

(B) ACTIONS FILED ON OR AFTER THE DATE OF ENACTMENT OF THIS ACT.—

(i) IN GENERAL.—Not later than 90 days after a complaint alleging a predatory practice or unfair method of competition by an air carrier is filed with the Secretary under section 41712 of title 49, United States Code, or any other applicable provision of law, the Secretary shall make an initial finding concerning whether the practice that is the subject of the complaint constitutes a predatory practice or unfair method of competition.

(ii) APPLICABILITY.—Clause (i) shall apply to a complaint filed with the Secretary on or after the date of enactment of this Act.

(3) RESTRAINING ORDERS.—

(A) IN GENERAL.—In a manner consistent with section 41712 of title 49, United States Code, or any other applicable provision of law, the Secretary shall enjoin, pending final determination, any action of an air carrier that the Secretary finds to be a predatory practice or unfair method of competition under paragraph (2).

(B) PERIOD FOR TAKING ACTION.—The Secretary shall carry out the requirements of subparagraph (A) not later than 15 days after an initial finding is made with respect to a complaint under paragraph (2) (or if the initial finding is made before the date of enactment of this Act, not later than 15 days after the date of enactment of this Act).

(d) LIMITS ON COMPETITION IN AVIATION INDUSTRY.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall transmit to Congress a report concerning barriers to entry, predatory practices (including pricing), and other limits on competition in the aviation industry.

(e) PROVISIONS TO PREVENT INCREASED AIRCRAFT NOISE.—

(1) SECRETARIAL AUTHORITY UNDER THIS SECTION.—Nothing in this section or the amendments made by this section shall authorize the Secretary to take any action that would increase aircraft noise in any community in the vicinity of an airport.

(2) STAGE 4 NOISE LEVELS.—

(A) PROPOSED REGULATIONS.—Section 47523 of title 49, United States Code, is amended by adding at the end the following:

“(c) STAGE 4 NOISE LEVELS.—

“(1) PROPOSED REGULATIONS.—Not later than 1 year after the date of enactment of the Department of Transportation and Related Agencies Appropriations Act, 2000, the Secretary shall issue proposed regulations that—

“(A) establish, in a manner consistent with this chapter, stage 4 noise levels applicable to aircraft designated by the Secretary as stage 4 aircraft; and

“(B) provide for the implementation of the stage 4 noise level requirements by the date that is 36 months after the date of issuance of the proposed regulations.

“(2) CRITERIA FOR NOISE LEVELS.—The stage 4 noise levels established under this subsection shall—

“(A) provide for a significant reduction in the level of noise generated by aircraft; and

“(B) be consistent with the noise levels attainable through the use of the most effective noise control technology available for stage 3 aircraft (as that term is used under section 47524(c)), as of January 1, 1999.”

(2) LEGISLATIVE PROPOSALS.—At the same time as the Secretary issues proposed regulations under section 47523(c) of title 49, United States Code, as added by paragraph (1) of this subsection, the Secretary shall submit to Congress such proposed legislation (including amendments to chapter 475 of title

49, United States Code) as is necessary to ensure the implementation of stage 4 noise levels (as that term is used in such section 47523(c)).

(f) CLARIFICATION OF LEGAL STANDING.—Section 41713(b) of title 49, United States Code, is amended by adding at the end the following:

“(5) ACTIONS NOT BARRED.—This subsection shall not bar any cause of action brought against an air carrier by 1 or more private parties seeking to enforce any right under the common law of any State or under any State statute, other than a statute purporting to directly prescribe fares, routes, or levels of air transportation service.”

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

CLELAND AMENDMENT NO. 1037

(Ordered to lie on the table.)

Mr. CLELAND submitted an amendment intended to be proposed by him to the bill, S. 1233, supra; as follows:

At the appropriate place, insert the following:

SEC. ____ . REDESIGNATION OF NATIONAL SCHOOL LUNCH ACT AS RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT.—(a) IN GENERAL.—The first section of the National School Lunch Act (42 U.S.C. 1751 note) is amended by striking “National School Lunch Act” and inserting “Richard B. Russell National School Lunch Act”.

(b) CONFORMING AMENDMENTS.—The following provisions of law are amended by striking “National School Lunch Act” each place it appears and inserting “Richard B. Russell National School Lunch Act”:

(1) Sections 3 and 13(3)(A) of the Commodity Distribution Reform Act and WIC Amendments of 1987 (7 U.S.C. 612c note; Public Law 100-237).

(2) Section 404 of the Agricultural Act of 1949 (7 U.S.C. 1424).

(3) Section 201(a) of the Act entitled “An Act to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes”, approved September 21, 1959 (7 U.S.C. 1431c(a); 73 Stat. 610).

(4) Section 211(a) of the Agricultural Trade Suspension Adjustment Act of 1980 (7 U.S.C. 4004(a)).

(5) Section 245A(h)(4)(A) of the Immigration and Nationality Act (8 U.S.C. 1255a(h)(4)(A)).

(6) Sections 403(c)(2)(C), 422(b)(3), 423(d)(3), 741(a)(1), and 742 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613(c)(2)(C), 1632(b)(3), 1183a note, 42 U.S.C. 1751 note, 8 U.S.C. 1615; Public Law 104-193).

(7) Section 2243(b) of title 10, United States Code.

(8) Sections 404B(g)(1)(A), 404D(c)(2), and 404F(a)(2) of the Higher Education Act of 1965 (20 U.S.C. 1070a-22(g)(1)(A), 1070a-24(c)(2), 1070a-26(a)(2); Public Law 105-244).

(9) Section 231(d)(3)(A)(i) of the Carl D. Perkins Vocational Education Act (20 U.S.C. 2341(d)(3)(A)(i)).

(10) Section 1113(a)(5) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6313(a)(5)).

(11) Section 1397E(d)(4)(A)(iv)(II) of the Internal Revenue Code of 1986.

(12) Sections 254(b)(2)(B) and 263(a)(2)(C) of the Job Training Partnership Act (29 U.S.C. 1633(b)(2)(B), 1643(a)(2)(C)).

(13) Section 3803(c)(2)(C)(xiii) of title 31, United States Code.

(14) Section 602(d)(9)(A) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 474(d)(9)(A)).

(15) Sections 2(4), 3(1), and 301 of the Healthy Meals for Healthy Americans Act of 1994 (42 U.S.C. 1751 note; Public Law 103-448).

(16) Sections 3, 4, 7, 10, 13, 16(b), 17, and 19(d) of the Child Nutrition Act of 1966 (42 U.S.C. 1772, 1773, 1776, 1779, 1782, 1785(b), 1786, 1788(d)).

(17) Section 6580(b)(3) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858m(b)(3)).

(18) Subsection (b) of the first section of Public Law 87-688 (48 U.S.C. 1666(b)).

(19) Section 10405(a)(2)(H) of the Omnibus Budget Reconciliation Act of 1989 (Public Law 101-239; 103 Stat. 2489).

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CRAIG. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Subcommittee on Forests and Public Land Management of the Senate Committee on Energy and Natural Resources.

The hearing will take place on Tuesday, July 13, 1999 at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building in Washington, D.C.

The purpose of this hearing is to receive testimony on S. 729, the National Monument Public Participation Act of 1999. A bill to ensure that Congress and the public have the right to participate in the declaration of national monuments on Federal land.

Those who wish to submit written statements should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, D.C. 20510. For further information, please call Mike Menge (202) 224-6170.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry, be allowed to meet during the session of the Senate on Thursday June 24, 1999. The purpose of this meeting will be to discuss agricultural issues related to a variety of trade topics

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Thursday, June 24, 1999, to conduct a hearing on “Export Administration Act Reauthorization: Private Sector Views.”

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Thursday, June 24, for purposes of conducting a full committee hearing which is scheduled to begin at 9:30 a.m. The purpose of this oversight hearing is to examine the implications of the proposed acquisition of the Atlantic Richfield Company by BP Amoco, PLC.

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

COMMITTEE ON FINANCE

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Finance be permitted to meet Thursday, June 24, 1999 beginning at 10:00 a.m. in room SD-215, to conduct a markup.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, June 24, 1999 at 10:00 a.m. to hold a hearing.

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

COMMITTEE ON THE JUDICIARY

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet for an executive business meeting, during the session of the Senate on Thursday, June 24, 1999, at 11:00 a.m. in Senate Dirksen, Room 226.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. THOMAS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, June 24, 1999 at 2:00 p.m. to hold a closed hearing on intelligence matters.

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

SUBCOMMITTEE ON AVIATION

Mr. THOMAS. Mr. President, I ask unanimous consent that the Aviation Subcommittee of the Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, June 24, 1999, at 2:15 pm on FAA research and development.

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

SUBCOMMITTEE ON CLEAN AIR, WETLANDS, PRIVATE PROPERTY, AND NUCLEAR SAFETY

Mr. THOMAS. Mr. President, I ask unanimous consent that the Subcommittee on Clean Air, Wetlands, Private Property, and Nuclear Safety be granted permission to conduct a hearing on NO_x/State Implementation

Plans Thursday, June 24, 9:00 a.m., Hearing Room (SD-406).

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

SUBCOMMITTEE ON INTERNATIONAL ECONOMIC POLICY, EXPORT AND TRADE PROMOTION

Mr. THOMAS. Mr. President, I ask unanimous consent that the Subcommittee on International Economic Policy, Export and Trade Promotion be authorized to meet during the session of the Senate on Thursday, June 24, 1999 at 2:45 p.m. to hold a hearing.

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

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, RESTRUCTURING AND THE DISTRICT OF COLUMBIA

Mr. THOMAS. Mr. President, I ask unanimous consent that the Governmental Affairs Committee Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia be permitted to meet on Thursday, June 24, 1999 at 11:00 a.m. for a hearing on H.R. 974—The District of Columbia College Access Act and S. 856—Expanded Options in Higher Education for District of Columbia Students Act of 1999.

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

ADDITIONAL STATEMENTS

HONORING THREE GEORGIAN HEROES

• Mr. CLELAND. Mr. President, I am deeply honored to rise today to recognize Douglas Scales, Floyd Eugene Collins, Jr., and Richard Floyd Burnham, Jr., three young men from my home town of Lithonia, Georgia who fought in Vietnam, but tragically, did not come home. On July 5, 1999, the city of Lithonia will dedicate the Lithonia Vietnam Veterans Memorial to honor the sacrifices of these heroic young men. It is said, "Poor is the nation which has no heroes. Poorer still is the nation which has them, but forgets." We will dedicate this memorial to remember, and to show our heart-felt appreciation to these young men for fighting for our country, and to say thank you to their families for their own sacrifices in the name of our freedom.

As I mentioned, this memorial will be dedicated on July 5, one day after we will celebrate July 4, our Independence Day. On July 4, 1776, the Continental Congress signed the Declaration of Independence in Philadelphia. In that powerful and historic document, the thirteen colonies declared themselves a self-governing body, and rightly stated that King George VIII had "plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people."

It strikes me that those words could have applied to many situations and

many cruel and despotic rulers since 1776. I think of Hitler's Germany, I think of Vietnam, I think even of Bosnia and Kosovo. But because of the principals of our founding fathers and because of many great American presidents who have followed, the United States has been in a unique but sobering position to defend not only its own freedom, but the very concept of freedom across the globe. That was the case in 1967 when Specialist Collins was in Bien Hoa. That was the case in 1968 when Private First Class Scales was in Tay Ninh. That was the case in 1968 when Specialist Burnham was in Quan Nam. It is still the case today.

Three Georgians signed the Declaration of Independence in 1776. On July 5, we will unveil and honor the names of three Georgians. Winston Churchill described his concept of duty in this way, "What is the use of living if it be not to strive for noble causes and to make this muddled world a better place for those who will have it after we are gone." Doug Scales, Floyd Eugene Collins, Jr. and Richard Floyd Burnham, Jr. strove for noble causes and made this world a better place for us. My colleague and fellow Vietnam Veteran Senator JOHN KERREY described what he remembered most about his experience. "The shared struggle to do more than survive," he said. "And most of all to bestow honor on our service and to our friends who were lost." In this small way, we in Lithonia hope to bestow honor on our friends, our brothers, our sons and husbands who were lost. Not, we say, in vain. •

TRIBUTE TO ORION COMPUTER SOURCING GROUP

• Mr. SMITH of New Hampshire. Mr. President, I rise today to honor the Orion Computer Sourcing Group for being named one of Entrepreneur Magazine's "Hot 100" fastest growing businesses in the country. Orion was the highest ranking of the three New Hampshire business included on this prestigious list and one of only seven New England businesses recognized by the magazine.

This Portsmouth based company, which purchases excess computer hardware from manufacturers and sells it to clients like Hewlett-Packard, Compaq, and Packard Bell, is definitely on the move. Orion's president, Grant Guilbeault, started the company in his basement in October of 1997 with just \$30,000. It has grown to a work force of 14, and continues to expand as business increases. Orion has more than doubled last year's revenue, and similar growth is expected for next year.

Orion Computer Sourcing is not content with resting on its laurels. Grant Guilbeault and the entire Orion team have set their goals for the future and are currently in the process of making