

EDWARD M. KENNEDY,
CLAIBORNE PELL,
HOWARD M. METZENBAUM,
CHRISTOPHER J. DODD,
TOM HARKIN,
BROCK ADAMS,
ORRIN HATCH,
DAN COATS,
STROM THURMOND,
DAVE DURENBERGER,

Managers on the Part of the Senate.

The SPEAKER pro tempore, Mr. MAZZOLI, recognized Mr. WAXMAN and Mr. BLILEY, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said conference report?

The SPEAKER pro tempore, Mr. MAZZOLI, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BILIRAKIS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. MAZZOLI, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

¶56.5 WHALING MORATORIUM

Mr. STUDDS moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 177); as amended:

Whereas whales are marine resources of great aesthetic, educational, and scientific interest and are a vital part of the marine ecosystem;

Whereas the International Whaling Commission adopted in 1982 an indefinite moratorium on commercial whaling, which was scheduled to go into effect in 1986, establishing zero global catch limits for 11 species of whales;

Whereas despite the moratorium on commercial whaling, thousands of whales have been killed since its inception by the commercial whaling nations;

Whereas there remain uncertainties as to the status of whale populations due to the difficulty of studying them, their slow reproductive rate, and the unpredictability of their recovery even when fully protected;

Whereas the consequences of removing whale populations from the marine ecosystem are not understood and cannot be predicted;

Whereas whales are subject to increasingly grave environmental threats from nonhunting causes, such as pollution, loss of habitat, oil spills, and the use of large-scale driftnets, which underscore the need for special safeguards for whale protection;

Whereas in addition, many of the more than 60 species of small cetaceans are subject to direct commercial harvest;

Whereas there is significant widespread support in the international community for the view that, for scientific, ecological, aesthetic, and educational reasons, whales should no longer be commercially hunted;

Whereas efforts made at the 1991 meeting of the International Whaling Commission to overturn the moratorium on commercial whaling were defeated; and

Whereas there is concern that, at future International Whaling Commission meetings, some countries will again press for an immediate resumption of commercial whaling on some stocks: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that—

(1) United States policy should promote the conservation and protection of whale, dolphin, and porpoise populations;

(2) toward that goal, the United States should work to strengthen and maintain an International Whaling Commission moratorium on the commercial killing of whales, and work toward a similar moratorium on the direct commercial harvest of dolphins and porpoises;

(3) the United States should work to strengthen the International Whaling Commission by reaffirming its competence to regulate direct commercial whaling on all cetaceans, and should encourage the Commission to utilize the expertise of its Scientific Committee by seriously considering the Committee's recommendations; and

(4) in so promoting the conservation and protection of the world's whale populations, the United States should make the fullest use of diplomatic channels, appropriate domestic and international law, and all other available means.

The SPEAKER pro tempore, Mr. MAZZOLI, recognized Mr. STUDDS and Mr. YOUNG of Alaska, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said concurrent resolution, as amended?

The SPEAKER pro tempore, Mr. MAZZOLI, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution, as amended, was agreed to.

By unanimous consent, the title was amended so as to read: "A concurrent resolution calling for a United States policy of strengthening and maintaining an International Whaling Commission moratorium on the commercial killing of whales, and otherwise expressing the sense of the Congress with respect to conserving and protecting the world's whale populations."

A motion to reconsider the votes whereby the rules were suspended and said concurrent resolution, as amended, was agreed to and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶56.6 RATIFICATION OF 27TH AMENDMENT TO THE CONSTITUTION

Mr. BROOKS moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 320):

Resolved by the House of Representatives (the Senate concurring), That Congress declares that the proposed article of amendment providing as follows:

"No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened."

has been ratified by a sufficient number of the States and has become a part of the Constitution.

The SPEAKER pro tempore, Mr. MAZZOLI, recognized Mr. BROOKS and Mr. FISH, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. MAZZOLI, announced that two-thirds of the Members present had voted in the affirmative.

Mr. FISH demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. MAZZOLI, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed until Wednesday, May 20, 1992, pursuant to the prior announcement of the Chair.

¶56.7 COBALT STOCKPILE

Mr. BENNETT moved to suspend the rules and pass the bill (H.R. 4880) to reduce the stockpile requirement for, and authorize the disposal of, cobalt from the National Defense Stockpile.

The SPEAKER pro tempore, Mr. MAZZOLI, recognized Mr. BENNETT and Mr. SPENCE, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. MAZZOLI, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶56.8 PROVIDING FOR THE CONSIDERATION OF H.R. 4691

Mr. FROST, by direction of the Committee on Rules, called up the following resolution (H. Res. 457):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4691) to amend the Airport and Airway Improvement Act of 1982 to authorize appropriations for fiscal years 1993 and 1994, and for other purposes, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and the amendments made in order by this resolution and which shall not exceed two hours, with one hour to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works and Transportation, with thirty minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, and with thirty minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Science, Space, and Technology, the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Public Works and Transportation now print-

ed in the bill, as modified by the amendment printed in part 1 of the report of the Committee on Rules accompanying this resolution, as an original bill for the purpose of amendment under the five-minute rule, said substitute shall be considered by title instead of by section and each title shall be considered as having been read, and all points of order against said substitute, as modified, are hereby waived. It shall be in order to consider en bloc the amendments printed in part 3 of the report of the Committee on Rules, if offered by Representative Walker of Pennsylvania or his designee, and said amendments en bloc shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. After the disposition of all other amendments to said substitute, as modified, it shall be in order to consider the amendment printed in part 2 of the report of the Committee on Rules, if offered by Representative Rostenkowski of Illinois or his designee, and all points of order against said amendment are hereby waived. Said amendment shall not be subject to amendment, or to a demand for a division of the question in the House or in the Committee of the Whole, except for pro forma amendments for the purpose of debate. Upon disposition of said amendment no further amendment to the amendment in the nature of substitute, as modified, shall be in order. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text by this resolution. The previous question shall be considered as ordered on the bill and amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered. After debate,

On motion of Mr. FROST, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

156.9 AVIATION REAUTHORIZATION

The SPEAKER pro tempore, Mr. MAZZOLI, pursuant to House Resolution 457 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4691) to amend the Airport and Airway Improvement Act of 1982 to authorize appropriations for fiscal years 1993 and 1994, and for other purposes.

The SPEAKER pro tempore, Mr. MAZZOLI, by unanimous consent, designated Mr. BARNARD as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. DURBIN, assumed the Chair.

When Mr. BARNARD, Chairman, pursuant to House Resolution 457, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole

House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Airport and Airway Safety, Capacity, and Intermodal Transportation Act of 1992".

SEC. 2. FINDINGS.

Congress finds that—

(1) the Nation's aviation system must be part of an intermodal transportation system consisting of hubs and interconnections with other forms of transportation that will move people and goods in the fastest, most efficient manner;

(2) our Nation's airports are our interconnections with the global economy; expanded flight capacity and greatly improved ground access for passengers and cargo are essential to our Nation's ability to compete in the international marketplace;

(3) without significant additional financial resources, the Nation's airports will be unable to accommodate fully the growing aviation and ground traffic demands of the 1990's;

(4) 27 of the Nation's top 100 airports are now unacceptably congested and the resulting delays in flights are costing our economy billions of dollars a year in lost productivity and undermining the Nation's ability to compete in the global economy;

(5) unless the capacity of our airports is increased substantially, the problem of flight delays will escalate dramatically and, by the year 2000, 40 major airports will be congested and incurring more than 20,000 hours of flight delay a year;

(6) the Nation must undertake an airport improvement and development program costing at least \$7,000,000,000 a year over the next decade just to prevent the problem of airport delay from growing worse in the 21st century;

(7) neither State, local, nor Federal Government can independently finance the needed airport and intermodal development and there must be a combined effort relying on all levels of government;

(8) both the Federal airport improvement program and local passenger facility charge programs are essential to funding the development, as part of an intermodal transportation system, of airports (including necessary ground access eligible for funding under such programs) which meet our Nation's needs;

(9) the Nation's air traffic control system must be modernized with the highest advanced technology to enable it to continue to move traffic safely and efficiently and the necessary development and procurement of capital equipment will cost at least \$18,000,000,000 over the next decade;

(10) the modernization of the air traffic control system will result in productivity and safety benefits of \$257,000,000,000 over the life of the equipment purchased; these benefits include the value of time saved by airline passengers, reductions in airline operating costs, and reduced government expenditures and benefits from increased safety;

(11) there will need to be a continuing increase in staffing for the air traffic control system to enable controllers to handle, safely and efficiently, the increased workload which will arise as air transportation grows over the next decade;

(12) the Federal Government must play a major role in developing our aviation system; full use must be made of the more than \$5,000,000,000 which aviation users contribute to the Airport and Airway Trust Fund each year and the \$7,400,000,000 surplus which has accumulated in the Trust Fund;

(13) although survival of a strong and competitive airline industry is essential to our Nation's economic future—the Nation's air-

lines are in a financial and competitive crisis which threatens our entire aviation system and our Nation's ability to move people; major airlines have lost more than \$6,000,000,000 over the past 2 years; many airlines have merged or discontinued operations; and new entry into the industry has ceased;

(14) the opportunities for new entrants and financially weak airlines to compete successfully can be maximized by the development of new airport capacity, particularly terminal facilities and gates, which will facilitate the ability of new airlines to compete against the airlines which now dominate the facilities at major hub airports;

(15) investment in the aviation transportation infrastructure of the United States will pay immediate and long-term dividends in jobs and economic productivity and provide the foundation for the Nation's continued leadership in the global economic competition of the 21st century;

(16) infrastructure investment differs significantly from other forms of government spending because it creates new wealth for the Nation;

(17) the wealth and economic strength of the United States is in the Nation's infrastructure which provides the foundation for all aspects of life;

(18) failure to invest in the transportation infrastructure, including aviation, has placed the United States in danger of becoming a service-oriented economy, rather than having a strong and independent manufacturing-based economy;

(19) the creation of a national intermodal transportation system is central to the transportation issues of the coming decades and will create the new wealth of the Nation to provide the funds for the Nation to meet the challenges of the 21st century;

(20) our Nation should devote greater efforts to integrating the aviation system with highway and mass transit facilities providing access to airports;

(21) transportation planning, taking account of commerce and land-use patterns, must be improved at all levels and local officials must have a significant role in transportation decisions affecting their areas;

(22) failure to develop an improved intermodal transportation system for the 1990's and the 21st century will result in continuing the two decade trend of decline in United States competitiveness in the global economy and the accompanying decline in the Nation's standard of living;

(23) the safety of the traveling public is of paramount national importance; and

(24) aircraft deicing is an important element of aviation safety and past aircraft incidents suggest that both the Federal Government and private industries should focus on methods to improve aircraft deicing procedures and facilities.

TITLE I—AIRPORT AND AIRWAY IMPROVEMENT ACT AMENDMENTS

SEC. 101. NATIONAL TRANSPORTATION POLICY.

Section 502 of the Airport and Airway Improvement Act of 1982 (49 U.S.C. App. 2201) is amended by adding at the end the following:

"(c) NATIONAL TRANSPORTATION POLICY.—

"(1) It is a goal of the United States to develop a national intermodal transportation system that moves people and goods in an efficient manner. The Nation's future economic direction is dependent on its ability to confront directly the enormous challenges of the global economy, declining productivity growth, energy vulnerability, air pollution, and the need to rebuild the Nation's infrastructure.

"(2) United States leadership in the world economy, the expanding wealth of the Nation, the competitiveness of the Nation's in-