

reauthorization conference report, and as a result of that delay we have threats to radar, air traffic control equipment, navigation equipment, landing systems equipment that remedies air traffic control outages, Doppler radar for wind shear, research and development, advancement of explosive detection systems, human factor research, aging aircraft.

This is big. This is important legislation, and it is, over 2 years, \$19 billion for infrastructure security and safety.

This would be a senseless roll of the dice, if we did not invoke cloture this morning, bring this filibuster to a conclusion and move this legislation on through.

I remind my colleagues the House has already acted responsibly, overwhelmingly moved this legislation, and they are gone. What would be the situation if we did not bring this filibuster to a conclusion this morning? We would not have any legislation, or if we had legislation that made changes it would go back to the House and there is great concern about when or if they would be able to get action on this legislation. We should act together this morning and end this filibuster and pass this legislation.

Now, one other point. I do not understand the attacks on Federal Express. This is an outstanding company headed by an outstanding individual. They are providing services that 30 years ago we could not even comprehend. They are doing a great job, and yet they are being attacked as if they are some sort of villain. It is absolutely wrong, the rhetoric we have had to listen to over the past 3 days on a technical point.

Mr. President, I ask unanimous consent that a list of what is involved in this legislation be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

HIGHLIGHTS OF FAA REAUTHORIZATION CONFERENCE REPORT (H.R. 3539)

Reauthorization of FAA—FY 1997, \$9.7 billion; FY 1998, \$9.9 billion.

(In billions of dollars)

	Fiscal year—	
	1997	1998
Airport grants	\$2.3	\$2.4
Radar, air traffic control equipment, navigation equipment, landing systems (ILS) equipment that remedies air traffic control outages doppler radar for wind shear	2.1	2.2
Operations	5.2	5.4
Research and development, advancement of explosive detection systems, human factor research, aging aircraft, air traffic control safety issues	(¹)	(²)

¹ \$20.8 million.
² No authorization.

Note: Research and Development levels include an additional \$31 million for security programs consistent with the Administration's emergency request for funds.

CONSTRUCTION: PRO-WORKER BILL

Kenai Municipal Airport, AK—Alaska Regional Aircraft Firefighting Training Center (\$8 million).

Anchorage Airport, AK—Rehabilitate runway and lighting (\$2.1 million).

Allakaket Airport, AK—Rehabilitate runway and lighting (\$5.5 million).

Deadhorse Airport, AK—Construct aircraft rescue and firefighting building (\$3.5 million).

Yuma Intl. Airport, AZ—Cargo apron expansion, cargo security, new terminal, enhanced security for new terminal.

Scottsdale Airport, AZ—Aircraft rescue and firefighting vehicle and fire station (\$1.2 million).

Phoenix Sky Harbor Intl. Airport, AZ—Construction of 3rd runway and residential soundproofing.

San Bernardino County-Chino Airport, CA—New runway construction (\$10 million).

Buchanan Airport, CA—Taxi-ways and aprons near total failure (\$5 million).

Oxnard Airport, CA—Replace aircraft rescue and firefighting vehicles (\$247,000).

Greely-Weld County Airport, CO—Construction of new runway (\$32 million).

Boulder Municipal Airport, CO—Security lighting.

Mr. LOTT. I also ask unanimous consent that an explanation of the fact that this is a technical point be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FACT SHEET—CONFERENCE REPORT TO ACCOMPANY H.R. 3539, THE FEDERAL AVIATION AUTHORIZATION OF 1996

A provision is contained in the Conference Report to accompany H.R. 3539 which makes a technical correction to a drafting error which was contained in the Interstate Commerce Commission Termination Act of 1995.

The following outlines the problem, the facts and the solution:

PROBLEM

A drafting error in the Interstate Commerce Commission Termination Act of 1995 (P.L. 104-88) created an ambiguity affecting the status of express carriers under the Railway Labor Act.

One provision (Sec. 10501) states the intent of Congress: "the enactment of the ICC Termination Act of 1995 shall neither expand or contract coverage of the employees and employers by the Railway Labor Act. . ."

However, a second provision drops "express carriers" under the Railway Labor Act. This was clearly inadvertent and in contradiction to the stated intent of Congress.

FACTS

Since the inception of the Railway Labor Act, "express carriers" have come under the law's jurisdiction.

The Railway Labor Act is designed to protect the interests of employees covered by that Act and is not an "anti-labor" law.

For 62 years, employers and employees have been successfully governed by the provisions of the Railway Labor Act.

SOLUTION

A provision in the Conference Report to accompany H.R. 3539, the Federal Aviation Authorization Act of 1995, states that if an express company was under the Railway Labor Act prior to the enactment of the ICC Termination Act, then that express company shall remain under the purview of the Railway Labor Act.

Mr. LOTT. It is a small point. It reaffirms what has been the law for 62 years. This is not a grab. This is not an effort to stomp somebody. This is an effort to be fair, to correct a clear oversight; a mistake was made. We are trying to correct that. That is all.

This is so important. We should this morning act together to stop the filibuster, pass this legislation and go home for the sake of the American people. I urge my colleagues, let us vote together. Let us invoke cloture and

pass the legislation in an expeditious manner.

I yield the floor, Mr. President. I ask for the yeas and nays.

The PRESIDING OFFICER. The Chair wishes to advise the distinguish leader that under rule XXII the yeas and nays are automatic.

Mr. LOTT. I thank the Chair.

CLOTURE MOTION

The PRESIDING OFFICER. The clerk, under the previous order, will report the motion to invoke cloture.

The assistant legislative clerk read as follows.

CLOTURE MOTION

We, the undersigned Senators, in accordance with rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the conference report to accompany H.R. 3539, the Federal Aviation Reauthorization bill:

Trent Lott, Don Nickles, Strom Thurmond, Jon Kyl, Judd Gregg, Slade Gorton, Paul D. Coverdell, Frank H. Murkowski, Craig Thomas, Harry Reid, Wendell Ford, Conrad Burns, Kay Bailey Hutchison, John Breaux, Tom Daschle, Arlen Specter.

CALL OF THE ROLL

The PRESIDING OFFICER. By unanimous consent, the quorum has been waived.

VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the conference report accompanying H.R. 3539, an act to amend title 49, United States Code, to reauthorize programs of the Federal Aviation Administration shall be brought to a close? The yeas and nays are automatic under rule XXII. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Indiana [Mr. COATS], is necessarily absent.

I also announce that the Senator from Colorado [Mr. CAMPBELL], is absent due to illness.

Mr. FORD. I announce that the Senator from Vermont [Mr. LEAHY], is absent on official business.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The yeas and nays resulted—yeas 66, nays 31, as follows:

[Rollcall Vote No. 304 Leg.]

YEAS—66

Abraham	D'Amato	Hatch
Ashcroft	Daschle	Hatfield
Baucus	DeWine	Heflin
Bennett	Domenici	Helms
Bond	Dorgan	Hollings
Breaux	Faircloth	Hutchison
Brown	Feinstein	Inhofe
Bryan	Ford	Inouye
Bumpers	Frahm	Jeffords
Burns	Frist	Johnston
Chafee	Gorton	Kassebaum
Cochran	Graham	Kempthorne
Cohen	Gramm	Kyl
Conrad	Grams	Lott
Coverdell	Grassley	Lugar
Craig	Gregg	Mack