

SENATE—Wednesday, September 15, 1999

The Senate met at 10 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. Today's prayer will be offered by our guest Chaplain, Dr. Richard Foth, Falls Church, VA.

We are pleased to have you with us.

PRAYER

The guest Chaplain, Dr. Richard Foth, offered the following prayer:

Gracious Father, we come to You on this fresh September morning with full hearts. Thank You for letting us be a part of the fabric of this country which is so richly endowed both physically and spiritually. Help us never to forget that it is by Your grace we are here and that "to whom much is given, much is required."

We pray particularly for those in the path of a storm, whether politically in the Senate of the United States or physically on our southeast coast. Give them wisdom, judgment, and strength for the journey.

As the fall agenda in this deliberate body is engaged in this Chamber, which has been the battleground for ideas and the sanctuary for our freedoms over the years, help our Senators not to be weary in well-doing. Buttress them with patience in the face of a thousand voices calling them to act in small, immediate ways which erode principle and derail the larger good.

We join our hearts at this moment with the thousands of other ordinary citizens across America who, today and every day, lift this band of 100 gifted leaders to You.

In that Name above every name, we pray these things.

Amen.

PLEDGE OF ALLEGIANCE

The Honorable PAT ROBERTS, a Senator from the State of Kansas, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER (Mr. ROBERTS). The distinguished acting majority leader is recognized.

SCHEDULE

Mr. SHELBY. Mr. President, today the Senate will immediately begin 1 hour of debate on the Wyden amend-

ments Nos. 1625 and 1626, both regarding airline reporting. Votes on those amendments have been scheduled to occur at 11 a.m. Further amendments to the Transportation appropriations bill are anticipated. Therefore, Senators may expect votes throughout the day. It is hoped, however, that Senators who have amendments will work with the chairman and the ranking member to schedule the offering of their amendments in a timely manner so we can expedite this bill. Today the Senate may also resume consideration of the Interior appropriations bill in an attempt to complete action on the bill.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT—Resumed

The PRESIDING OFFICER. The clerk will report the bill.

The legislative assistant read as follows:

A bill (H.R. 2084) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

Pending:

Wyden amendment No. 1625, to make available funds for the investigation of unfair or deceptive practices and unfair methods of competition by air carriers, foreign air carriers, and ticket agents involving the failure to disclose information on the overbooking of flights.

Wyden amendment No. 1626, to make available funds for the investigation of unfair or deceptive practices and unfair methods of competition by air carriers and foreign air carriers involving denying airline consumers access to information on the lowest fare available.

The PRESIDING OFFICER. The distinguished Senator from Oregon is recognized.

Mr. WYDEN. I thank the Chair.

AMENDMENTS NOS. 1625 AND 1626, AS MODIFIED

Mr. President, I ask unanimous consent that in the second proviso of each of my two amendments, the words "It is the sense of the Senate" be inserted.

The PRESIDING OFFICER. Is there an objection?

The Chair hears none, and it is so ordered.

Mr. WYDEN. I thank the Chair.

The amendments (Nos. 1625 and 1626), as modified, are as follows:

AMENDMENT NO. 1625

On page 65, line 22, before the period at the end of the line, insert the following: "Provided, That the funds made available under this heading shall be used to investigate pursuant to section 41712 of title 49, United States Code, relating to unfair or deceptive practices and unfair methods of competition

by air carriers, foreign air carriers, and ticket agents: *Provided further*, It is the sense of the Senate that, for purposes of the preceding proviso, the terms 'unfair or deceptive practices' and 'unfair methods of competition' include the failure to disclose to a passenger or a ticket agent whether the flight on which the passenger is ticketed or has requested to purchase a ticket is overbooked, unless the Secretary certifies such disclosure by a carrier is technologically infeasible".

AMENDMENT NO. 1626

On page 65, line 22, before the period at the end of the line, insert the following: "Provided, That the funds made available under this heading shall be used (1) to investigate pursuant to section 41712 of title 49, United States Code, relating to unfair or deceptive practices and unfair methods of competition by air carriers and foreign air carriers, (2) for monitoring by the Inspector General of the compliance of air carriers and foreign carriers with respect to paragraph (1) of this proviso, and (3) for the submission to the appropriate committees of Congress by the Inspector General, not later than July 15, 2000, of a report on the extent to which actual or potential barriers exist to consumer access to comparative price and service information from independent sources on the purchase of passenger air transportation: *Provided further*, It is the sense of the Senate that, for purposes of the preceding proviso, the terms 'unfair or deceptive practices' and 'unfair methods of competition' mean the offering for sale to the public for any route, class, and time of service through any technology or means of communication a fare that is different than that offered through other technology or means of communications".

Mr. WYDEN. Mr. President and colleagues, these two amendments are essential to begin to ensure that passengers in this country get a fair shake with respect to airline service.

We have seen in recent months that the airline industry is going to great lengths with their so-called customer service pledge to try, through a series of voluntary promises, to show to the American people that they are really committed to improving airline service.

The fact is, Mr. President and colleagues, two studies that have just come out demonstrate that these voluntary promises by the airline industry really are not worth much more than the paper on which they are written. So I am very pleased to come to the floor of the Senate today with my good friend, the chairman of the subcommittee, Senator SHELBY, and the ranking minority member, Senator LAUTENBERG, to make it very clear that in two key areas—overbooking and making sure that passengers can be informed of the lowest fare available—the inspector general will be directed to investigate promptly when in