an election and have a voice at work. A voice at work is a fundamental right granted to every worker in this Nation by the laws of this Nation. These changes will require an act of Congress to undo.

The compromise leads to absurdities. Under the election rule, which is safe for the time being, workers need a majority of actual votes to win in a union election, and that is fine. Under the conference report, to even hold an election, workers must first get a majority of all of the eligible workers to sign cards supporting the unions. These are nationwide units stretched across the country. You don't have access to all of those workers. You don't even know where many of them are. In the airlines, many of them may have been furloughed for a number of years.

Imagine if a congressional election were run this way. To get on the ballot, you first need a majority of all of the voters in your district to sign cards saying they supported you, but you didn't know who those voters were and you didn't know where they lived. None of us would be elected.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RAHALL. I yield the gentleman an additional minute.

Mr. GEORGE MILLER of California. None of us would be elected under this requirement. In fact, there probably wouldn't even be an election.

Once again, we wouldn't run under these conditions. We wouldn't participate in an election under these conditions, and yet we are insisting that American workers have their elections rigged in this fashion. At this point, especially when you see how it might work in airline mergers, there again this rule works against the workers in trying to assemble the election unit.

Mr. Speaker, I cannot support this bill. It undermines the rights of American workers for no purpose other than to satisfy the ideological demands of the Republicans and their special interest backers.

I urge my colleagues to join me in defeating this conference report.

Mr. MICA. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from California, a senior member of the Science, Space, and Technology Committee, Mr. ROHRABACHER.

Mr. ROHRABACHER. I thank the gentleman for yielding, and I rise in support of the conference report on H.R. 658.

This legislation goes a long way in addressing some concerns I have had regarding our Nation's aviation enterprise. Two of those provisions I would highlight this morning:

The first is an extension of a provision from legislation that I supported back in 2004 when I was chairman of the Space Subcommittee of the House Science Committee.

□ 1030

Let me note that these provisions inaccurately were just described as not having had hearings. There were lots of hearings on these provisions. The provisions relate to the FAA Office of Commercial Space Transportation and are designed to make certain the FAA does not limit the development of the commercial human spaceflight industry without specific data about what will increase safety. This extension will encourage continued research and development while building industry-wide flight experience so these companies can best serve new and existing markets. This includes expanding the research portfolio for federally funded science in the upper atmosphere and in space.

The second provision provides a slight increase in the number of flights from Ronald Reagan Washington National Airport so that it can accommodate these flights to and from the west coast. This small increase will help my constituents in southern California and all Americans in the western States to meet their Representatives in Washington, DC, or visit the Smithsonian or perhaps enjoy the cherry blossoms in the spring. It will also enable those from the Washington area to visit California, California's beaches and California's sunshine and perhaps maybe want to join the Freedom Surf Team. This legislation takes us a step closer to removing the unnecessary and unfair restriction on flights to and from the west coast.

Mr. RAHALL. Mr. Speaker, I am pleased to yield 2 minutes to the gentlelady from Florida, Ms. CORRINE BROWN, who is our ranking member on the Railroads Subcommittee on Transportation and Infrastructure.

Ms. BROWN of Florida. Mr. Chairman, first of all, I want to thank Chairman MICA and Ranking Member RAHALL for their work in bringing the FAA bill to the floor; but I particularly want to thank Mr. COSTELLO because, without his leadership and working this bill through for many years, we would not have a bill on the floor. The public really owes you a great debt of gratitude, and I want to thank you.

I think the aviation community deserves a long-term aviation bill so they can plan for the future needs of the traveling public. We have had 23 extensions already, and it's really time to send a bill to the President, but this is not a perfect bill. And I don't support the labor compromises in this bill, and I don't believe it should have been in the aviation bill in the first place; but our airports, airlines, and passengers have waited too long for these important safety provisions.

My home State of Florida relies on air service to support our tourist-based economy. We have 20 primary airports, 22 reliever airports, and 57 general aviation airports, with our top three airports generating close to 45 million enplanements per year. These airports help create jobs and grow the economy.

And I've really got to say that if we don't pass this, there probably will not be any opportunities for people to work in transportation, because the piece that we passed at 3 o'clock this morning out of the Transportation Committee is the worst bill I have seen in the 30 years I've been elected. I've been in transportation 10 years in the Florida house and close to 20 here, and it was truly the worst bill I have ever seen.

When people from California went into the bill and took almost $1 billion from the people from California, people from Houston took it, not only taking the safety of the public, I mean taking the transportation dollars and doing away with all of the regulations.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. RAHALL. I yield the gentlelady 1 additional minute.

Ms. BROWN of Florida. It is truly a sad day for transportation, and this will probably be our only work product because Members come to the floor, and they rail about the Senate. Well, let me tell you something. The Senate doesn't have to take up our bad work. In fact, this bill, this transportation bill, should be dead on arrival when it gets to the Senate.

I will do all I can to continue to work to put people to work and work for making sure that we have a transportation and infrastructure bill that will really put people to work; because we know, for every billion dollars we spend, it generates 44,000 jobs.

This is truly the worst bill I've ever seen.

Mr. MICA. I yield myself 30 seconds, Mr. Speaker.

I am pleased to hear the cooperative tone of the other side of the aisle, which had the opportunity, when it controlled the House, the Senate, and the White House, to pass a bill and failed to do so. But I'm really encouraged today by their willingness to come together in a bipartisan effort on behalf of the American people and to get one of the most important job creation infrastructure bills and pieces of legislation done, which is our responsibility.

I yield 1 minute to the chair of the Aviation Subcommittee, the gentleman from Wisconsin (Mr. PETRI).

Mr. PETRI. I thank the chairman for yielding.

I would be remiss to see the discussion of this conference report conclude without expressing my admiration and appreciation of the service of our colleague, JERRY COSTELLO, for whom I suspect this may be the last FAA reauthorization, although I know he will not be riding off into the sunset. He will be very much around in one capacity or another, continuing to play an important role in developing public policy and affairs.

Both as the ranking Republican and again as chairman, it has been a pleasure to work with him. I think he has always been open to comments and suggestions. It has been a team effort, especially through the leadership that he has taken in grabbing the bits and helping to establish focus at the FAA for the NextGen effort, which was floundering when he became chairman of the Aviation Subcommittee. It is a major contribution, I think, to an important sector of our economy.

The SPEAKER pro tempore. The gentleman from West Virginia has 7½ minutes remaining. The gentleman from Florida has 6 minutes remaining.

Mr. RAHALL. Mr. Speaker, I yield 3 minutes at this time to the gentlelady from Texas, Ms. SHEILA JACKSON LEE.

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

Ms. JACKSON LEE of Texas. I, too, want to rise today to acknowledge both the chairman and the ranking member. I know that this has not been an easy task. And I certainly want to express my appreciation to Mr. COSTELLO for the work that he has done and the friendship he has shown to Members, but also the understanding that he has had for this industry.

For those of us who represent airports, I cannot deny that this is an important bill and legislative initiative. So let me thank you and thank you, as well, for the late hours that all of you who are on the Transportation Committee engaged in.

Might I, for a moment, before I speak of this bill, thank the ranking member and Congresswoman BROWN and Congressman JOHNSON for saving Houston, again, in its light rail. This is something I've worked for for almost 20 years, and the amendment last evening that would have defunded Houston's rail, light rail, was absurd and, frankly, an outrage. I hope, as we proceed, we'll find a way to recognize that Members' projects for their constituents for regional mobility should not be tampered with by those living miles away from their community. So I am just thankful for the recognition of the importance of rail and job creation.

As I indicated, I do rise in support of the infrastructure aspects of this bill. We cannot deny that I am grateful for the airport trust fund language dealing with how do you do the airport fees for the NextGen technology; but I serve as the ranking member on the Transportation Subcommittee, and there is language in there about TSO officers. Remember, we were privatized on 9/11.

Despite having never been debated by the Committee on Homeland Security—the committee of jurisdiction—and having no Members being appointed conferees on behalf of the FAA conference committee, section 830 of the conference report for the FAA reauthorization has been tampered with.

□ 1040

It limits TSA's flexibility to approve or deny an application from an airport to opt out of using the Federal screening workforce for passenger and baggage screening. Let me remind you, the airports had privatized security on the day of 9/11. That's why we went to the transportation security officers.

It places an arbitrary time limitation of 120 days on TSA to determine whether approval of an airport's application would compromise security, affect cost efficiency or the effectiveness of screening capability.

It increases administrative burdens on TSA by requiring a tedious paperwork exercise each time an application is denied.

It provides a waiver for the existing law that requires private screening, and it says that we shall do it.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. RAHALL. I yield the gentlelady an additional 30 seconds.

Ms. JACKSON LEE of Texas. I thank the gentleman.

It provides a waiver for the existing law that requires a private screening company contracted will be owned and controlled by a citizen of the United States, meaning that it waives the fact that you have to be a United States citizen to provide security for those who are traveling.

And it requires—it says you ''must'' privatize some of these airports. Did we learn from 9/11?

So besides the poison pill on labor, counting people who don't even show up to vote, now we have a situation where we are forcing our Nation's airports to privatize their security.

I ask my colleagues to reflect on this challenge.

Mr. Speaker, I rise today in opposition of H.R. 658, "the FAA Air Transportation Modernization and Safety Improvement Act.'' This bill would authorize appropriations, mainly over the 2011–2014 period, for activities of the Federal Aviation Administration, FAA, and other federal programs related to aviation.

In addition, the measure contains intergovernmental and private-sector mandates as defined in the Unfunded Mandates Reform Act, UMRA, because it would impose new requirements on both public and private entities that own aircraft or airports. CB0 estimates that the aggregate cost of intergovernmental mandates in the bill would fall well below the annual threshold established in UMRA ($71 million in 2011, adjusted annually for inflation).

It would impose additional private-sector mandates on operators of certain aircraft, entities registering or obtaining certification with the FAA, commercial air carriers, employees in air or rail industries, and unions.

As a Senior Member on the House Homeland Security Committee I have been one of the foremost proponents for the swift passage of the FAA Reauthorization Act. But in its current form I cannot vote for this measure. Our national air transportation system is fundamental for the future growth of our economy. However, Congress must ensure our safety and our national security is not at risk without a comprehensive, long-term reauthorization of the FAA Act and not with Homeland Security issues being decided. There are two provisions that have been placed in this bill which are poison pills and must be addressed prior to its passage.

Despite having never been debated by the Committee on Homeland Security, the Committee of jurisdiction, and no Members being appointed conferees on behalf of the Committee, section 830 of the Conference Report for the FAA Reauthorization deals with the Transportation Security Agency, TSA, which falls under the jurisdiction of the House Homeland Security committee which I sit on.

Under this Conference Report TSA will be limited in approving or denying an application from an airport to 'opt-out' of using the federal screening workforce for passenger and baggage screening. It also places an arbitrary time limitation of 120 days on TSA to determine whether approval of an airport's application would compromise security, affect cost-efficiency or the effectiveness of screening capabilities.

It also increases administrative burdens on TSA by requiring a tedious paperwork exercise each time an application is denied. And lastly it provides a waiver for the existing law that requires a private screening company contracted with be owned and controlled by a citizen of the United States.

As concerned as I am about the aviation security policy changes made in the bill, I am equally concerned about the process that got us to this point. The Committee on Homeland Security has sole jurisdiction over TSA. It has debated several aviation security bills during the 112th Congress, including a TSA Authorization bill.

The language in the Conference Report to the FAA Reauthorization was never debated by the Committee and no hearings were held by the Committee to examine the merits of the changes. Indeed, the Committee's Subcommittee on Transportation Security is scheduled to have a hearing on the program addressed in this legislation next week with

the Administrator of TSA set to testify. Unfortunately, it appears that hearing will come up "a day late and a dollar short."

Section 830 of the Conference Report for the FAA Reauthorization:

Limits TSA's flexibility to approve or deny an application from an airport to "opt-out" of using the federal screening workforce for passenger and baggage screening;

Places an arbitrary time limitation of 120 days on TSA to determine whether approval of an airport's application would compromise security, affect cost-efficiency or the effectiveness of screening capabilities;

Increases administrative burdens on TSA by requiring a tedious paperwork exercise each time an application is denied; and

Provides a waiver for the existing law that requires a private screening company contracted with be owned and controlled by a citizen of the United States.

As concerned as I am about the aviation security policy changes made in the bill, I am equally concerned about the process that got us to this point. The Committee on Homeland Security has sole jurisdiction over TSA. It has debated several aviation security bills during the 112th Congress including a TSA Authorization bill.

The language in the Conference Report to the FAA Reauthorization was never debated by the Committee and no hearings were held by the Committee to examine the merits of the changes. Indeed, the Committee's Subcommittee on Transportation Security is scheduled to have a hearing on the program addressed in this legislation next week with the Administrator of TSA set to testify. Unfortunately, it appears that hearing will come up a day late and a dollar short.

The National Mediation Board, NMB, has ruled that in order to organize, aviation workers need to have a majority of the voting workers for that particular election. My Republican colleagues however overturned the NMB determination by requiring a majority of all workers, rather than a majority of all voting workers. This has significantly watered down the ruling by the NMB. I cannot stand by and witness the rights of workers being stripped away one piece at a time. If this is the standard that is going to be set for workers who wish to form a Union, then Members of Congress in our fine Democracy should also have the same standards. Rather than a majority of voting citizens, it should be a majority of citizens. If this is not a requirement upon which our democracy is based. It should not be the requirement for Unions.

I believe that aviation contributes over 1.2 trillion in economic activity and provides 11 million jobs annually. Indeed, the partial FAA shut down had a negative impact on the Airport and Airway Trust Fund, furloughed employees, and stop work order measures that have halted construction on key infrastructure projects, such as the $25 million construction of Replacement TRACON in Houston. However, something must be done to address the privatization of airports—the impact on TSOs as well as the ability of workers to have a fair and democratic vote.

Mr. MICA. Mr. Speaker, may I inquire as to how much time remains on both sides.

The SPEAKER pro tempore. The gentleman from Florida has 6 minutes remaining. The gentleman from West Virginia has 4 minutes remaining.

Mr. MICA. I would be pleased at this time to yield 1 minute to one of the most distinguished chairs of the Transportation Infrastructure Committee, a good friend, the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. I thank the gentleman for yielding, and I want to congratulate you.

For those who condemn this bill, remember, we have not had a reauthorization FAA for many, many years. And I think this has been well thought out. This bill will do the job, and we should get it done for the American people.

This is a process of compromise. And we've done this with the Senate side, which is really the problem with most of these debates we have as far as conferences go. But it would be a sad day if we didn't pass this legislation, because the work has gone into it and it does solve lots of problems. It gives assurity for the FAA: they can plan ahead, make our airports safer, make our flyers safer, and have the navigations necessary.

So I congratulate the chairman and the ranking member getting this bill done. The negotiating part was very difficult, but they've done a good job.

Mr. RAHALL. Mr. Speaker, I yield 2 minutes to the gentlelady from California, Ms. MAXINE WATERS, ranking member on our House Financial Services Committee.

Ms. WATERS. As the Member of Congress who represents Los Angeles International Airport, also known as LAX, I know we need a multiyear FAA reauthorization.

LAX is the world's sixth busiest airport. LAX creates an estimated 59,000 jobs in or near the airport and has a total annual economic impact estimated at $60 billion.

In 2008, 60 million passengers and 1.8 million tons of freight and mail passed through LAX. All of this economic activity depends upon the FAA and the work that it does every day to guarantee a safe and efficient air travel system. My district also includes the Western-Pacific Regional Office of the FAA in Hawthorne, California, where dedicated FAA engineers and program managers plan improvements of airport operations.

I'm extremely disappointed that this bill contains changes to labor laws affecting the dedicated workers at our Nation's airlines and railroads. This labor provision increases the percentage of employees who must express interest in having an election regarding union representation from 35 percent to 50 percent. This provision was included without consultation of the workers who will be affected and without a vote on the House floor. It is unfortunate and divisive, and there is no reason for it to be in this bill.

Last August, the FAA was forced to shut down many of its operations because the House of Representatives refused to pass a simple bill to extend its funding reauthorization. As a result, 4,000 FAA employees were placed on furlough. Those affected included many of the FAA's engineers, scientists, research analysts, administrative assistants, computer specialists, program managers, environmental protection specialists, and community planners. These government workers were being forced to live without pay for 13 days and were unable to do their jobs developing our air traffic infrastructure and serving the flying public.

I would like to support this bill, but this is problematic; and I reserve my comments further on this bill.

Mr. MICA. I continue to reserve the balance of my time.

Mr. RAHALL. Mr. Speaker, I yield the remainder of my time to the gentleman from Illinois (Mr. COSTELLO). Once again, I cannot say how much we're going to miss his knowledge and his expertise on this and many other issues on our Transportation and Infrastructure Committee, but I yield him the balance of my time.

Mr. COSTELLO. Mr. Speaker, again, I thank the ranking member, Mr. RAHALL. We've worked very closely together on this legislation. And over the next 9 or 10 months of my service to complete my term, we're going to continue to work together.

I want to thank Chairman MICA. We do not always agree on every issue, but we work together in an open process. He has extended many courtesies to me, and I appreciate his friendship and his leadership. No one wanted to bring this bill to the floor more than he, and a number of us as well. But he has done his very best. He said when he took over as chairman that he was going to bring an FAA bill and a highway bill to the floor, and I think he has every intention to do that. And we're halfway there as of today.

And let me say, Mr. PETRI, who, as chairman of the Aviation Subcommittee for 4 years, I could not have had a better ranking member. Now as ranking member, I could not have a better chair as far as a working relationship, and we've done things in a bipartisan manner. So I thank the chairman, and I thank the subcommittee chairman and the ranking member.

Let me conclude by saying that this is not a perfect bill. I have major concerns with the NMB. It should not be in this bill. And if in fact there are problems as a result of the provisions put in this bill, it is my intent, and the intent of many on our side, to come back and try and address that in an appropriate way.

There are many provisions in this bill that will enhance safety; and there are a number of provisions in this bill that will protect workers and workers' rights over at the FAA and the unions that represent employees at the Federal Aviation Administration.

So I will be supporting the conference report.

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

The SPEAKER pro tempore. The gentleman from Florida has 5 minutes remaining.

Mr. MICA. First, I'd like to insert in the RECORD a list of the staff who worked on H.R. 658.

Mr. Speaker, as I close today on this historic legislation, again, I can't thank enough folks like Mr. COSTELLO, who will be leaving us; Mr. RAHALL, our ranking member; the leader of the committee, Mr. PETRI; and others who have been here helping and working on this.

I think Mr. COSTELLO and Mr. YOUNG summed it up: this is the work of many people. It is not exactly what any one of us individually would offer. The important thing is this provides some certainty in an uncertain time. This process is very difficult; the Founding Fathers wanted it that way. But the American people want us to get the job done.

Now, just to be factual, the other side, again, had 4 years in which they controlled this body, the United States Senate, and 2 years in which they had significant majorities and the Presidency; and they could not get it done. They did 17 extensions. Let me praise Mr. DEFAZIO; I didn't see him here. He and I helped lead the effort to pass, in 2003, a 4-year bill that expired in 2007. That means for the past 5 years we have not had a revised and updated policy for our aviation system and for the FAA. And that hurts the system, it hurts the American people, it hurts looking for safety improvements in the process, and it hurts people looking for expanded opportunities to be employed.

□ 1050

Today, we heard some good news on employment, and the good news is that some of the policies that went amok, the spending that went amok, the new regulations that went amok, this small band of people who were sent here have called a lot of that to a halt. It wasn't productive.

This bill does not have tax increases in it. This bill does not have earmarks in it. This bill does not have any special plums or favors for anyone.

And contrary to what's been said here today, this bill does not adversely affect labor. It's a fairness issue. The House passed a measure that would have codified and changed what the NMB changed in 70 years of labor law, allowing whoever showed up to vote into a union. It set out a fair process, and it was done with a compromise. And if you want to know what the delay was in the first 4 years, let's be frank: it was a labor issue that the Democrats couldn't resolve among themselves, and they controlled the whole process.

So I am here 1 year later as chair. I took some tough measures, and I will take tough measures to see that we get our job done. We stayed until 2:49 this morning to get the next piece of legislation marked up. We have done and passed, and the President has signed, an improvement to our pipeline safety which is so important for energy, expanding energy sources, but also making certain that that energy is coming to us in a safe and responsible manner.

Today, we will pass in the House the FAA Reauthorization and Reform Act, accounting for up to 11 percent, I'm told, of our gross domestic product, our economic activity for the country, $1.3 trillion in business activity, thousands of jobs. And let me tell you too, we can't let labor—you can't let business—go astray. It's our responsibility to set a steady course.

Look, this is a very fragile industry. We just heard an announcement that American Airlines is going to cut more than 10,000, I think 13,000, jobs in bankruptcy. Boeing, we almost lost jobs in South Carolina. We can't play those games, labor and business. We've got to come together and get people working. The aviation industry—not only the passengers, for whom flying is so important—but aviation products, they are the core to our exports. So we can and we must get this done working together.

STAFF WHO WORKED ON H.R. 658, THE FAA REAUTHORIZATION BILL: FEBRUARY 3, 2012

SUBMITTED BY: CONGRESSMAN JOHN L. MICA

House Majority Staff:
Holly Woodruff Lyons
Bailey Edwards
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Andrew Rademaker
Jim Coon
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Suzanne Mullen
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Alex Burkett
Julia Rowe
Jim Zoia
Ward McCarragher
Sarah Blackwood

Senate Majority Staff:
Gael Sullivan
Rich Swayze
Adam Duffy
Ellen Doneski
James Reed
John Williams

Senate Minority Staff:
Jarrod Thompson
Todd Bertoson

I am pleased to yield back the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, today's vote is not an easy one. FAA Reauthorization is long overdue, and I support many of the provisions in today's conference report. It makes a much-needed investment in our nation's air infrastructure and includes important new policies to strengthen safety and improve consumer protections.

But unfortunately, this is not a clean transportation bill. Inexplicably, it includes an extraneous, ill-conceived, and completely unnecessary labor provision that has no place in this legislation. Under this bill, it is much more difficult to organize a union for the workers who fly the planes than it is for the workers who build the planes. How does this make sense? We don't know the answer to that, because we haven't had a single hearing on this issue.

Mr. Speaker, I want to vote for a clean, long-term FAA reauthorization and strengthens our national aviation system. This is not that bill.

Mr. TURNER of Ohio. Mr. Speaker, I strongly support the conference report for H.R. 658, the FAA Modernization and Reform Act. This bipartisan, fiscally responsible, four-year authorization measure contains important provisions on air traffic control modernization, safety improvements, and job creation through technology and research.

In particular, the final bill includes important provisions which I co-authored to establish a program for Unmanned Aircraft System (UAS) test ranges. Unmanned aircraft are an evolving technology that will play an increasingly larger role in modem aviation. The importance of these systems to our national defense demonstrates their capability.

The uses of UAS have significantly increased, with strong projected growth. UAS are used not only for military applications, but also civilian and commercial purposes, such as border and coastal patrol and monitoring, homeland security, law enforcement, disaster operations, digital mapping and planning, search and rescue, fire detection and management, environmental research and air quality management, air traffic control support, agriculture and fisheries. However, lack of special use airspace to research UAS technologies and detection technique is a potential impediment to the nation's ability to develop this important tool.

Mr. Speaker, I have worked with my colleagues in the House Armed Services Committee to create more opportunities for UAS research and investment. Specifically, the FY12 National Defense Authorization Act requires the FAA to work with the Department of Defense and the Air Force to integrate UAS test ranges into the national airspace.

These combined provisions will ensure that the United States remains at the forefront of aerospace development. Ultimately, this is an endeavor that will help strengthen our national defense, spur development of innovative technologies, and most importantly, create jobs for hard-working Americans at a time of record unemployment.

Mr. KUCINICH. Mr. Speaker, the need to reauthorize the Federal Aviation Administration is urgent. A failure to do so could result in the loss of thousands of jobs and compromise flight safety. This Congress should pass a clean reauthorization without compromising the right of thousands of workers to collectively bargain. This bill does not do that.

Instead, it replaces over 70 years of labor law precedent in which major changes were agreed upon by both workers and management, with changes decided upon by a handful of negotiators in Congress. It will increase the percentage of employees who must petition to have an election about whether to be represented by a union, from 35 percent to 50 percent. The bill makes it even harder for workers to organize and bargain for better wages, working conditions and passenger safety. We must not undermine the workers who have borne the brunt of the great recession. We should stand behind them

Mr. BLUMENAUER. Mr. Speaker, today, I voted against the Conference Report for the FAA Air Transportation Modernization and Safety Improvement Act. While I appreciate the fact that after twenty six extensions we have finally come together in a bicameral, bipartisan fashion to reauthorize our airport system and help bring it into the 21st century, the

language regarding union elections and mandating that the National Labor Relations Board change its decision is unacceptable. I am sadly forced to vote no.

This bill makes the dangerous precedent of interfering with the National Labor Relations Board. While I am very glad that it does not repeat the disastrous mistake in the original House legislation, I am concerned about the increased requirements to simply hold a union election. There is no reason for Congress to muddle with fair decisions made by the National Labor Relations Board, and I am disappointed that my Republican colleagues insist on doing so.

I appreciate the resolution reached on the National Airport slots issue, and the increased attention paid to airport modernization and NextGen funding. I also appreciate the work of my Senate colleagues in protecting Oregon's scenic spaces. There is much in this bill to support, and it saddens me that so much hard work and bipartisan cooperation is undone by a blatant attack on the rights of our workers to organize.

Mr. TIBERI. Mr. Speaker, I rise today to thank Chairman CAMP and Chairman MICA for their fine work on the FAA Modernization and Reform Act of 2012, and to explain the bill's treatment of the fractional ownership industry.

Fractional aviation has grown rapidly to change how business travels, but Washington doesn't always keep up with the pace of change in business, and fractional aviation was no exception. The Federal Aviation Administration recognized that fractional is noncommercial in 2003, but the Internal Revenue Service is still trying to tax it the same as a commercial airline ticket, despite the fact that fractional owners own their planes. Today we are clarifying and reaffirming that fractional aviation is non-commercial aviation. This bill clearly states that instead of being subject to the commercial ticket tax, as the IRS has asserted, fractional flights will pay the fuel tax used in noncommercial aviation, plus a fractional surtax.

Ohio is the birthplace of aviation. This heritage of aeronautical innovation continues today with cutting edge fractional ownership aircraft programs. This bill will align fractional aviation's tax treatment with the longstanding FAA rules, and help the fractional aviation industry in Ohio and across the country grow even more. I want to thank Chairman CAMP for making this clear.

The SPEAKER pro tempore (Mr. WOMACK). All time for debate has expired.

Pursuant to House Resolution 533, the previous question is ordered.

The question is on the conference report.

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

Mr. PETRI. 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, further proceedings on this question will be postponed.

BASELINE REFORM ACT OF 2012

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of the bill (H.R. 3578) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to reform the budget baseline will now resume.

The Clerk read the title of the bill.

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

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

MOTION TO RECOMMIT

Mr. TIERNEY. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. TIERNEY. I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Tierney moves to recommit the bill H.R. 3578 to the Committee on the Budget with instructions to report the same back to the House forthwith with the following amendment:

In section 257(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 as added by section 2, strike ''Budgetary'' and insert ''Except as provided in paragraph (3), budgetary'' in paragraph (1) and after paragraph (2) add the following new paragraph:

''(3) MAINTAINING CURRENT FUNDING LEVELS IN REAL (INFLATION-ADJUSTED) TERMS FOR: PELL GRANTS AND EDUCATION PROGRAMS FOR STUDENTS; HEALTH AND ALL DISCRETIONARY SPENDING THAT PROVIDE BENEFITS FOR SENIORS; JOB, HEALTH, AND ALL DISCRETIONARY SPENDING THAT PROVIDE BENEFITS FOR VETERANS; AND HEALTH RESEARCH, INCLUDING NIH AND RESEARCH TO CURE CANCER.—The discretionary portions of budget functions 500 (Education, Training, Employment, and Social Services), 550 (Health), 570 (Medicare), 600 (Income Security), 650 (Social Security), and 700 (Veterans Benefits and Services), other than unobligated balances, shall be adjusted for inflation as follows:

''(A) The inflator used in paragraph (2) to adjust budgetary resources relating to personnel shall be the percent by which the average of the Bureau of Labor Statistics Employment Cost Index (wages and salaries, private industry workers) for that fiscal year differs from such index for the current year.

''(B) The inflator used in paragraph (2) to adjust all other budgetary resources shall be the percent by which the average of the estimated gross domestic product chain-type price index for that fiscal year differs from the average of such estimated index for the current year.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts is recognized for 5 minutes in support of his motion.

Mr. TIERNEY. Mr. Speaker, this is the final amendment to this bill. It will not kill the bill, and it won't send it back to committee. If adopted, we will then vote on the passage of the bill, as amended.

When families in my district and across the country sit around the kitchen table to try to balance their budgets, they know that costs don't stay the same every year. They know the price of milk and gas and college and health care all go up. Yet H.R. 3578, left unamended, holds the budgetary baseline constant instead of allowing it to reflect increases in costs, making simple inflation adjustments look like increases in spending.

Ignoring increases in costs will dramatically lower program levels in the baseline. Translated, this means that the priorities we support to help sustain the middle class and those aspiring to it, the programs we pay our taxes to support, will be cut as inflation eats into the accounts set in the budget.

The Republican majority argues that America's middle class must make even more sacrifices to address our debt. The majority's mantra is that austerity alone, spending cuts focused only on nondefense discretionary domestic spending with no additional revenue and without closing any special interest tax loopholes, is all they think should be done.

Never mind that it's largely their policies enforced under the last administration, aided and abetted by the then-Federal Reserve Board chairman, that were largely responsible for the debt situation. Never mind that Federal Reserve Chairman Alan Greenspan has since testified that this was wrong, that his ''unconstrained free market'' ''winner-take-all'' theory had never worked in his 80-plus-year life span. Never mind that in the 1970s, we used to spend 5 percent of our national income on discretionary domestic spending, like education, job training, health, research, veterans, and infrastructure; but more recently, we've already pared that back to 2.5 percent.

With this bill, the majority tries to balance the budget on the backs of workers, middle class families, small businesses, and society's most challenged. They refuse to consider a fair distribution of our tax obligations. They even refuse to close special interest tax loopholes.

This bill, if not amended, chooses shielding the extraordinarily well-off from any fair share of taxes over sustaining Pell Grants, student assistance promising opportunity to families. It chooses allowing hedge fund managers the benefit of especially low tax rates over Meals on Wheels for seniors. And it chooses special tax credits to the mature, extremely profitable oil and gas companies over providing the security of housing for homeless veterans returning from duty in Iraq and Afghanistan.

The austerity-only approach to addressing their largely self-induced debt is not the smart response to our economy's needs. We need to deal with our economic situation in a smart way, as attested by the majority of economists from all across the political divide. We need a gradual approach, balanced between spending cuts and revenue increases fairly distributed. Those need to be appropriately targeted in amount, share and time, not applied in bludgeon fashion like this bill on the floor today.

Choking off the middle class by cutting spending for education, health,