

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. CASSIDY: Page 159, line 8, strike "and". Page 159, line 12, strike the period at the end and insert "; and".

Page 159, after line 12, insert the following: (5) the effect that limited air carrier service options on routes have on the frequency of delays and cancellations on such routes.

The Acting CHAIR. Pursuant to House Resolution 464, the gentleman from Louisiana (Mr. CASSIDY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. CASSIDY. Mr. Chairman, like many Members of the House, I represent a city with a small hub airport. While multiple airlines provide service at small hub airports, most flight routes have only one airline option. Many of my constituents perceive that this lack of competition creates a higher rate of delayed flights. I share their concern and offer this amendment to require the Department of Transportation to study the issue.

Specifically, the Department would analyze whether the lack of competitive flight options on some routes affects the frequency of delays and cancellations. The Department is already required to report on flight delays and cancellations, and my amendment would strengthen this report.

Mr. Chairman, the availability of competitive options on flight routes is affected by a number of factors which may include industry consolidation and lack of competition on certain routes, as well as the size of the community served.

This amendment would give us greater understanding about the cause of flight delays at small and medium hub airports so that we may continue to improve air service for those communities. I urge adoption of the amendment.

Mr. PETRI. Would the gentleman yield?

Mr. CASSIDY. I would yield to the gentleman from Wisconsin.

Mr. PETRI. I thank my colleague for yielding to me.

The amendment he has offered supplements a Department of Transportation Inspector General study on flight delays and cancellations in the base bill by adding to the Inspector General's review a requirement to assess the effect limited air carrier service options has on the frequency of delays and cancellations on such routes.

This is a useful amendment and important to many service airports in our country, and I support the amendment and urge its adoption.

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent to claim time in opposition, though I do not intend to oppose.

The Acting CHAIR. Without objection, the gentleman from Minnesota is recognized for 5 minutes.

There was no objection.

Mr. OBERSTAR. We accept the amendment. If the gentleman is prepared to conclude his remarks and yield back, we can proceed. I yield back.

Mr. CASSIDY. I yield back.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. CASSIDY).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MS. KILROY

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in part C of House Report 111-126.

Ms. KILROY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Ms. KILROY: Page 115, after line 7, insert the following (with the correct sequential provision designations [replacing the numbers currently shown for such designations]) and conform the table of contents accordingly:

SEC. 312. COCKPIT SMOKE.

(a) STUDY.—The Comptroller General shall conduct a study on the effectiveness of oversight activities of the Federal Aviation Administration relating to preventing or mitigating the effects of dense continuous smoke in the cockpit of a commercial aircraft.

(b) REPORT.—Not later than one year after the date of enactment of this Act, the Comptroller General shall submit to Congress a report on the results of the study.

The Acting CHAIR. Pursuant to House Resolution 464, the gentlewoman from Ohio (Ms. KILROY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Ohio.

Ms. KILROY. Mr. Chairman, I yield myself 2 minutes.

I rise today in support of my amendment to raise the profile of dangerous incidents involving smoke in the cockpits of aircraft. Smoke in cockpits is a factor in an unscheduled emergency or emergency landing every single day in North America. This dangerous in-flight occurrence has already claimed over 1,230 lives.

In 2007, a top NASCAR official and his pilot were killed after their plane crashed within minutes of radioing an emergency because of smoke cascading into the cockpit. The crash also killed a mother, her 6-month-old infant and a 4-year-old next-door neighbor when the plane struck into the heart of their Florida neighborhood.

The National Transportation Safety Board has addressed the issue and considers smoke inside the cockpit and cabins to be a "serious issue." The NTSB has made recommendations to the Federal Aviation Administration for decades on this very issue. The FAA does not consider smoke interfering with the pilot's vision as a "unsafe condition," despite more than 70 major events in the last 4 decades and NTSB recommendations.

This amendment would gather the data that could prove the need for better equipment and save thousands of lives in the future.

Today, I look forward to voting for this important reauthorization of the FAA. I want to thank Chairman OBERSTAR and Chairman COSTELLO for their excellent work on this bill, including protections and rights guaranteed to the 2 million airline passengers that fly in this country every day. The Committee on Transportation and Infrastructure and the Aviation Subcommittee have taken historic steps to improve flying experiences for passengers, as well as invest in modernizing critical safety systems like air traffic control.

Once a plane has taken off and is in control of the pilot, smoke in the cockpit can be deadly. There will be nothing our safety systems on the ground or air traffic controllers in the tower could do to help.

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

Mr. COSTELLO. I claim time in opposition, although I do not intend to oppose the gentlelady's amendment.

The Acting CHAIR. For what purpose does the gentleman from Wisconsin rise?

Mr. PETRI. Well, I was going to rise in opposition, even though I don't oppose the amendment either. We would support the amendment and urge its speedy passage.

This amendment seeks to improve aviation safety by requiring the Government Accountability Office (GAO) to conduct a study on FAA oversight of programs intended to prevent or mitigate the dangerous effects of smoke in airline cockpits.

Cockpit smoke can occur due to a variety of reasons, some which are not always imminent threats.

While the FAA has approved several technologies to deal with cockpit smoke, such as specially designed pilot goggles, not every technology is appropriate for all types of aircraft or pilot skill levels. The study proposed by Ms. KILROY's amendment will assist FAA in determining the most smoke mitigation technology for various operators and aircrafts.

I thank my colleague for her efforts to improve aviation safety and ask all Members to support this amendment.

The Acting CHAIR. Without objection, the gentleman from Illinois (Mr. COSTELLO) is recognized for 5 minutes.

There was no objection.

Mr. COSTELLO. Mr. Chairman, we commend the gentlewoman on her amendment. We accept it and yield back the balance of our time.

Ms. HIRONO. Mr. Chair, I rise today in support of the Kilroy amendment to H.R. 916, the FAA Reauthorization Act, which directs the GAO to study, within one year of enactment, the effectiveness of FAA oversight activities related to preventing or mitigating the effects of dense continuous smoke in the cockpit of commercial aircraft.

There are several incidents every week where an aircraft must land due to the presence of smoke in the cockpit. In the great majority of these cases, pilots are able to land the aircraft or disperse the smoke before a catastrophic accident results. There have, however, been several accidents over the years caused by the inability of pilots to see

due to the presence of unstoppable, dense, continuous smoke.

Interestingly, the aircraft of the Secretary of Transportation, the Secretary of Homeland Security, senior military leaders, and the Federal Aviation Administration have technology aboard that ensures that, even in cases of dense unstoppable blinding smoke, pilots can see.

I was surprised to learn, however, that there is no FAA requirement that passenger airliners or military aircraft have an equivalent system to ensure that pilots can see under these conditions. The technology in question costs approximately \$25,000 to \$30,000 per aircraft—which equates to a penny or so per ticket over the life of the system.

As I understand it, the FAA's minimum safety standard is that any failure of systems or components that result in catastrophic consequences must be "extremely improbable," and that "extremely improbable" is defined by the FAA as not one catastrophic event in one billion flight hours.

According to Boeing data, American certified planes have not flown one billion flight hours worldwide in the last 50 years. There have, however, been numerous catastrophic fatal airliner accidents in which smoke in the cockpit has been a cause or a factor during that period.

Like with U.S. Airways Flight 1549, seconds count. Fortunately, in that case the pilot could see to land, even if under very difficult conditions. If the emergency had been continuous, unstoppable smoke in the cockpit and the pilot had been unable to see, it is unlikely we would have had such a happy outcome.

I raised this issue during a Transportation and Infrastructure Committee hearing on the bill in February. The FAA contends that existing systems and procedures are adequate. I am not convinced, and I welcome an investigation of this issue by the GAO.

Ms. KILROY. Mr. Chairman, I appreciate the support, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Ohio (Ms. KILROY).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MR. FRELINGHUYSEN

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part C of House Report 111-126.

Mr. FRELINGHUYSEN. Mr. Chairman, I have an amendment at the desk that I intend to withdraw at the appropriate time.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. FRELINGHUYSEN:

Page 259, after line 22, insert the following (with the correct sequential provision designations [replacing the numbers currently shown for such designations]) and conform the table of contents accordingly:

SEC. 826. NEW YORK/NEW JERSEY/PHILADELPHIA METROPOLITAN AIRSPACE.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall conduct a study on the proposed New York/New Jersey/Philadelphia Class B modification design change.

(b) CONTENTS.—In conducting the study, the Administrator shall determine the effect

of such proposed change on the environment, and, in particular, with regard to airplane noise, and shall state whether this proposed change was considered in conjunction with the on-going New York/New Jersey/Philadelphia Metropolitan Airspace Redesign.

(c) REPORT.—The Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study under subsection (a) not later than 30 days after the date of enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 464, the gentleman from New Jersey (Mr. FRELINGHUYSEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise to engage in a colloquy with the chairman of the Committee on Transportation and Infrastructure, Mr. OBERSTAR.

Mr. Chairman, as you know, I have long been concerned about aircraft noise over northern New Jersey. However, time and time again the Federal Aviation Administration has turned a deaf ear to the tremendous impact air noise has made on our quality of life.

Lately, there has been considerable discussion about increasing transparency in our government. However, it has been extremely difficult to obtain information from the FAA about proposals that will have significant negative impacts on my constituents.

I offer this amendment because there have been conflicting reports about the proposed changes by the FAA to the Class B airspace in the New York and New Jersey metropolitan area.

Following several inquiries to the FAA, including a letter from the gentleman from New Jersey (Mr. GARRETT) and me to FAA Acting Administrator Lynne Osmus, the FAA has not been forthcoming with its plans about this proposed airspace change.

Together, with many of my colleagues in the region, I feel very strongly that the FAA must make its plans public and be held accountable for the effects. As the FAA continues to redesign the airspace in our region, it cannot push forward another proposal that may lead to even more noise for my constituents on the ground. They have a right to know what changes are being considered and certainly what changes are being implemented, as these changes will affect their lives and livelihoods.

I look forward to working with the chairman and the ranking member in the future to get information on these proposals and to ensure that all of our constituents are fully informed about the FAA's future plans.

I yield to the chairman.

Mr. OBERSTAR. I thank the gentleman for yielding. Mr. Chairman, and want to commend him for pursuing so vigorously this issue, and I deplore the lack of response from the FAA, as we heard earlier in the day on the rule

from the gentleman from Florida, who appealed many times to the FAA, and got no response to his concerns.

This process of redesign of the east coast airspace has been going on for 9 years, this particular plan. There are other plans that have been going on for 20 years. They should have been adequately discussed in the public domain. The Members of Congress should have been engaged in the process, and we're going to change that. We're going to make this happen.

And I want to assure the gentleman that we will work hand-in-glove with the gentleman, the chairman of the Aviation Subcommittee, the distinguished ranking member of the subcommittee, the ranking member of the full committee.

I would just like to inquire of the gentleman about Atlantic City airport. Is that in the gentleman's district?

□ 1615

Mr. FRELINGHUYSEN. That's a little farther south from where I live.

Mr. OBERSTAR. If service were routed to Atlantic City, would that divert noise from the gentleman's constituents?

Mr. FRELINGHUYSEN. We've always believed in an ocean route. Whether the people in the Atlantic would want to have what we've been having to bear, I would doubt it.

Mr. OBERSTAR. Well, I think there is additional capacity. This is the world's busiest airspace. The New York TRACON handles more aircraft movement than all of Europe combined. Finding places for those aircraft to approach and depart is extremely difficult. But there is capacity at Stuart Air Force Base, which is a joint use facility, and there is capacity at Atlantic City. All it needs is a surface rail line. And that would allow ocean approaches that would take noise away from the gentleman's constituencies, and from those in New York and from elsewhere. I'm going on way too long because we want to conclude this debate and get to the final votes.

But I know that the gentleman's colleague, Mr. LOBIONDO, is very strong in support of service from Atlantic City. It would relieve noise from the gentleman's airport to move aircraft in that facility. It has a 10,000 foot runway. It has a taxiway. It has unused capacity. And it could relieve the New York airport situation, relieve the noise from the gentleman's constituency.

So let's work together. Let's have the FAA in for some discussions and pursue this matter further.

I thank the gentleman for yielding.

Mr. FRELINGHUYSEN. I thank the chairman very much for his time, as well as Mr. COSTELLO's interest. I was involved in helping fund through the appropriations process this air design. So when we're shut out of the process when they're making plans, I think we have a right to be concerned.

If I may, I would like to yield to the gentleman from Wisconsin, the ranking member.