

U. S. CONGRESS. HOUSE.

96th Congress }  
1st Session }

COMMITTEE PRINT

(96-5)

LEGISLATIVE HISTORY  
OF THE  
AIRLINE DEREGULATION ACT OF 1978

COMPILED BY THE  
COMMITTEE ON PUBLIC WORKS  
AND TRANSPORTATION  
U.S. HOUSE OF REPRESENTATIVES



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(III)

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**SENATE DEBATE ON S. 2493, APRIL 19, 1978**

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existing subsidized operation, is going to be as reasonable as we have been led to believe.

I repeat what I said here earlier, that the new subsidy proposed in the committee bill could very well run as much as three times the cost of the present program.

I hope, at the very least, that this amendment, modest as it is, will be accepted. It gives some measure of protection to these small communities.

Mr. CANNON. Mr. President, I am prepared to yield back the remainder of my time.

Mr. MCGOVERN. Mr. President, I yield back the remainder of my time.

Mr. CANNON. Mr. President, I move to table the amendment.

Mr. MCGOVERN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the amendment of the Senator from South Dakota (Mr. MCGOVERN). The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from South Dakota (Mr. ABOUREZK), the Senator from Colorado (Mr. HASKELL), and the Senator from New Hampshire (Mr. MCINTYRE) are necessarily absent.

Mr. STEVENS. I announce that the Senator from New Jersey (Mr. CASE), the Senator from Oregon (Mr. HATFIELD), the Senator from Maryland (Mr. MATHIAS), the Senator from Oregon (Mr. PACKWOOD), and the Senator from Virginia (Mr. SCOTT) are necessarily absent.

I further announce that, if present and voting, the Senator from Oregon (Mr. HATFIELD) and the Senator from Oregon (Mr. PACKWOOD) would each vote "yea."

The result was announced—yeas 80, nays 12, as follows:

[Rollcall Vote No. 121 Leg.]

YEAS—80

Allen	Culver	Hayakawa
Baker	Curtis	Heinz
Bartlett	Danforth	Helms
Bayh	DeConcini	Hollings
Bentsen	Dole	Huddleston
Biden	Domenici	Jackson
Brooke	Durkin	Javits
Bumpers	Eagleton	Johnston
Burdick	Eastland	Kennedy
Byrd,	Ford	Laxalt
Harry F., Jr.	Garn	Leahy
Byrd, Robert C.	Glenn	Long
Cannon	Goldwater	Lugar
Chafee	Gravel	Magnuson
Chiles	Grimm	McClure
Church	Hansen	Metzenbaum
Clark	Hart	Morgan
Cranston	Hatch	Moynihan

Nelson	Sarbanes	Stone
Nunn	Sasser	Talmadge
Pearson	Schmitt	Thurmond
Pell	Schweiker	Tower
Percy	Sparkman	Wallop
Proxmire	Stafford	Weicker
Ribicoff	Stennis	Williams
Riegle	Stevens	Young
Roth	Stevenson	Zorinsky

NAYS—12

Anderson	Hodges	Melcher
Bellmon	Humphrey	Muskie
Hatfield,	Inouye	Randolph
Paul G.	Matsunaga	
Hathaway	McGovern	

NOT VOTING—8

Abourezk	Hatfield,	McIntyre
Case	Mark O.	Packwood
Haskell	Mathias	Scott

So the motion to table Mr. MCGOVERN's amendment (No. 1784) was agreed to.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. MCGOVERN. Mr. President, in view of the vote on the last amendment, and also on the previous amendment, I think it is quite clear that the Senate does not feel that any additional assurance is needed to the smaller communities as far as air service is concerned and apparently the overwhelming majority are convinced that the bill, without amendment, will give all the protection that is needed to our smaller communities.

I, of course, disagree with that verdict, but I recognize that the votes have been overwhelming in the other direction, so I will not call up the second amendment that I had referred to earlier, amendment 1785.

I wish to call attention to another amendment which will be my final proposed amendment this afternoon.

The PRESIDING OFFICER. The Senate will be in order.

AMENDMENT NO. 1783

(Purpose: To make certain amendments to improve air transportation to small communities)

Mr. MCGOVERN. I call up my amendment No. 1783 and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from South Dakota (Mr. MCGOVERN) proposes an amendment numbered 1783.

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

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

The amendment is as follows:

On page 76, after line 23 insert the following:

**Federal Assistance for Certain Emergency Medical Transportation**

(c) In any case where because of regulations of the Board or any other Federal agency with respect to equipment and personnel necessary for operating as an air ambulance, any air commuter or air taxi operation certified or regulated by a State agency will have to discontinue providing the only emergency medical transportation to any community, the Board is authorized, upon application, to make payments in the amount necessary to provide such equipment and personnel to continue such emergency medical transportation.

Mr. MCGOVERN. Mr. President, this amendment relates to the need for air ambulance service. In many rural areas air ambulances are the only safe means of transportation for patients who need complex and intensive care. Urban residents requiring specialized surgery also depend on air ambulances to fly them to major specialized medical centers.

Recently the FAA has proposed standards for air ambulance operators mandating necessary medical personnel and equipment for all aircraft used for emergency medical transportation. These standards are necessary and long overdue and will provide some means of patient care while the patient is being transported to standard medical facilities. However, in many small rural areas, the only existing air ambulance operations are offered by standard charter and air taxi businesses who indicate that the costs of complying with the new standards will be prohibitive and they will no longer offer these services. Additionally, several local and State officials believe that air ambulance services will be curtailed in their States when these regulations go into effect.

Consequently, I am offering an amendment to allow air ambulance operators who are providing the sole emergency medical transportation service to a given community to be eligible for a one-time subsidy to equip their aircraft as mandated by the new regulations in order to continue this essential air service.

I think the purpose of the amendment is clear, and I am hopeful it will be adopted.

Mr. CANNON. Mr. President, I yield 30 seconds to the Senator from Tennessee.

**AIR TRANSPORTATION REGULATORY REFORM ACT OF 1978**

The Senate continued with the consideration of the bill.

Mr. CANNON. Mr. President, I am perfectly willing to look at the subject in some detail, but I cannot accept the proposed amendment at this time on this bill.

At no time during the last 2 years of hearings and testimony has this issue been raised. We have no testimony from State medical authorities, existing air ambulances, the CAB or the FAA, and I want to hear from all of these people first before enacting legislation.

Furthermore, the FAA and not the CAB has the jurisdiction over air ambulances, and it makes no sense to me to change that responsibility now.

I say to my colleague that we will in the Commerce Committee be considering other aviation matters this year and we would certainly be willing to have him send that to us. We would get the response from the agencies and have it considered at that time on one or two pieces of legislation we will be considering later this year.

Mr. MCGOVERN. Does the Senator think, if the proposal does prove to have merit, it will be an appropriate way in which it can be handled by the committee this year?

Mr. CANNON. Well, I think there would be a way that we could consider it. Whether or not the committee would pass it I have no idea because, as I say, I have no factual data to base it on. But we would get the response from the FAA and, as I said, the FAA is the one that has jurisdiction and not the CAB as the Senator is proposing to give them authority here.

I can assure the Senator that we will consider this issue in committee this year if the Senator wants to withdraw it and give us that opportunity. Otherwise I would have to oppose it here on this bill.

Mr. KENNEDY. Mr. President, will the Senator yield further?

Mr. MCGOVERN. Yes.

Mr. KENNEDY. We will also be considering the emergency medical legislation which also does provide for air emergency ambulance service which has been implemented particularly in the Western States, States that have very broad highways, and I would be very glad to work with the Senator, in whatever is the most appropriate vehicle to see if the interest cannot be carried forward.

The record has been a successful one. I think the cases that I know particularly of are in the State of Colorado which has made a very significant difference, and where they have been imaginative.

I would certainly be glad form a health point of view to work with the Senator from South Dakota.

Mr. MCGOVERN. Well, Mr. President, in view of these assurances and the fact that I recognize we do not yet have the FAA report on this matter or any recommendation from them that, perhaps, we would be better advised to introduce it as a separate measure for appropriate re-