

In 1967, he was elected mayor of Cleveland—the first African-American ever to be elected mayor of a major U.S. city.

He served two terms as mayor, and in his second term, he became the first African-American to serve as an officer of the National League of Cities.

Carl Stokes later became a television news anchor in New York City, and a municipal judge in Cleveland. In 1994, President Clinton named him United States Ambassador to the Seychelles.

The Honorable Carl Stokes had a long and distinguished career before his untimely passing in April of last year. In his eulogy for Mayor Stokes, the Reverend Jesse Jackson called him "a dream maker and an odds buster."

That's exactly right. Carl Stokes was a man who made a difference. The people of Ohio will always remember him as a man of great courage and personal character.

For this reason, I am introducing legislation today to name the new Federal courthouse in Cleveland after this truly honorable man.

#### NOMINATION OF JOHN F. MAISTO, TO BE UNITED STATES AMBASSADOR TO THE REPUBLIC OF VENEZUELA

Mr. DEWINE. Mr. President, today I offer my support to the President's nomination of the Honorable John F. Maisto to serve as United States Ambassador to the Republic of Venezuela. Mr. President, it has been my pleasure to know Ambassador Maisto and I have known him as the United States Ambassador to Nicaragua. He has served with great distinction as our United States Ambassador to Nicaragua for the last 4 years, helping that country make its very historic transition to full democracy.

In fact, Mr. President, I had occasion to be in Nicaragua this past November, and it just happened to be the week that the Ambassador and his wife were leaving after 4 years. I had the opportunity to talk to Nicaraguans clear across the political spectrum. I had the opportunity to talk to Nicaraguans with all kinds of background, Nicaraguans who had many different political beliefs. But I found that it was unanimous that our Ambassador had done a fantastic job—a fantastic job of representing our country in a time in Nicaragua's history that was crucial for not only democracy to continue to develop in Nicaragua, but also crucial for our continuing relationship with this country, which we have had such a long relationship with in the past.

It was very clear to me, after talking to the many Nicaraguans that I saw, that our Ambassador was very well respected and that he had represented us exceedingly well.

Mr. President, before his posting to Managua, Ambassador Maisto had served as Deputy Assistant Secretary of State for Inter-American Affairs. He also served as Deputy U.S. Representa-

tive to the Organization of American States, and Deputy Chief of Mission in the United States Embassy in Panama.

Mr. President, this is a man whose hands-on experience with Latin America will serve us very well. It has served us in the past and will continue to serve us. Mr. President, the Ambassador will be an outstanding Ambassador to Venezuela, and I urge that his nomination be confirmed.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DEWINE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### MORNING BUSINESS

Mr. DEWINE. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business with Senators permitted to speak therein for up to 5 minutes each.

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

#### THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Thursday, February 6, the Federal debt stood at \$5,302,957,481,388.92.

One year ago, February 6, 1996, the Federal debt stood at \$4,987,289,000,000.

Five years ago, February 6, 1992, the Federal debt stood at \$3,801,444,000,000.

Ten years ago, February 6, 1987, the Federal debt stood at \$2,232,746,000,000 which reflects a debt increase of more than \$3 trillion (\$3,074,337,787,977.17) during the past 10 years.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1008. A communication from the Assistant Secretary for Land and Minerals Management, Department of the Interior, transmitting, pursuant to law, the report under the Outer Continental Shelf Lands Act; to the Committee on Energy and Natural Resources.

EC-1009. A communication from the Deputy Assistant Secretary for Water and Science, Department of the Interior, transmitting, pursuant to law, the interim report on the High Plain States Groundwater Demonstration Program for October 1996; to the Committee on Energy and Natural Resources.

EC-1010. A communication from the President of the United States, transmitting, pursuant to law, Presidential Determination 96-54; to the Committee on Environment and Public Works.

EC-1011. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the

report entitled "Drinking Water Infrastructure Needs Survey"; to the Committee on Environment and Public Works.

EC-1012. A communication from the National Director, Tax Forms and Publications Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of Revenue Procedure 97-11; to the Committee on Finance.

EC-1013. A communication from the Lieutenant General, USA Director, Defense Security Assistance Agency, transmitting, pursuant to law, the report on status of loans and guarantees under the Arms Export Control Act; to the Committee on Foreign Relations.

EC-1014. A communication from the Lieutenant General, USA Director, Defense Security Assistance Agency, transmitting, pursuant to law, the report on foreign military sales under the Arms Export Control Act; to the Committee on Foreign Relations.

EC-1015. A communication from the Commissioner of the Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Exceptions to the Educational Requirements for Naturalization for Certain Applicants," received on February 3, 1997; to the Committee on the Judiciary.

EC-1016. A communication from the Commissioner of the Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Priority Dates for Employment-Based Petitions," (RIN1115-AE24) received on February 3, 1997; to the Committee on the Judiciary.

EC-1017. A communication from the Copyright Office of the Library of Congress, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1996; to the Committee on the Judiciary.

EC-1018. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report under the Low-Income Home Energy Assistance Act; to the Committee on Labor and Human Resources.

EC-1019. A communication from the Assistant General Counsel for Regulations, Department of Education, transmitting, pursuant to law, the report of a rule relative to projects with industry, (RIN1820-AB13) received on January 31, 1997; to the Committee on Labor and Human Resources.

EC-1020. A communication from the Assistant General Counsel for Regulations, Department of Education, transmitting, pursuant to law, the report of a rule relative to disability and rehabilitation research projects, (RIN1820-AB38) received on February 3, 1997; to the Committee on Labor and Human Resources.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. AKAKA (for himself, Mr. FRIST, and Mr. INOUE):

S. 291. A bill to provide for the management of the airspace over units of the National Park System, and for other purposes; to the Committee on Commerce, Science, and Transportation.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. FEINSTEIN (for herself, Mr. WARNER, Mr. BURNS, Mr. ROBB, Mrs. MURRAY, and Mrs. BOXER):

S. Res. 51. A resolution to express the sense of the Senate regarding the outstanding achievements of NetDay; to the Committee on Labor and Human Resources.

By Mr. DODD:

S. Con. Res. 6. A concurrent resolution expressing concern for the continued deterioration of human rights in Afghanistan and emphasizing the need for a peaceful political settlement in that country; to the Committee on Foreign Relations.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. AKAKA (for himself, Mr. FRIST, and Mr. INOUE):

S. 291. A bill to provide for the management of the airspace over units of the National Park System, and for other purposes; to the Committee on Commerce, Science, and Transportation.

##### THE NATIONAL PARKS AIRSPACE MANAGEMENT ACT OF 1997

Mr. AKAKA. Mr. President, in behalf of myself, Senator FRIST, and Senator INOUE, I am today introducing the National Parks Airspace Management Act of 1997, a bill designed to mitigate the impact of commercial air tour flights over units of the National Park System. The measure would establish a new, statutory framework for minimizing the environmental effects of air tour activity on park units. This measure is similar to legislation I offered in the last two Congresses.

Briefly, our bill would specify the respective authorities of the National Park Service and the Federal Aviation Administration [FAA] in developing and enforcing park overflight policy; establish a process for developing individualized airspace management plans at parks experiencing significant commercial air tour activity; provide for the designation of those parks which did not experience commercial air tour activity as of January 1, 1997, as flight-free parks; establish a new, single standard governing the certification and operation of all commercial air tour operators that conduct flights over national parks; require a variety of safety measures, such as improved aircraft markings, maintenance of accurate aeronautical charts, installation of flight monitoring equipment, and an air tour data base; and, establish a National Park Overflight Advisory Council.

Mr. President, aircraft overflights of noise-sensitive areas such as national parks have been increasing in scope and intensity for a number of years, sparking significant public debate and controversy about the safety and environmental impact of such activity. The focus of much of the debate, and much of the controversy, has been the commercial air tour sightseeing industry, which has experienced explosive growth in some areas, notably at the Grand Canyon and in my own State of Hawaii. But significant commercial air

tour activity has also been developing in such widely dispersed locations as Glacier National Park in Montana, the Utah national parks, Mount Rushmore in South Dakota, and the Statue of Liberty and Niagara Falls in New York. In fact, at Great Smoky Mountains National Park, commercial air tour overflights have fostered such opposition that the State of Tennessee has passed legislation to restrict such flights.

In 1987, precipitated by a midair collision at the Grand Canyon, Congress adopted the National Parks Overflights Act, Public Law 100-91. The act permanently banned below-the-rim flights at the Grand Canyon and led to a Special Federal Aviation Regulation—SFAR 50-2—establishing flight-free zones and air corridors at the park. The act also established temporary altitude restrictions for Yosemite National Park in California and Haleakala National Park in Hawaii. Finally, Public Law 100-91 mandated that the Park Service conduct a study on the impact of low-level flights on units of the National Park System.

Since passage of the National Parks Overflights Act, a number of important developments have occurred. First, in 1993 a Department of Transportation and Department of the Interior inter-agency working group was established to address park overflight issues of mutual concern, an acknowledgment by the executive branch that the issue required extensive interagency cooperation, but also a reflection of the deep differences in approach and attitude that existed between the National Park Service and the FAA on this contentious matter.

In 1994, the overflights report mandated by Public Law 100-91 was completed, identifying and documenting low-altitude flights as threats to park resources and recommending a variety of means to address these threats, such as incentives to encourage use of quite aircraft technology, flight-free zones and flight corridors, altitude restrictions, noise budgets, and limits on times of air tour operations. Also in 1994, in response to a pair of helicopter crashes in the Pacific, the FAA issued an emergency flight rule—SFAR 71—imposing certain altitude and other operating restrictions on air tour operators in Hawaii.

More recently, last spring, the President issued an executive memorandum directing agency heads to participate in the effort to protect natural quite in National Park System units. The memorandum led to the final rule for the Grand Canyon, issued in December 1996, providing for additional, delineated restrictions on air tour activity at the park. The memorandum also led to a new rule promulgated earlier this year to ban preemptively, for 2 years or until a national rule is developed, flights at Rocky Mountain National Park. Finally, as a result of the President's memorandum, the FAA and the Park Service were required to develop

a comprehensive, national rule governing air tour flights at all national parks. Work on the national rule is in the preliminary stages.

While these developments have been welcome, it is fair to say that overall progress on the overflights issue has been desultory. For every Grand Canyon or Rocky Mountain, there are dozens of parks whose overflights problems remain completely unaddressed. In this regard, problems and delays associated with the development of a national rule have been particularly disappointing. Reportedly, the FAA and Park Service continue to squabble over matters of jurisdiction, and air tour operators and environmental organizations continue to prefer confrontation to accommodation. In the meantime, air tour-generated problems continue to accrete, exacerbating the environmental and safety consequences of park overflights. This experience has shown us that only Congress, through legislation, can produce lasting, effective policy on this matter.

Mr. President, when all is said and done, the simple truth is that the complex problems associated with park overflights cannot be fully resolved administratively. In my opinion, this state of affairs is largely due to the fact that the FAA and the Park Service, the two agencies with the heaviest responsibility for addressing park overflights, are governed by vastly different statutory mandates. On the one hand, the FAA is responsible for the safety and efficiency of air commerce; on the other, the Park Service is charged with protecting and preserving park resources. These mutually exclusive missions have bred different approaches, attitudes, and institutional cultures that have hindered inter-agency cooperation and development of a consistent, effective park overflights policy. Only by modifying or clarifying their statutory responsibilities with respect to the management of park airspace can the two Federal agencies be expected to work together consistently and systematically to address the overflight problem.

Mr. President, the legislation we are proposing today would address this and other barriers to the development of a comprehensive park overflights policy. Our bill deals with the commercial air tour overflights issue in a national context, since the safety and environmental concerns which are being debated so vociferously at the Grand Canyon and in Hawaii are being echoed at park units scattered throughout the National Park System.

At the outset, our bill establishes a finding that National Park Service policy recognizes the importance of natural quiet as a resource to be conserved and protected in certain park units. Toward that end, our legislation creates a new statutory framework for minimizing the environmental effects of air tour activity on units throughout the National Park System.

The bill articulates a regulatory scheme under which the Park Service