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.

¶56.9 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 airlines 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-

dustry, the standard of living, and the quality of life are at stake.

''(3) A national intermodal transportation system is a coordinated, flexible network of diverse but complementary forms of transportation which moves people and goods in the most efficient manner. By reducing transportation costs, these intermodal systems will enhance United States industry's ability to compete in the global marketplace.

''(4) All forms of transportation, including aviation and other transportation systems of the future, will be full partners in the effort to reduce energy consumption and air pollution while promoting economic development.

''(5) An intermodal transportation system consists of transportation hubs which connect different forms of appropriate transportation and provides users with the most efficient means of transportation and with access to commercial centers, business locations, population centers, and the Nation's vast rural areas, as well as providing links to other forms of transportation and to intercity connections.

''(6) Intermodality and flexibility are paramount issues in the process of developing an integrated system that will obtain the optimum yield of United States resources.

''(7) The United States transportation infrastructure must be reshaped to provide the economic underpinnings for the Nation to compete in the 21st century global economy. The United States can no longer rely on the sheer size of its economy to dominate international economic rivals and must recognize fully that its economy is no longer a separate entity but is part of the global marketplace. The Nation's future economic prosperity depends on its ability to compete in an international marketplace that is teeming with competitors but where a full one-quarter of the Nation's economic activity takes place.

''(8) The United States must make a national commitment to rebuild its infrastructure through development of a national intermodal transportation system. The United States must provide the foundation for its industries to improve productivity and their ability to compete in the global economy with a system that will move people and goods faster in an efficient manner.''.

SEC. 102. AIRPORT IMPROVEMENT PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 505(a) of the Airport and Airway Improvement Act of 1982 (49 U.S.C. App. 2204(a)) is amended—

(1) by striking ''and'' following ''1991,''; and

(2) by inserting before the period at the end of the first sentence the following: '', $15,916,700,000 for fiscal years ending before October 1, 1993, and $18,016,700,000 for fiscal years ending before October 1, 1994''.

(b) OBLIGATIONAL AUTHORITY.—Section 505(b)(1) of such Act is amended by striking ''1992'' and inserting ''1994''.

SEC. 103. AIRWAY IMPROVEMENT PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 506(a)(1) of the Airport and Airway Improvement Act of 1982 (49 U.S.C. App. 2205(a)(1)) is amended—

(1) by striking ''and'' following ''1991'' and inserting a comma; and

(2) by inserting before the period at the end of the first sentence the following: '', $8,200,000,000 for fiscal years ending before October 1, 1993, and $11,100,000,000 for fiscal years ending before October 1, 1994''.

(b) CAPITAL INVESTMENT PLAN AUGMENTATION.—Section 506(a)(2) of such Act is amended to read as follows:

''(2) CAPITAL INVESTMENT PLAN AUGMENTATION.—If the Secretary determines that it is necessary to augment or substantially modify elements of the Airway Capital Investment Plan submitted to Congress under section 504 of this title (including a determination that it is necessary to establish more than 23 area control facilities), there is authorized to be appropriated from the Trust Fund for fiscal year 1994 to carry out such augmentation or modification $100,000,000. Amounts appropriated under this paragraph shall remain available until expended.''.

(c) OTHER EXPENSES.—

(1) EXTENSION.—Section 506(c)(4) of such Act is amended—

(A) in the paragraph heading by striking ''–1992'' and inserting ''–1994''; and

(B) by striking ''and 1992'' and inserting '', 1992, 1993, and 1994''.

(2) CONFORMING AMENDMENT.—Section 506(e)(5) of such Act is amended by striking ''1992'' and inserting ''1994''.

(d) WEATHER SERVICES.—Section 506(d) of such Act is amended by striking the second sentence and inserting the following new sentence: ''Expenditures for the purposes of carrying out this subsection shall be limited to $35,596,000 for fiscal year 1993 and $37,800,000 for fiscal year 1994.''.

SEC. 104. FAA OPERATIONS.

Section 106(k) of title 49, United States Code, is amended—

(1) by striking ''and'' and inserting a comma; and

(2) by inserting before the period at the end the following: '', $4,634,500,000 for fiscal year 1993, and $5,014,500,000 for fiscal year 1994''.

SEC. 105. LINKAGE WITH PASSENGER FACILITY CHARGES PROGRAM.

Paragraph (4) of section 1113(e) of the Federal Aviation Act of 1958 (49 U.S.C. App. 1513(e)(4)) is amended by striking ''under this subsection on or before'' and all that follows through the period at the end of such paragraph and inserting the following: ''under this subsection—

''(A) on or before September 30, 1993—

''(i) if, during fiscal year 1993, the amount available for obligation under section 505 of the Airport and Airway Improvement Act of 1982 is less than $2,000,000,000; or

''(ii) if, during fiscal year 1993, the amount available for obligation under section 419 of this Act is less than $38,600,000; or

''(B) on or before September 30, 1994—

''(i) if, during fiscal year 1994, the amount available for obligation under section 505 of the Airport and Airway Improvement Act of 1982 is less than $2,100,000,000; or

''(ii) if, during fiscal year 1994, the amount available for obligation under section 419 of this Act is less than $38,600,000.

The provisions of this paragraph shall not affect the authority of the Secretary to approve the imposition of a fee or the use of revenues derived from a fee imposed pursuant to an approval made under this subsection by a public agency which has received an approval to impose a fee under this subsection prior to September 30, 1993, in the case of subparagraph (A) or prior to September 30, 1994, in the case of subparagraph (B), regardless of whether such fee is being imposed on the date set forth in such subparagraph.''.

SEC. 106. APPORTIONMENTS.

(a) INCREASE FOR CARGO HUBS.—Section 507(a)(2) of the Airport and Airway Improvement Act of 1982 (49 U.S.C. App. 2206(a)(2)) is amended—

(1) by striking ''3 percent'' and inserting ''4 percent''; and

(2) by striking ''(but not to exceed $50,000,000)''.

(b) LIMITS.—Section 507(b)(1) of such Act is amended by striking ''$300,000 nor more than $16,000,000'' and inserting ''$400,000 nor more than $22,000,000''.

SEC. 107. MILITARY AIRPORTS.

(a) SET-ASIDE.—Section 508(d)(5) of the Airport and Airway Improvement Act of 1982 (49 U.S.C. App. 2207(d)(5)) is amended by inserting after ''1992'' the following: '', not less than 2.25 percent of the funds made available under section 505 in fiscal year 1993, and not less than 2.5 percent of the funds made available under section 505 in fiscal year 1994''.

(b) DESIGNATION.—Section 508(f)(1) of such Act is amended—

(1) by striking ''not more than 8''; and

(2) by striking the second sentence.

(c) CONSTRUCTION OF PARKING LOTS, FUEL FARMS, AND UTILITIES.—

(1) FUNDING.—Section 508(f) of such Act is amended by adding at the end the following new paragraph:

''(6) FUNDING FOR CONSTRUCTION OF PARKING LOTS, FUEL FARMS, AND UTILITIES.—Not to exceed $4,000,000 per airport of the sums to be distributed at the discretion of the Secretary under section 507(c) for fiscal years 1993 and 1994 may be used in the aggregate by the sponsor of a current or former military airport designated by the Secretary under this subsection for construction, improvement, or repair of airport surface parking lots, fuel farms, and utilities.''.

(2) CONFORMING AMENDMENT.—Section 513(c) of such Act is amended by inserting after ''this section'' the following: ''and section 508(f)(6) of this title''.

SEC. 108. NOISE SET-ASIDE.

Section 508(d)(2) of the Airport and Airway Improvement Act of 1982 (49 U.S.C. App. 2207(d)(2)) is amended by adding at the end the following new sentence: ''If the Secretary finds that one or more units of local government in the areas surrounding primary airports have adopted control measures that ensure or are likely to ensure land use compatible with such airports, the Secretary shall make available to carry out such planning and programs to sponsors of such airports and to such units of local government not less than an additional 2.5 percent of the funds made available under section 505.''.

SEC. 109. MAXIMUM OBLIGATION OF THE UNITED STATES.

Section 512(b) of the Airport and Airway Improvement Act of 1982 (49 U.S.C. App. 2211(b)) is amended by striking the period at the end of paragraph (3) and inserting the following: ''; except that, for fiscal year 1993 and thereafter, the maximum obligation of the United States may be increased for an airport, other than a primary airport, by an amount not to exceed 25 percent of the total increase in allowable project costs attributable to an acquisition of land or interests in land, based on current credible appraisals or a court award in a condemnation proceeding.''.

SEC. 110. DISADVANTAGED BUSINESS ENTERPRISE.

(a) ASSURANCE.—Section 511(a)(17) of the Airport and Airway Improvement Act of 1982 (49 U.S.C. App. 2210(a)(17)) is amended by inserting after ''or other consumer products'' the following: ''or which provide ground transportation, baggage carts, automobile rentals, or other consumer services''.

(b) ADMINISTRATION OF DBE ASSURANCE.—Section 511 of such Act is further amended by adding at the end the following new subsection:

''(h) ADMINISTRATION OF DBE ASSURANCE.—

''(1) MANAGEMENT CONTRACTS; PURCHASE OF GOODS AND SERVICES.—In administering subsection (a)(17) of this section, the Secretary may allow an airport operator or owner to meet the 10 percent goal set forth in such subsection by including businesses operated through management contracts or by including the purchase of goods or services which are used in a business conducted on the airport, if the Secretary finds that it would not be practicable for such business to be included toward compliance with such goal through direct ownership arrangements. In

appropriate cases, the Secretary may determine, by regulation, that the inclusions specified in the preceding sentence will be allowed for particular types of businesses at all airports.

''(2) LIMITATION WITH RESPECT TO CORPORATE STRUCTURE.—Nothing in this subsection and subsection (a)(17) of this section shall require a corporation to change its corporate structure to provide for direct ownership arrangements in order to meet the requirements of this subsection and subsection (a)(17).

''(3) EXCLUSION OF AIR CARRIER SERVICES.—Air carriers in providing passenger or freight-carrying services and other businesses that conduct aeronautical activities at an airport shall not be included in the 10 percent goal set forth in subsection (a)(17) of this section for participation of small business concerns at the airport.''.

(c) BASIC PROGRAM.—Section 505(d)(2)(A) of such Act (49 U.S.C. App. 2204(d)(2)(A)) is amended by striking ''$14,000,000'' and inserting ''$16,015,000''.

(d) REGULATIONS.—Not later than the 180th day following the date of the enactment of this Act, the Secretary of Transportation shall issue regulations to carry out sections 511(a)(17) and 511(h) of the Airport and Airway Improvement Act of 1982, as amended by subsections (a) and (b) of this section, relating to the disadvantaged business enterprise assurance.

SEC. 111. TERMINAL DEVELOPMENT.

(a) ALLOWABLE PROJECT COSTS.—Section 513(b)(1) of the Airport and Airway Improvement Act of 1982 (49 U.S.C. App. 2212(b)(1)) is amended by adding at the end the following new sentence: ''In the case of a commercial service airport which annually has .05 percent or less of the total enplanements in the United States, the Secretary may approve, under the preceding sentence as allowable project costs of a project for airport development at such airport, terminal development in revenue-producing areas and construction, reconstruction, repair, and improvement of nonrevenue-producing parking lots if the sponsor certifies that no project for needed airport development affecting safety, security, or capacity will be deferred by such approval.''.

(b) FEDERAL SHARE.—Section 513(b)(5) of such Act is amended by inserting before the period at the end the following: ''; except that the United States share of project costs allowable for any project under such paragraph at a commercial service airport which annually has .05 percent or less of the total enplanements in the United States shall be 85 percent''.

SEC. 112. LETTERS OF INTENT.

Section 513(d)(1) of the Airport and Airway Improvement Act of 1982 (49 U.S.C. App. 2212(d)(1)) is amended by adding at the end the following new subparagraph:

''(G) OTHER CONSIDERATIONS.—A letter of intent issued under this paragraph shall not condition the obligation of any funds on the imposition of a passenger facility charge.''.

SEC. 113. AIRPORT DEVELOPMENT DEFINED.

(a) AIRCRAFT DEICING EQUIPMENT.—Section 503(a)(2)(B) of the Airport and Airway Improvement Act of 1982 (49 U.S.C. App. 2202(a)(2)(B)) is amended—

(1) by striking ''or'' at the end of clause (v);

(2) by inserting ''or'' after the semicolon at the end of clause (vi); and

(3) by inserting after clause (vi) the following:

''(vii) aircraft deicing equipment and structures (other than aircraft deicing fluids and storage facilities for such equipment and fluids);''.

(b) CONTROL TOWER AND NAVIGATIONAL AIDS RELOCATION; MEETING MANDATES OF CERTAIN FEDERAL LAWS; AIRCRAFT DEICING FACILITIES.—Section 503(a)(2) of such Act is further amended—

(1) by striking ''and'' at the end of subparagraph (C);

(2) by striking the period at the end of subparagraph (D) and inserting a semicolon; and

(3) by adding at the end the following new subparagraphs:

''(E) the relocation of an air traffic control tower and any navigational aid (including radar) if such relocation is necessary to carry out a project approved by the Secretary under this title;

''(F) any construction, reconstruction, repair, or improvement of an airport (or any purchase of capital equipment for an airport) which is necessary for compliance with the responsibilities of the operator or owner of the airport under the Americans with Disabilities Act of 1990, the Clean Air Act, and the Federal Water Pollution Control Act with respect to the airport, other than construction or purchase of capital equipment which would primarily benefit a revenue producing area of the airport used by a nonaeronautical business; and

''(G) any acquisition of land for, or work necessary to construct, a pad suitable for deicing aircraft prior to takeoff at a commercial service airport, including construction or reconstruction of paved areas, drainage collection structures, treatment and discharge systems, appropriate lighting, and paved access for deicing vehicles and aircraft, but excluding acquisition of aircraft deicing equipment and fluids and construction and reconstruction of storage facilities for such equipment and fluids.''.

SEC. 114. EXTENSION OF STATE BLOCK GRANT PILOT PROGRAM.

(a) EXTENSION.—Section 534(a) of the Airport and Airway Improvement Act of 1982 (49 U.S.C. 2227(a)) is amended by striking ''1992'' and inserting ''1994''.

(b) PARTICIPATING STATES.—Section 534(b) of such Act is amended—

(1) by striking ''3'' and inserting ''7''; and

(2) by adding at the end the following new sentence: ''The 7 States to be selected for participation in the program in fiscal years 1993 and 1994 shall include the 3 States selected for the participation in the program in fiscal year 1992 (Illinois, Missouri, and North Carolina).''.

(c) REPORT.—Section 534(d) of such Act is amended by striking ''1992'' and inserting ''1995''.

SEC. 115. EXTENSION OF CERTAIN RESTRICTIONS ON CONTRACT AND GRANT AWARDS.

(a) PROHIBITION AGAINST FRAUDULENT USE OF ''MADE IN AMERICA'' LABELS.—Section 9130 of the Aviation Safety and Capacity Expansion Act of 1990 (49 U.S.C. App. 2226b) is amended by inserting '', section 106(k) of title 49, United States Code, or the Airport and Airway Improvement Act of 1982 (other than section 506(b))'' after ''subtitle''.

(b) FOREIGN GOVERNMENTS DISCRIMINATING AGAINST U.S. PRODUCTS.—Section 9131 of such Act (49 U.S.C. App. 2226c) is amended by inserting '', section 106(k) of title 49, United States Code, or the Airport and Airway Improvement Act of 1982 (other than section 506(b))'' after ''subtitle''.

SEC. 116. ACQUISITION OR CONSTRUCTION OF FACILITIES FOR ADVANCED TRAINING OF MAINTENANCE TECHNICIANS FOR AIR CARRIER AIRCRAFT.

(a) GRANTS.—The Administrator of the Federal Aviation Administration may make grants to not to exceed 4 vocational technical institutions for the purpose of acquiring or constructing facilities to be used for the advanced training of maintenance technicians for air carrier aircraft.

(b) ELIGIBILITY CRITERIA.—The Administrator may only make a grant under this section to a vocational technical educational institution if such institution has a training curriculum which prepares aircraft maintenance technicians who hold an airframe and power plant certificate issued under subpart D of part 65 of title 14 of the Code of Federal Regulations to maintain, without direct supervision, air carrier aircraft.

(c) LIMITATION ON AMOUNTS OF GRANTS.—The maximum amount of Federal funds which a vocational technical educational institution may receive, in the aggregate, through grants made under this section shall be $5,000,000.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated, from the Airport and Airway Trust Fund, such sums as may be necessary for carrying out this section for fiscal years 1993 and 1994. Such sums shall remain available until expended.

SEC. 117. AIR TRAFFIC CONTROLLER STAFFING.

The Administrator of the Federal Aviation Administration shall develop and submit annually to the Committee on Public Works and Transportation of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the staffing standards used to determine the number of air traffic controllers needed to operate the air traffic control system of the United States, a 3-year projection of the number of air traffic controllers needed to be employed to operate such system to meet such standards, and a detailed plan for employing such controllers, including projected budget requests.

SEC. 118. MINIMUM NUMBER OF AIR TRAFFIC CONTROLLERS.

The Administrator of the Federal Aviation Administration shall hire such additional persons as are necessary to make the number of persons employed in the air traffic control work force of such Administration on September 30, 1993, not less than 18,128.

SEC. 119. LIMITATION ON PRIVATIZATION OF OPERATION OF CERTAIN AIRPORT CONTROL TOWERS.

The Administrator of the Federal Aviation Administration shall not enter into any contract on or before September 30, 1994, with a private person for operation of an airport control tower at any airport which in fiscal year 1990 had 5,500 or more air carrier operations and 40,000 or more air taxi operations unless the owner or operator of such airport first agrees, in writing, to the Administrator entering into such contract.

SEC. 120. STUDY ON REFLECTORIZATION OF TAXIWAY AND RUNWAY MARKINGS.

(a) STUDY.—The Secretary of Transportation shall conduct a study to determine whether the safety benefits derived from the reflectorization of runways and taxiways of all military airfields under Federal Specification TT–B–1325B should be extended to runways and taxiways of public use airports.

(b) REPORT.—Not later than December 31, 1992, the Secretary shall transmit to Congress a report on the results of the study conducted under this section, together with recommendations concerning requirements for upgraded reflectorization of runways and taxiways at public use airports.

SEC. 121. LANDBANKING AND OPTIONS TO PURCHASE LAND.

(a) STUDY.—The Secretary of Transportation shall conduct a study on the following types of projects:

(1) LANDBANKING.—The purchase of land for airport development to be carried out more than 5 years after the date of the purchase.

(2) OPTIONS TO PURCHASE.—The purchase of options to purchase land for airport development.

(b) CONTENT.—In conducting the study under subsection (a), the Secretary shall examine the following:

(1) ELIGIBILITY FOR FUNDING.—Whether or not the projects described in paragraphs (1) and (2) of subsection (a) should be eligible for funding under the Airport Improvement Program.

(2) CONDITIONS.—If the projects described in paragraphs (1) and (2) of subsection (a) become eligible for funding under the Airport Improvement Program—

(A) whether or not certain limitations should be imposed on such projects;

(B) whether or not priority should be afforded to the funding of such projects in relation to other airport development projects; and

(C) whether or not certain environmental requirements should be imposed on such projects.

(c) REPORT.—Not later than December 31, 1993, the Secretary shall transmit to Congress a report on the results of the study conducted under subsection (a), together with any appropriate recommendations for legislative and administrative action.

SEC. 122. LIGHTING SYSTEMS FOR AIRCRAFT OBSTRUCTIONS AND AIRPORT RUNWAYS.

(a) STUDY.—The Secretary of Transportation shall conduct a study to assess the current Federal program for monitoring the installation and operation of lighting systems for aircraft obstructions and airport runways.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall transmit to the Committee on Public Works and Transportation of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the results of the study conducted under this section, together with recommendations on methods to ensure that the best available technologies are utilized in lighting systems described in subsection (a).

SEC. 123. ECONOMIC BENEFITS OF AIRPORT DEVELOPMENT PROJECTS.

(a) STUDY.—The Secretary of Transportation shall conduct a study to assess the economic benefits of carrying out airport development projects in areas designated as ''redevelopment areas'' under section 401 of the Public Works and Economic Development Act of 1965.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall transmit to Congress a report containing the results of the study conducted under subsection (a), together with recommendations on whether or not airport development projects in areas described in subsection (a) should receive priority consideration in the distribution of grants under the Airport Improvement Program.

SEC. 124. SOUNDPROOFING OF CERTAIN RESIDENTIAL BUILDINGS IN AREAS SURROUNDING AIRPORTS.

During the 2-year period beginning on the date of the enactment of this Act, the Secretary may make grants under section 104(c)(2) of the Aviation Safety and Noise Abatement Act of 1979 for projects to soundproof residential buildings—

(1) if the operator of the airport involved received approval for a grant for a project to soundproof residential buildings under section 301(d)(4)(B) of the Airport and Airway Safety and Capacity Expansion Act of 1987;

(2) if the operator of the airport involved submits updated noise exposure contours, as required by the Secretary; and

(3) if the Secretary determines that the proposed projects are compatible with the purposes of the Aviation Safety and Noise Abatement Act of 1979.

SEC. 125. LAREDO INTERNATIONAL AIRPORT, LAREDO, TEXAS.

Section 313(c)(2)(C) of the Airport and Airway Safety and Capacity Expansion Act of 1987 (101 Stat. 1531) is amended by striking ''20 years'' and inserting ''40 years''.

SEC. 126. STUDY OF SMALL AIRPORT RUNWAY MAINTENANCE.

(a) STUDY.—The Secretary of Transportation shall conduct a study to assess the ability of airports which annually enplane .05 percent or less of total enplanements in the United States to finance the maintenance of runways, aprons and taxiways constructed under the Airport Improvement Program, whether or not it would be desirable to make maintenance of runways, aprons, and taxiways eligible to receive grants under the Airport Improvement Program, and whether or not the result of making such maintenance eligible would be to reduce the long-term costs of airport development.

(b) REPORT.—Not later than one year after the date of enactment of this Act, the Secretary shall transmit to Congress a report containing the results of the study conducted under subsection (a), together with recommendations.

TITLE II—FEDERAL AVIATION ACT AMENDMENTS

SEC. 201. PROCUREMENT REFORM.

(a) IN GENERAL.—Section 303 of the Federal Aviation Act of 1958 (49 U.S.C. App. 1344) is amended by adding at the end the following new subsections:

''(g) LIMITED SOURCES OF PROCUREMENT.—The Administrator shall have the same authority as the Administrator would have under section 2304(c)(1) of title 10, United States Code, if the Federal Aviation Administration were an agency listed under section 2303(a) of title 10, United States Code.

''(h) CONTRACT TOWER PROGRAM.—The Administrator may enter into a contract, on a sole source basis, with a State or political subdivision thereof for the purpose of permitting such State or political subdivision to operate an airport traffic control tower classified as a level I visual flight rules tower by the Administrator if the Administrator determines that the State or political subdivision has the capability to comply with the requirements of this subsection. Any such contract shall require that the State or political subdivision comply with all applicable safety regulations in its operation of the facility and with applicable competition requirements in the subcontracting of any work to be performed under the contract.''.

(b) CONFORMING AMENDMENT.—The portion of the table of contents contained in the first section of such Act relating to section 303 is amended by adding at the end the following:

''(g) Limited sources of procurement.

''(h) Contract tower program.''.

SEC. 202. CREDIT FOR FEES.

Section 313(f)(4) of the Federal Aviation Act of 1958 (49 U.S.C. App. 1354(f)(4)) is amended by inserting ''or as a charge permitted under section 334 of title 49, United States Code,'' after ''subsection''.

SEC. 203. AVIATION SECURITY TRAINING.

Section 316(c) of the Federal Aviation Act of 1958 (49 U.S.C. 1357(c)) is amended by inserting ''(1)'' after ''(c)'' and by adding at the end the following new paragraph:

''(2) REIMBURSEMENT FOR CERTAIN EXPENSES.—At the discretion of the Administrator, reimbursement may be made for travel, transportation, and subsistence expenses for the security training of non-Federal domestic and foreign security personnel whose services will contribute significantly to carrying out civil aviation security programs under this section. To the extent practicable, air travel reimbursed under this paragraph shall be conducted on United States air carriers.''.

SEC. 204. NOTICE OF CONSTRUCTION.

Section 1101(a) of the Federal Aviation Act of 1958 (49 U.S.C. App. 1501(a)) is amended—

(1) by inserting after ''of the construction or alteration,'' the following: ''or the establishment or expansion,'';

(2) by inserting after ''or of the proposed construction or alteration,'' the following: ''or of the proposed establishment or expansion,''; and

(3) by inserting ''or sanitary landfill'' after ''structure''.

SEC. 205. NATIONAL COMMISSION TO PROMOTE A STRONG AND COMPETITIVE AIRLINE INDUSTRY.

(a) FINDINGS.—Congress finds the following:

(1) The Nation's airlines must be part of an intermodal transportation system that will move people and goods in the fastest, most efficient manner.

(2) The Nation's airlines provide our connections with the global economy; a strong airline industry is essential to our Nation's ability to compete in the international marketplace.

(3) The Nation's airlines are in a state of financial distress, having lost more than $6,000,000,000 in 1990 and 1991. These losses threaten the ability of our airlines to accommodate the growing aviation traffic demands of the 1990's which threaten to undermine our Nation's ability to compete in the global economy.

(4) Because of the airline industry's financial distress and the absence of government policies to promote competition, there has been a precipitous decline in the number of major airlines. Of the 22 airlines which entered the industry following airline deregulation, only 2 are now operating. The rest have either gone out of business or merged with other carriers.

(5) Concentration in the airline industry has advanced rapidly in the past few years. The top 4 major airlines now control 67 percent of aviation traffic and the top 7 airlines now control 91 percent of aviation traffic. Three major airlines, carrying 19 percent of aviation traffic, are in chapter 11 bankruptcy and their survival is in doubt.

(6) The continued success of a deregulated airline system requires the spur of effective actual and potential competition to force airlines to provide high quality service at the lowest possible fares.

(7) Further reductions in the number of major airlines may leave the industry without sufficient competition to ensure a continuation of the benefits consumers have received under airline deregulation.

(b) ESTABLISHMENT.—There is established a commission to be known as the ''National Commission to Ensure a Strong Competitive Airline Industry'' (in this section referred to as the ''Commission'').

(c) FUNCTIONS.—The Commission shall make a complete investigation and study of the financial condition of the airline industry, the adequacy of competition in the airline industry, and legal impediments to a financially strong and competitive airline industry. Based on such investigation and study, the Commission shall recommend those policies which need to be adopted to achieve the national goal of a strong and competitive airline system which will facilitate the ability of our Nation to compete in the global economy, provide adequate levels of competition and service at reasonable fares at cities of all sizes, and provide a stable work environment for its employees. In carrying out such study and investigation the Commission shall take into account aircraft noise abatement, a priority established by Congress by enactment of the Airport Noise and Capacity Act of 1990.

(d) SPECIFIC MATTERS TO BE ADDRESSED.—The Commission shall specifically investigate and study the following:

(1) FINANCIAL CONDITION OF AIRLINE INDUSTRY.—The Commission shall determine the current financial condition of the airline industry and how the industry's financial condition is likely to change over the next 5 years. The issues to be considered shall include the following: the profits or losses likely to be achieved by the airline industry over the next 5 years; whether or not any profits realized will be adequate to permit airlines to acquire the capital equipment necessary to meet the demand of the traveling public in a safe and efficient manner, while complying with environmental regulations; and whether or not any major airlines are likely to fail or sell major assets in order to survive.

(2) ADEQUACY OF COMPETITION.—The Commission shall investigate the current state of competition in the airline industry, how the structure of airline industry competition is likely to change over the next 5 years, and whether or not the expected level of competition will be sufficient to continue the consumer benefits of airline deregulation.

(3) LEGAL IMPEDIMENTS TO A FINANCIALLY STRONG AND COMPETITIVE AIRLINE INDUSTRY.—The Commission shall examine whether the Federal Government should take any legislative or administrative actions to improve the financial conditions of the airline industry or to enhance airline competition. The matters to be investigated shall include whether or not any changes are needed in the legal and administrative policies which govern—

(A) the initial award and the transfer of international airline routes;

(B) the allocation of slots at high density airports;

(C) the allocation of gates, particularly at airports dominated by 1 or a limited number of airlines;

(D) frequent flier programs;

(E) airline computer reservations systems;

(F) the rights of foreign investors to invest in United States airlines;

(G) the taxes and user fees imposed on United States airlines;

(H) the regulatory responsibilities imposed on United States airlines;

(I) the bankruptcy laws of the United States and related fitness rules administered by the Department of Transportation as they apply to airlines; and

(J) the obligations of failing airlines to meet pension obligations.

(4) INTERNATIONAL AVIATION POLICY.—The Commission shall investigate whether or not the policies and strategies followed by the United States in international aviation are promoting the ability of United States airlines to achieve long-term competitive success in international markets. The matters to be investigated shall include the following: the Government's general negotiating policy; the desirability of multilateral rather than bilateral negotiations; whether or not foreign countries have developed the necessary infrastructure of airports and airways to enable our airlines to provide the service needed to meet the demand for aviation service between the United States and such countries; the rights granted foreign airlines to provide service in United States domestic markets (''cabotage''); and the rights granted foreign investors to invest in United States airlines.

(e) MEMBERSHIP.—

(1) APPOINTMENT.—The Commission shall be composed of 11 members as follows:

(A) 3 members appointed by the President.

(B) 2 members appointed by the Speaker of the House of Representatives.

(C) 2 members appointed by the minority leader of the House of Representatives.

(D) 2 members appointed by the majority leader of the Senate.

(E) 2 members appointed by the minority leader of the Senate.

(2) QUALIFICATIONS.—Members appointed pursuant to paragraph (1) shall be appointed from among individuals who are experts in transportation policy (including representatives of Federal, State, and local governments and other public authorities owning or operating airports) and organizations representing airlines, passengers, shippers, airline employees, aircraft manufacturers, general aviation, and the financial community. Members appointed pursuant to paragraph (1) shall be appointed in a manner such that the interests of both large hub airports and small airports with commercial air service will be taken into consideration.

(3) TERMS.—Members shall be appointed for the life of the Commission.

(4) VACANCIES.—A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(5) TRAVEL EXPENSES.—Members shall serve without pay but shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(6) CHAIRMAN.—The Chairman of the Commission shall be elected by the members.

(f) STAFF.—The Commission may appoint and fix the pay of such personnel as it considers appropriate.

(g) STAFF OF FEDERAL AGENCIES.—Upon request of the Commission, the head of any department or agency of the United States may detail, on a reimbursable basis, any of the personnel of that department or agency to the Commission to assist it in carrying out its duties under this section.

(h) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out its responsibilities under this section.

(i) OBTAINING OFFICIAL DATA.—The Commission may secure directly from any department or agency of the United States information (other than information required by any statute of the United States to be kept confidential by such department or agency) necessary for the Commission to carry out its duties under this section. Upon request of the Commission, the head of that department or agency shall furnish such nonconfidential information to the Commission.

(j) REPORT.—Not later than May 1, 1993, the Commission shall transmit to Congress a final report on the results of the investigation and study conducted under this section.

(k) TERMINATION.—The Commission shall terminate on the 180th day following the date of transmittal of the report under subsection (j). All records and papers of the Commission shall thereupon be delivered by the Administrator of General Services for deposit in the National Archives.

TITLE III—RESEARCH, ENGINEERING, AND DEVELOPMENT

SEC. 301. SHORT TITLE.

This title may be cited as the ''Federal Aviation Administration Research, Engineering, and Development Authorization Act of 1992''.

SEC. 302. AVIATION RESEARCH AUTHORIZATION OF APPROPRIATIONS.

Section 506(b)(2) of the Airport and Airway Improvement Act of 1982 (49 U.S.C. App. 2205(b)(2)) is amended by striking subparagraph (A) and all that follows and inserting in lieu thereof the following:

''(A) for fiscal year 1993—

''(i) $14,700,000 solely for management and analysis projects and activities;

''(ii) $87,000,000 solely for capacity and air traffic management technology projects and activities;

''(iii) $28,000,000 solely for communications, navigation, and surveillance projects and activities;

''(iv) $7,700,000 solely for weather projects and activities;

''(v) $6,800,000 solely for airport technology projects and activities;

''(vi) $44,000,000 solely for aircraft safety technology projects and activities;

''(vii) $41,100,000 solely for system security technology projects and activities;

''(viii) $31,000,000 solely for human factors and aviation medicine projects and activities;

''(ix) $4,500,000 for environment and energy projects and activities; and

''(x) $5,200,000 for innovative/cooperative research projects and activities; and

''(B) for fiscal year 1994, $297,000,000.

Not less than 15 percent of the amount appropriated pursuant to this paragraph shall be for long-term research projects, and not less than 3 percent of the amount appropriated under this paragraph shall be available to the Administrator for making grants under section 312(g) of the Federal Aviation Act of 1958.''.

SEC. 303. DEICING STUDY.

Not later than 6 months after the date of enactment of this Act, the Secretary of Transportation shall report to the Congress on the feasibility of requiring commercial airports and/or commercial airlines to employ portable equipment to deice commercial aircraft immediately prior to takeoff by placing deicing equipment close to the departure end of the active runway. In addition, the Secretary shall undertake research to develop new techniques and to develop more efficient fluids and technologies for deicing.

SEC. 304. AIRCRAFT NOISE RESEARCH PROGRAM.

(a) ESTABLISHMENT.—The Administrator of the Federal Aviation Administration and the Administrator of the National Aeronautics and Space Administration shall jointly conduct a research program to develop new technologies for quieter subsonic jet aircraft engines and airframes.

(b) GOAL.—The goal of the research program established by subsection (a) is to develop by the year 2000 technologies for subsonic jet aircraft engines and airframes which would permit a subsonic jet aircraft to operate at reduced noise levels.

(c) PARTICIPATION.—In carrying out the program established by subsection (a), the Administrator of the Federal Aviation Administration and the Administrator of the National Aeronautics and Space Administration shall encourage the participation of representatives of the aviation industry and academia.

(d) REPORT TO CONGRESS.—The Administrator of the Federal Aviation Administration and the Administrator of the National Aeronautics and Space Administration shall jointly submit to Congress, on an annual basis during the term of the program established by subsection (a), a report on the progress being made under the program toward meeting the goal described in subsection (b).

SEC. 305. USE OF DOMESTIC PRODUCTS.

(a) PROHIBITION AGAINST FRAUDULENT USE OF ''MADE IN AMERICA'' LABELS.—(1) A person shall not intentionally affix a label bearing the inscription of ''Made in America'', or any inscription with that meaning, to any product sold in or shipped to the United States, if that product is not a domestic product.

(2) A person who violates paragraph (1) shall not be eligible for any contract for a procurement carried out with amounts authorized under this title, including any sub-

contract under such a contract pursuant to the debarment, suspension, and ineligibility procedures in subpart 9.4 of chapter 1 of title 48, Code of Federal Regulations, or any successor procedures thereto.

(b) COMPLIANCE WITH BUY AMERICAN ACT.—(1) Except as provided in paragraph (2), the head of each agency which conducts procurements shall ensure that such procurements are conducted in compliance with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a through 10c, popularly known as the ''Buy American Act'').

(2) This subsection shall apply only to procurements made for which—

(A) amounts are authorized by this title to be made available; and

(B) solicitations for bids are issued after the date of enactment of this Act.

(3) The Secretary of Transportation, before January 1, 1994, shall report to the Congress on procurements covered under this subsection of products that are not domestic products.

(c) DEFINITIONS.—For the purposes of this section, the term ''domestic product'' means a product—

(1) that is manufactured or produced in the United States; and

(2) at least 50 percent of the cost of the articles, materials, or supplies of which are mined, produced, or manufactured in the United States.

TITLE IV—EXTENSION OF AIRPORT AND AIRWAY TRUST FUND

SEC. 401. EXTENSION OF AIRPORT AND AIRWAY TRUST FUND.

(a) IN GENERAL.—Paragraph (1) of section 9502(d) of the Internal Revenue Code of 1986 (relating to expenditures from Airport and Airway Trust Fund) is amended—

(1) by striking ''October 1, 1992'' and inserting ''October 1, 1994'', and

(2) by striking in subparagraph (A) ''(as such Acts were in effect on the date of the enactment of the Aviation Safety and Capacity Expansion Act of 1990)'' and inserting ''or any Act which contains only provisions which are substantially identical to provisions contained in H.R. 4691 of the 102d Congress, as reported by the Committee on Public Works and Transportation or H.R. 4557 of the 102d Congress, as reported by the Committee on Science, Space, and Technology (as such Acts were in effect on the date of the enactment of the last-enacted Act referred to in this subparagraph)''.

SEC. 402. CLARIFICATION OF TRUST FUND REVENUES.

(a) IN GENERAL.—Paragraph (1) of section 9502(e) of the Internal Revenue Code of 1986 (relating to special rules for transfers into trust fund) is amended to read as follows:

''(1) INCREASES IN TAX REVENUES BEFORE 1993 TO REMAIN IN GENERAL FUND.—In the case of taxes imposed before January 1, 1993, the amounts required to be appropriated under paragraphs (1), (2), and (3) of subsection (b) shall be determined without regard to any increase in a rate of tax enacted by the Revenue Reconciliation Act of 1990.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in section 11213 of the Revenue Reconciliation Act of 1990 on the date of the enactment of such Act.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. DURBIN, announced that the yeas had it.

Mr. ROE 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 vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 410 / Nays 2

¶56.10 [Roll No. 127]

YEAS—410

Abercrombie, Ackerman, Alexander, Allard, Andrews (ME), Andrews (NJ), Andrews (TX), Annunzio, Applegate, Archer, Armey, Aspin, Bacchus, Baker, Ballenger, Barnard, Barrett, Barton, Bateman, Beilenson, Bennett, Bentley, Bereuter, Berman, Bevill, Bilbray, Bilirakis, Blackwell, Bliley, Boehlert, Boehner, Bonior, Borski, Boucher, Brewster, Brooks, Browder, Brown, Bruce, Bryant, Bunning, Burton, Bustamante, Byron, Callahan, Camp, Campbell (CO), Cardin, Carper, Carr, Chandler, Chapman, Clay, Clement, Clinger, Coble, Coleman (MO), Coleman (TX), Collins (IL), Collins (MI), Combest, Condit, Conyers, Cooper, Costello, Coughlin, Cox (CA), Cox (IL), Coyne, Cramer, Cunningham, Darden, Davis, de la Garza, DeFazio, DeLauro, DeLay, Dellums, Derrick, Dickinson, Dicks, Dingell, Dixon, Dooley, Doolittle, Dorgan (ND), Dornan (CA), Downey, Dreier, Duncan, Durbin, Dwyer, Dymally, Early, Eckart, Edwards (CA), Edwards (TX), Emerson, Engel, English, Erdreich, Espy, Evans, Ewing, Fascell, Fawell, Fazio, Fields, Fish, Flake, Foglietta, Ford (MI), Ford (TN), Frank (MA), Franks (CT), Frost, Gallegly, Gallo, Gaydos, Gejdenson, Gekas, Geren, Gibbons, Gilchrest, Gillmor, Gilman, Gingrich, Glickman, Gonzalez, Goodling, Gordon, Goss, Gradison, Green, Guarini, Gunderson, Hall (OH), Hall (TX), Hamilton, Hammerschmidt, Hancock, Hansen, Harris, Hastert, Hayes (IL), Hayes (LA), Hefley, Hefner, Henry, Herger, Hertel, Hoagland, Hobson, Hochbrueckner, Holloway, Hopkins, Horn, Horton, Houghton, Hoyer, Hubbard, Huckaby, Hughes, Hunter, Hutto, Hyde, Inhofe, Ireland, Jacobs, James, Jefferson, Jenkins, Johnson (CT), Johnson (SD), Johnson (TX), Johnston, Jones (NC), Jontz, Kanjorski, Kaptur, Kasich, Kennedy, Kennelly, Kildee, Kleczka, Klug, Kolbe, Kolter, Kostmayer, Kyl, LaFalce, Lagomarsino, Lancaster, Lantos, LaRocco, Laughlin, Leach, Lehman (CA), Lehman (FL), Lent, Levin (MI), Lewis (CA), Lewis (FL), Lewis (GA), Lightfoot, Lipinski, Livingston, Lloyd, Long, Lowery (CA), Lowey (NY), Luken, Machtley, Manton, Martin, Martinez, Matsui, Mavroules, Mazzoli, McCandless, McCloskey, McCollum, McCrery, McDade, McDermott, McEwen, McGrath, McHugh, McMillan (NC), McMillen (MD), McNulty, Meyers, Mfume, Michel, Miller (CA), Miller (OH), Miller (WA), Mineta, Mink, Moakley, Molinari, Mollohan, Montgomery, Moody, Moorhead, Moran, Morella, Morrison, Mrazek, Murphy, Murtha, Myers, Nagle, Natcher, Neal (MA), Neal (NC), Nichols, Nowak, Nussle, Oakar, Oberstar, Obey, Olin, Olver, Ortiz, Orton, Owens (NY), Owens (UT), Oxley, Packard, Pallone, Panetta, Parker, Pastor, Patterson, Paxon, Payne (NJ), Payne (VA), Pease, Pelosi, Penny, Perkins, Peterson (FL), Peterson (MN), Petri, Pickett, Pickle, Porter, Poshard, Price, Quillen, Rahall, Ramstad, Rangel, Ravenel, Ray, Reed, Regula, Rhodes, Richardson, Ridge, Riggs, Rinaldo, Ritter, Roberts, Roe, Roemer, Rogers, Rohrabacher, Ros-Lehtinen, Rose, Rostenkowski, Roth, Roukema, Rowland, Roybal, Russo, Sabo, Sanders, Sangmeister, Santorum, Sarpalius, Savage, Sawyer, Saxton, Schaefer, Scheuer, Schiff, Schroeder, Schulze, Schumer, Sensenbrenner, Serrano, Sharp, Shaw, Shays, Shuster, Sikorski, Sisisky, Skaggs, Skeen, Skelton, Slattery, Slaughter, Smith (FL), Smith (IA), Smith (NJ), Smith (OR), Smith (TX), Snowe, Solarz, Solomon, Spence, Spratt, Staggers, Stallings, Stark, Stearns, Stenholm, Stokes, Studds, Stump, Sundquist, Swett, Swift, Synar, Tallon, Tanner, Tauzin, Taylor (MS), Taylor (NC), Thomas (CA), Thomas (GA), Thomas (WY), Thornton, Torres, Torricelli, Towns, Traficant, Traxler, Unsoeld, Upton, Valentine, Vander Jagt, Vento, Visclosky, Volkmer, Vucanovich, Walker, Walsh, Washington, Waters, Waxman, Weiss, Weldon, Wheat, Whitten, Williams, Wilson, Wise, Wolf, Wolpe, Wyden, Wylie, Yates, Yatron, Young (AK), Young (FL), Zeliff, Zimmer

NAYS—2

Atkins, Crane

NOT VOTING—22

Allen, Anderson, Anthony, AuCoin, Boxer, Broomfield, Campbell (CA), Dannemeyer, Donnelly, Edwards (OK), Feighan, Gephardt, Grandy, Hatcher, Jones (GA), Kopetski, Levine (CA), Markey, Marlenee, McCurdy, Pursell, Weber

So the bill was passed.

A motion to reconsider the vote whereby 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.

¶56.11 S. 1306—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. COLLINS of Michigan, pursuant to clause 5, rule I, announced the unfinished business to be the motion to suspend the rules and agree to the conference report on the bill of the Senate (S. 1306) to amend title V of the Public Health Service Act to revise and extend certain programs, to restructure the Alcohol, Drug Abuse and Mental Health Administration, and for other purposes.

The question being put,

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

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 264 / Nays ..... 148 / Answered present 1