

have more opportunities to serve these airports. The typically low cost, low fare new entrants will bring competition to these restricted markets, which will result in lower fares for travelers. Travelers from small communities will benefit from increased access to these crucial markets.

I am not alone in believing that the competition provisions in the bill are a big step forward for all Americans. Support for these competition-enhancing provisions is strong and widespread. I have heard from organizations as diverse as the Western Governor's Association of Attorneys General, the Des Moines International Airport, and Midwest Express Airlines. All of them support one or more of the provisions that loosen or eliminate slot and perimeter rule restrictions.

But it was a letter from just an average citizen in Alexandria, VA that caught my attention. He said that he feels victimized by the artificial restrictions placed on flights from Reagan National. His young family is living on one paycheck. He says that his family budget does not allow them the luxury of using Reagan National, which is less than ten minutes from his home. To him, using Reagan National seems to be "a privilege reserved for the wealthy and those on expense accounts." For the sake of his privacy I will not mention his name, but this is precisely the type of person who deserves the benefits of more competition at restricted airports like Reagan National.

In summary, this bill represents two years of work on a comprehensive package to promote aviation safety, airport and air traffic control infrastructure investment, and enhanced competition in the airline industry. Our air transportation system is essential to the Nation's well being. We must not neglect its pressing needs. If we fail to act, the FAA will be prevented from addressing vital security and safety needs in every State in the Union. I urge all of my colleagues to support swift passage of this legislation.

I thank Senator HOLLINGS and his staff, Senator ROCKEFELLER, Senator GORTON, and all members of the Commerce Committee who have taken a very active role in putting this legislation together. It is a significantly large piece of legislation reflecting a great deal of complexities associated with aviation and the importance of it.

Approximately a year ago, a commission that was mandated to be convened by legislation reported to the Congress and the American people. Their findings and recommendations were very disturbing. In summary, these very qualified individuals reported that unless we rapidly expand our aviation capability in America, every day, in every major airport in America, is going to be similar to the day before Thanksgiving. I do not know how many of my colleagues have had the opportunity of being in a major airport on

the busiest day of the year in America. It is not a lot of fun.

I do a lot of flying, a great deal of flying this year, more than I have in previous years. I see the increase in delays, especially along the east coast corridor. I have seen when there is a little bit of bad weather our air traffic control system becomes gridlocked and hours and hours of delay ensue. These delays are well documented.

The committee is going to have to look at what we have done in the air traffic control system modernization area. We are going to have to look at what they have not done. There are a number of recommendations, some of which we have acted on in this committee, some of which we have not. But if we do not pass this legislation, then how can we move forward in aviation in this country?

I believe any objective economist will assure all of us that deregulation has led to increased competition and lower fares. But some of that trend has leveled off of late because of a lack of competition, because of a lack of ability to enter the aviation industry.

This is disturbing to me because the one thing, it seems to me, we owe Americans is an affordable way of getting from one place to another; and more and more Americans, obviously, are making use of the airlines.

I can give you a lot of anecdotal stories about what the effective competition is. For example, at Raleigh-Durham Airport, when it was announced that a new, low-cost airline was going to be operating out of that airport, the day after the announcement, long before the airline started its competition, the average fares dropped by 25 percent—a 25-percent drop in average airfares.

We have to do whatever we can to encourage the ability of new entrants to come into the aviation business. My greatest disappointment in deregulation of the airlines is that the phenomenon which was generated initially has not remained nearly at the level we would like to see it.

There are problems many of my colleagues, including the Senator from West Virginia, have talked about at length—of rural areas not being able to have just minimal air services. That is why we are dramatically increasing the essential air service authorization, so that more rural areas can achieve it.

I also think it is very clear the air traffic control system is lagging far behind. I think there is no doubt that we have had problems with passengers receiving fundamental courtesies and rights which they deserve. That is why there has been so much attention generated concerning the need for some fundamental, basic rights that passengers should have and receive from the airlines. For example, the debacle of last Christmas at Detroit should never be repeated in America, what airline passengers were subjected to on that unhappy occasion. Yes, it was generated by bad weather, but, no, there

was no excuse for the treatment many of those airline passengers received on that day and other passengers have received in other airports around the country, only the examples were not as egregious, nor did they get the widespread publicity.

If you believe, as I do, if we continue the economic prosperity that we have been enjoying in this country, we will continue to see a dramatic and very significant increase in the use of the airlines by American citizens, we have major challenges ahead.

I do not pretend that this legislation addresses all of those challenges, but I do assert, unequivocally, that if we pass this legislation, pass it through the body, get it to conference, and get it out, we will make some significant steps forward, including in the vital area of aviation safety.

I again thank Senator GORTON and Senator ROCKEFELLER for all their hard work on this issue. I remind my colleagues that in about 5 minutes, according to the unanimous consent agreement, all relevant amendments should be filed.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. McCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCAIN. Mr. President, I ask unanimous consent that notwithstanding the 10 a.m. filing requirement, it be in order for a managers' amendment and, further, the majority and minority leaders be allowed to offer one amendment each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCAIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. COLLINS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. COLLINS. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is the Baucus amendment No. 1898.

Ms. COLLINS. Mr. President, I ask unanimous consent that the pending amendment be laid aside and that I be permitted to call up an amendment that I have at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1907

(Purpose: To establish a commission to study the impact of deregulation of the airline industry on small town America)

Ms. COLLINS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. CRAPO). The clerk will report.

The legislative clerk read as follows:
The Senator from Maine [Ms. COLLINS], for herself, Mr. BURNS, Mr. BAUCUS, Mr. ROBB, Mr. HOLLINGS, Mr. ROCKEFELLER, and Mr. HARKIN, proposes an amendment numbered 1907.

Ms. COLLINS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place insert the following new section:

SEC. —01. AIRLINE DEREGULATION STUDY COMMISSION.

(a) ESTABLISHMENT OF COMMISSION.—

(1) ESTABLISHMENT.—There is established a commission to be known as the Airline Deregulation Study Commission (in this section referred to as the "Commission").

(2) MEMBERSHIP.—

(A) COMPOSITION.—Subject to subparagraph (B), the Commission shall be composed of 15 members of whom—

(i) 5 shall be appointed by the President;

(ii) 5 shall be appointed by the President pro tempore of the Senate, 3 upon the recommendation of the Majority Leader, and 2 upon the recommendation of the Minority Leader of the Senate; and

(iii) 5 shall be appointed by the Speaker of the House of Representatives, 3 upon the Speaker's own initiative, and 2 upon the recommendation of the Minority Leader of the House of Representatives.

(B) MEMBERS FROM RURAL AREAS.—

(i) REQUIREMENT.—Of the individuals appointed to the Commission under subparagraph (A)—

(I) one of the individuals appointed under clause (i) of that subparagraph shall be an individual who resides in a rural area; and

(II) two of the individuals appointed under each of clauses (ii) and (iii) of that subparagraph shall be individuals who reside in a rural area.

(ii) GEOGRAPHIC DISTRIBUTION.—The appointment of individuals under subparagraph (A) pursuant to the requirement in clause (i) of this subparagraph shall, to the maximum extent practicable, be made so as to ensure that a variety of geographic areas of the country are represented in the membership of the Commission.

(C) DATE.—The appointments of the members of the Commission shall be made not later than 60 days after the date of the enactment of this Act.

(3) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(4) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold its first meeting.

(5) MEETINGS.—The Commission shall meet at the call of the Chairperson.

(6) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(7) CHAIRPERSON.—The Commission shall select a Chairman and Vice Chairperson from among its members.

(8) DUTIES OF THE COMMISSION.—

(i) STUDY.—

(A) DEFINITIONS.—In this subsection, the terms 'air carrier' and 'air transportation' have the meanings given those terms in section 40102(a).

(B) CONTENTS.—The Commission shall conduct a thorough study of the impacts of deregulation of the airline industry of the United States on—

(i) the affordability, accessibility, availability, and quality of air transportation, particularly in small-sized and medium-sized communities;

(ii) economic development and job creation, particularly in areas that are underserved by air carriers;

(iii) the economic viability of small-sized airports; and

(iv) the long-term configuration of the United States passenger air transportation system.

(C) MEASUREMENT FACTORS.—In carrying out the study under this subsection, the Commission shall develop measurement factors to analyze the quality of passenger air transportation service provided by air carriers by identifying the factors that are generally associated with quality passenger air transportation service.

(D) BUSINESS AND LEISURE TRAVEL.—In conducting measurements for an analysis of the affordability of air travel, to the extent practicable, the Commission shall provide for appropriate control groups and comparisons with respect to business and leisure travel.

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Commission shall submit an interim report to the President and Congress, and not later than 18 months after the date of the enactment of this Act, the Commission shall submit a report to the President and Congress. Each such report shall contain a detailed statement of the findings and conclusions of the Commission, together with its recommendations for such legislation and administrative actions as it considers appropriate.

(c) POWERS OF THE COMMISSION.—

(1) HEARINGS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out the duties of the Commission under this section.

(2) INFORMATION FROM FEDERAL AGENCIES.—The Commission shall consult with the Comptroller General of the United States and may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out the duties of the Commission under this section. Upon request of the Chairperson of the Commission, the head of such department or agency shall furnish such information to the Commission.

(3) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(4) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property.

(d) COMMISSION PERSONNEL MATTERS.—

(1) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(2) STAFF.—

(A) IN GENERAL.—The Chairperson of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Commission to perform its duties. The employment of an executive director shall be subject to confirmation by the Commission.

(B) COMPENSATION.—The Chairperson of the Commission may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(3) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(4) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(e) TERMINATION OF COMMISSION.—The Commission shall terminate 90 days after the date on which the Commission submits its report under subsection (b).

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated \$950,000 for fiscal year 2000 to the Commission to carry out this section.

(2) AVAILABILITY.—Any sums appropriated pursuant to the authorization of appropriations in paragraph (1) shall remain available until expended.

Ms. COLLINS. Mr. President, I rise today to offer an amendment to the FAA reauthorization bill to establish an independent commission to thoroughly examine the impact of airline deregulation on smalltown America. I am very pleased to be joined in this effort by several cosponsors, including Senators ROCKEFELLER, BURNS, BAUCUS, ROBB, HOLLINGS, and HARKIN.

This amendment is modeled after a bill I recently introduced that would authorize a study into how airline deregulation has affected the economic development of smaller towns in America, the quality and availability of air transportation, particularly in rural areas of this country, and the long-term viability of local airports in smaller communities and rural areas.

For far too long, small communities throughout this Nation, from Bangor, ME, to Billings, MT, to Bristol, TN, have weathered the effects of airline deregulation without adequately assessing how deregulation has affected their economic development, their ability to create and attract new jobs, the quality and availability of air transportation for their residents, and the long-term viability of their local airports. It is time to evaluate the effects of airline deregulation from this new perspective by looking at how it has affected the economies in small towns and rural America.

Bangor, ME, where I live, is an excellent example of how airline deregulation can cause real problems for a smaller community. Bangor recently learned it was going to lose the services of Continental Express. This follows a pullout by Delta Airlines last year. It has been very difficult for Bangor to provide the kind of quality air

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service that is so important in trying to attract new businesses to locate in the area as well as to encourage businesses to expand.

Nowadays, businesses expect to have convenient, accessible, and affordable air service. It is very important to their ability to do business. Although there have been several studies on the impact of airline deregulation, they have all focused on some aspects of air service itself. For example, there have been GAO studies that have looked at the impact on airline prices.

Not one study I am aware of has actually analyzed the impact of airline deregulation on economic development and job creation in rural States. Indeed, we have spoken to the GAO and the Department of Transportation, and they are not aware of a single study that has taken the kind of comprehensive approach I am proposing. Moreover, one GAO official told my staff he thought such a study was long overdue. We need to know more about how airline deregulation has affected smaller and medium-sized communities such as Presque Isle, ME, and Bangor, ME. We need to focus on the relationship between access to affordable, quality airline service and the economic development of America's smaller towns and cities.

During the past 20 years, air travel has become increasingly linked to business development. Successful businesses expect and need their personnel to travel quickly over long distances. It is expected that a region being considered for business location or expansion should be reachable conveniently, quickly, and easily via jet service. Those areas without air access or with access that is restricted by prohibitive travel costs, infrequent flights, or small, slow planes appear to be at a distinct disadvantage compared to those communities that enjoy accessible, convenient, and economic air service.

This country's air infrastructure has grown to the point where it now rivals our ground transportation infrastructure in its importance to the economic vibrancy and vitality of our communities. It has long been accepted that building a highway creates an almost instant corridor of economic activity for businesses eager to cut shipping and transportation costs by locating close to the stream of commerce.

Like a community located on an interstate versus one that is reachable only by back roads, a community with a midsize or small airport underserved by air carriers appears to be operating at a disadvantage to one located near a large airport. What this proposal would do is allow us to take a close look at the relationship between quality air service and the communities it serves.

Bob Ziegelaar, director of the Bangor International Airport, perhaps put it best. He tells me: Communities such as Bangor are at risk of being left behind with service levels below what the market warrants, both in terms of capacity

and quality. The follow-on consequences are a decreasing capacity to attract economic growth.

He sums it up well. A region's ability to attract and keep good jobs is inextricably linked to its transportation system. Twenty-one years after Congress deregulated the airline industry, it is important that we now look and assess the long-term impacts of our actions. The commission established by my amendment will ensure that Congress, small communities, and the airlines are able to make future decisions on airline issues fully aware of the concerns and the needs of smalltown America.

Mr. President, I thank the chairman of the committee and the ranking minority members of both the subcommittee and the full committee for their assistance in shaping this amendment. I look forward to working with them. I know they share my concerns about providing quality, accessible air service to all parts of America. I thank them for their cooperation in this effort and yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, obviously, this Senator from West Virginia is already a cosponsor of the amendment. There are very few people who would know the situation in this amendment as well as the Senator from Maine. Her State, as many rural States, has had a major reaction to deregulation. Economic development is always the first thing on the minds of States that are trying to grow and attract their population back. This is simply asking for a commission to study the effects of deregulation on economic development. I think it is very sensible. I think it highlights a real agony for a lot of States. It is highly acceptable on this side.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I also thank the Senator from Maine. I do understand there have been some very negative impacts on Bangor and other parts of the State of Maine associated with airline deregulation. It needs to be studied. We need to find out how we can do a better job, as I said in my earlier remarks, allowing smaller and medium-sized markets to receive the air service they deserve which has such a dramatic impact on their economies.

I thank the Senator from Maine for her amendment. Both sides are prepared to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1907.

The amendment (No. 1907) was agreed to.

Mr. MCCAIN. Mr. President, I move to reconsider the vote.

Mr. COLLINS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the pending amendment be laid aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NOS. 1948 AND 1949, EN BLOC

Mr. MCCAIN. Mr. President, I send two amendments to the desk, en bloc, and ask for their immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN] proposes amendments numbered 1948 and 1949, en bloc.

The amendments are as follows:

AMENDMENT NO. 1948

(Purpose: To prohibit discrimination in the use of Private Airports)

At the appropriate place insert the following:

SEC. . NONDISCRIMINATION IN THE USE OF PRIVATE AIRPORTS.

(a) PROHIBITING DISCRIMINATION IN THE USE OF PRIVATE AIRPORTS.—Chapter 401 of Subtitle VII of title 49, United States Code, is amended by inserting the following new section after section 40122:

"§ 40123. Nondiscrimination in the Use of Private Airports

"(a) IN GENERAL.—Notwithstanding any other provision of law, no state, county, city or municipal government may prohibit the use or full enjoyment of a private airport within its jurisdiction by any person on the basis of that person's race, creed, color, national origin, sex, or ancestry.

AMENDMENT NO. 1949

(Purpose: To amend section 49106(c)(6) of title 49, United States Code, to remove a limitation on certain funding)

SECTION 1. SHORT TITLE.

This Act may be cited as the "Metropolitan Airports Authority Improvement Act".

SEC. 2. REMOVAL OF LIMITATION.

Section 49106(c)(6) of title 49, United States Code, is amended—

(1) by striking subparagraph (C); and
(2) by redesignating subparagraph (D) as subparagraph (C).

Mr. MCCAIN. Mr. President, these two amendments, along with amendment No. 1893, which was previously offered, have been accepted on both sides. There is no further debate on the amendments, and I ask for their adoption.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

The amendments (Nos. 1948, 1949, and 1893) were agreed to.

Mr. MCCAIN. Mr. President, I move to reconsider the vote.

Mr. ROCKEFELLER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MCCAIN. Mr. President, it is my understanding that there is now some 304 amendments that are germane that have been filed by the Senator from Illinois. Obviously, that is his right under the rules of the Senate.

I would like for the Senator from Illinois to understand what he is doing. This is a very important piece of legislation. It has a lot to do with safety. The Senator from Illinois should know that. He is jeopardizing, literally, the safety of airline passengers across this country, perhaps throughout the world.