

come close to substituting for the safety and security of our national aviation system and infrastructure.

This is not an administrative shell game, Mr. Speaker, nor should we treat it as such. At risk is the American flying public.

In 2002, 612 million people boarded U.S. carriers, serving both domestic and international flights. No event illustrates the importance and the grave necessity of ensuring that we have a skilled air traffic control network than the events of 9-11. On that horrific day, as Americans waited for the next tragic event to unfold, our Nation's air traffic controllers calmly landed almost 5,000 planes in 2 hours without any operational incidents or errors. This incredible feat was due to the skill and ultimate professionalism of our Nation's air traffic controllers.

As a senior member representing California on the Subcommittee on Aviation, I have local concerns as well. Specifically, Southern California is no ordinary region. We are the most populous region in the country. The congestion on the highways of Southern California is legendary.

Mr. Speaker, let us oppose this bill.

Mr. MICA. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from North Carolina (Mr. HAYES).

Mr. HAYES. Mr. Speaker, I thank the gentleman for yielding me this time, and I appreciate the diligence and leadership that he has provided and the countless hours that he has invested in providing us with a good bill today. I want to echo the gentleman from Alaska's (Chairman YOUNG) thanks and appreciation to the gentleman from Minnesota (Mr. OBERSTAR) whose time of service, whose interest, whose involvement in this and in all transportation projects is very admirable, particularly on aviation. His knowledge and wisdom and experience that he brings to the table is outstanding, and I appreciate the friendship that we share.

Mr. Speaker, today I rise in support of the FAA reauthorization bill because we need to move forward with improvements to our Nation's aviation system. This bill is about improving our Nation's aviation infrastructure and system at a time when we are looking for ways to stimulate our economy. Slowing the modernization of our aviation system is exactly the wrong thing to do.

The conference report includes more than \$14 billion for airport improvements, money from the aviation trust fund to pay for improvements such as new runways, taxiways, terminal buildings and noise abatement, and a streamlined environmental review process. The bill includes over \$100 million in critical funding to support air services at small and medium airports.

The legislation provides an important economic stimulus. Civil aviation generates more than \$900 billion in gross domestic product every year. In

fiscal year 2004 alone, funding in the FAA reauthorization bill for airport construction projects will create approximately 162,000 direct and indirect jobs. Over the life of the bill, the \$14 billion for airport improvements will create approximately 665,000 jobs. It frees up takeoff and landing slots at Reagan National Airport. It increases competition for consumers. For cargo pilots, it allows them to be armed, just like passenger airline pilots.

Mr. Speaker, this bill keeps our promise to the flying public and continues the guarantee that all of the taxes and revenues paid into the aviation trust fund will be used and fully spent for airport improvements, air traffic control modernization; and all of these issues will be fully funded.

□ 1645

MOTION TO ADJOURN

Mr. OBERSTAR. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion to adjourn offered by the gentleman from Minnesota (Mr. OBERSTAR).

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 55, nays 360, not voting 19, as follows:

[Roll No. 589]

YEAS—55

Allen	Frank (MA)	Millender-
Baird	Grijalva	McDonald
Baldwin	Hill	Miller, George
Berry	Holt	Oberstar
Brown, Corrine	Honda	Pallone
Capps	Jackson (IL)	Pascrell
Capuano	Johnson, E. B.	Pelosi
Carson (IN)	Jones (OH)	Sandlin
Carson (OK)	Kennedy (RI)	Schakowsky
Clay	Lantos	Solis
Clyburn	Larsen (WA)	Tauscher
Conyers	Larson (CT)	Taylor (MS)
DeFazio	Lee	Thompson (MS)
Delahunt	Lewis (GA)	Tierney
DeLauro	McDermott	Towns
Dingell	McGovern	Velazquez
Doggett	McIntyre	Waters
Farr	Meek (FL)	Waxman
Filner		Woolsey

NAYS—360

Abercrombie	Bishop (NY)	Burr
Ackerman	Bishop (UT)	Burton (IN)
Aderholt	Blackburn	Buyer
Alexander	Blumenauer	Calvert
Andrews	Blunt	Camp
Baca	Boehert	Cannon
Bachus	Boehner	Cantor
Baker	Bonilla	Capito
Ballance	Bonner	Cardin
Ballenger	Bono	Cardoza
Barrett (SC)	Boozman	Carter
Bartlett (MD)	Boswell	Castle
Barton (TX)	Boucher	Chabot
Bass	Boyd	Choccola
Beauprez	Brady (PA)	Coble
Becerra	Brady (TX)	Cole
Bell	Brown (OH)	Collins
Berkley	Brown (SC)	Cooper
Berman	Brown-Waite,	Costello
Biggart	Ginny	Cox
Bilirakis	Burgess	Cramer
Bishop (GA)	Burns	Crane

Crenshaw	Johnson (IL)	Quinn
Crowley	Johnson, Sam	Radanovich
Cubin	Jones (NC)	Rahall
Culberson	Kanjorski	Ramstad
Cummings	Kaptur	Rangel
Cunningham	Keller	Regula
Davis (AL)	Kelly	Rehberg
Davis (CA)	Kennedy (MN)	Renzi
Davis (FL)	Kildee	Reyes
Davis (IL)	Kilpatrick	Reynolds
Davis (TN)	Kind	Rodriguez
Davis, Jo Ann	King (IA)	Rogers (AL)
Davis, Tom	King (NY)	Rogers (KY)
Deal (GA)	Kingston	Rogers (MI)
DeGette	Kirk	Rohrabacher
DeLay	Kline	Ros-Lehtinen
DeMint	Knollenberg	Ross
Deutsch	Kolbe	Rothman
Diaz-Balart, L.	Kucinich	Royal-Allard
Diaz-Balart, M.	LaHood	Royce
Dicks	Lampson	Ruppersberger
Dooley (CA)	Langevin	Rush
Doolittle	Latham	Ryan (OH)
Doyle	LaTourette	Ryan (WI)
Dreier	Leach	Ryun (KS)
Duncan	Levin	Sabo
Dunn	Lewis (CA)	Sanchez, Loretta
Edwards	Lewis (KY)	Sanders
Ehlers	Linder	Saxton
Emanuel	Lipinski	Schiff
Emerson	LoBiondo	Schrock
Engel	Lofgren	Scott (GA)
English	Lucas (KY)	Scott (VA)
Eshoo	Lucas (OK)	Sensenbrenner
Etheridge	Lynch	Serrano
Evans	Majette	Sessions
Everett	Maloney	Shadegg
Fattah	Markey	Shaw
Feeney	Marshall	Shays
Ferguson	Matheson	Sherman
Flake	Matsui	Sherwood
Foley	McCarthy (MO)	Shimkus
Forbes	McCarthy (NY)	Shuster
Ford	McCollum	Simmons
Fossella	McCrery	Simpson
Franks (AZ)	McHugh	Skelton
Frelinghuysen	McInnis	Slaughter
Frost	McKeon	Smith (MI)
Galleghy	McNulty	Smith (NJ)
Garrett (NJ)	Meehan	Smith (TX)
Gerlach	Meeks (NY)	Smith (WA)
Gibbons	Menendez	Snyder
Gilchrest	Mica	Souder
Gillmor	Michaud	Spratt
Gingrey	Miller (FL)	Stark
Gonzalez	Miller (MI)	Stearns
Goode	Miller, Gary	Stenholm
Goodlatte	Mollohan	Strickland
Gordon	Moore	Sullivan
Granger	Moran (KS)	Sweeney
Graves	Moran (VA)	Tancredo
Green (TX)	Murphy	Tanner
Green (WI)	Musgrave	Tauzin
Greenwood	Myrick	Taylor (NC)
Gutknecht	Nadler	Terry
Hall	Napolitano	Thomas
Harris	Neal (MA)	Thompson (CA)
Hart	Nethercutt	Thornberry
Hastings (FL)	Neugebauer	Tiahrt
Hastings (WA)	Ney	Tiberi
Hayes	Northup	Toomey
Hayworth	Norwood	Turner (OH)
Hefley	Nunes	Turner (TX)
Hensarling	Nussle	Udall (CO)
Herger	Obey	Udall (NM)
Hinchee	Olver	Upton
Hinojosa	Ortiz	Van Hollen
Hobson	Osborne	Visclosky
Hoefl	Ose	Vitter
Hoekstra	Otter	Walden (OR)
Holden	Owens	Walsh
Hooley (OR)	Oxley	Wamp
Hostettler	Pastor	Watson
Houghton	Paul	Watt
Hoyer	Payne	Weiner
Hulshof	Pence	Weldon (FL)
Hyde	Peterson (MN)	Weldon (PA)
Inslie	Peterson (PA)	Weller
Isakson	Petri	Wexler
Israel	Pickering	Whitfield
Issa	Pitts	Wicker
Istook	Platts	Wilson (NM)
Jackson-Lee	Pombo	Wilson (SC)
(TX)	Pomeroy	Wolf
Janklow	Porter	Wu
Jefferson	Portman	Wynn
Jenkins	Price (NC)	Young (AK)
John	Pryce (OH)	Young (FL)
Johnson (CT)	Putnam	

NOT VOTING—19

Akin	Gutierrez	Miller (NC)
Bereuter	Harman	Murtha
Bradley (NH)	Hunter	Pearce
Case	Klecza	Sanchez, Linda
Fletcher	Lowe	T.
Gephardt	Manzullo	Stupak
Goss	McCotter	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1717

Messrs. LEWIS of Kentucky, REYNOLDS, BISHOP of Utah, BARRETT of South Carolina, WILSON of South Carolina and FEENEY changed their vote from "yea" to "nay."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

CONFERENCE REPORT ON H.R. 2115, VISION 100-CENTURY OF AVIATION REAUTHORIZATION ACT

The SPEAKER pro tempore (Mr. SIMPSON). The Chair would advise the managers that the gentleman from Florida (Mr. MICA) has 17½ minutes remaining. The gentleman from Minnesota (Mr. OBERSTAR) has 22½ minutes remaining.

The gentleman from Minnesota (Mr. OBERSTAR) is recognized.

Mr. OBERSTAR. Mr. Speaker, I thank the Speaker for a commendable job of maintaining order in the House.

Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Oregon (Mr. DEFAZIO), ranking member on the Subcommittee on Aviation.

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

There is some confusion about what actually we are voting on here and what the impact will be, and I would just like to make that clear to Members.

This President early in his term issued an executive order finding that air traffic control is not inherently a governmental function, which opens up the potential for basically a contracting out of the air traffic control system of the United States. The original House bill, debated fully in committee, prohibited privatization of air traffic control. It made a minor exception, particularly for maintenance of the system. The Senate bill debated and voted on an amendment which absolutely prohibited any contracting out by the FAA, even for maintenance purposes. So we went to conference with a prohibition in both the House and the Senate bill on the contracting out of air traffic control, the control of our air space and the safety of the flying public.

At the one brief conference meeting last July, suddenly we were confronted with a proposal to privatize 71 air traffic control towers in the United States. For unclear reasons why 71, and then,

of course, for policy reasons, two were stripped, which has been spoken to earlier because Alaska is indeed unique, but there were still 69 to be contracted out.

The leadership found they could not pass that bill. So this week we voted to go back to conference. There was no conference. There was a press conference by the majority, and then we are back now in the House, and as the Chair said earlier, there was no conference, and that would normally violate the rules of the House. It never met, but that rule is waived, so we are here now.

We have heard from that side that there is no mandate for privatization in this bill. That is correct, but what we have here is very clear intent. The President has said air traffic control, the control of our air space for safety purposes and national security, is not inherently a governmental function. I think that is an astounding finding, but that is what this President has found. And that means that with no language in the bill, the President can contract out any or all of the air traffic control system in the United States, and I believe that would be disastrous for the traveling public and disastrous for national security.

We are going to trust to some private, for-profit contractor, working perhaps under direction of the airlines, with spacing of airplanes and other critical things that go to safety issues in this country? I do not believe that is an experiment we need to conduct.

We have the most efficient air traffic control system, the safest air traffic control system in the world. There is nothing to be improved upon here except that no one makes money on it.

So that is what the vote is about. There is going to be privatization if my colleagues vote for this conference report. The White House has made it clear. They said they would veto the bill if they did not get the right to do at least 69 towers. So it is clear where they are going to go. They have said it is not an inherently governmental function. Protecting the flying public, their safety, protecting and securing the air space of the United States, according to this administration, is not an inherently governmental function. That is an absurd position for the Government of the United States, particularly after 9/11.

They also stripped out language in the bill that said that flight attendants shall get additional training to deal with terrorists. At the urging of Continental Airlines, it was changed to "may," and I hope everyone who flies on Continental will remember that they do not seem to take seriously what happened on 9/11. Other airlines did not like that, but it was stuck into the bill.

Then the final issue of cabotage. Sounds exotic. It is very simple. Air China will now be able to deliver packages into the heartland of the United States, having landed in Alaska, some-

thing prohibited in existing law. We will lose jobs and security because of that. Vote no.

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

I am pleased to rise and I wanted to clarify a couple of issues that have been raised. Let me say, we all have our roles in this august body, and I am honored and privileged to have as my ranking member the gentleman from Oregon (Mr. DEFAZIO), the gentleman who just spoke. He is an incredibly hardworking, dedicated, ranking member and has contributed immensely to this product that we have before us today. But there is a question on which we have a separation, and we just heard some of the history of the air traffic control structure in our country.

Under the Clinton administration, if we go back to 1994, when I came as a freshman, the gentleman from Minnesota (Mr. OBERSTAR) was the chairman of the Subcommittee on Aviation. Under the Clinton administration, Mr. Clinton in that year, 1994, privatized. He took from FAA towers to contract towers some 24 towers. Was there an outcry? No. During the remainder of the balance of the Clinton term, President Clinton converted 116 FAA towers to contract towers. Was there an outcry? No.

In the 3 years that President Bush has been in office, how many FAA towers has he converted to private contract towers? Zero. The other side complained when we put 69 towers that were mentioned in this FAA report under the Inspector General, 69 towers based on cost and safety, primarily on safety, that these towers that are now all FAA towers would be safer, based on their evaluation, if they converted to contract towers, and cost about \$900,000 less, read the report. That is what we put in there. They protested. So what did we do? We took these out.

We now have no reference to privatization, but they do not want this President to have the same right that President Clinton had for some 7.9 years. We have taken every single mention of privatization, any specific tower, out of the bill. So that is where we find ourselves now. We cannot please them no matter what we do.

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

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume, again to correct the record.

The gentleman said there was no outcry when the Clinton administration moved to privatize air traffic control. That was an initiative that came out of the Gore "reinvent government program." I was the chairman of the Subcommittee on Aviation. I took it on head-on, with the help of decent-thinking Republicans, who supported our effort to stop it dead in its tracks, and we did. And when they began to move one by one to privatize air traffic control towers, some of which were already Federal towers, I moved against