

S. 1526

At the request of Mr. ROCKEFELLER, the name of the Senator from Minnesota (Mr. WELLSTONE) was added as a cosponsor of S. 1526, a bill to amend the Internal Revenue Code of 1986 to provide a tax credit to taxpayers investing in entities seeking to provide capital to create new markets in low-income communities.

S. 1673

At the request of Mr. DEWINE, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 1673, a bill to amend titles 10 and 18, United States Code, to protect unborn victims of violence.

SENATE RESOLUTION 179

At the request of Mr. BIDEN, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of Senate Resolution 179, a resolution designating October 15, 1999, as "National Mammography Day."

SENATE RESOLUTION 183

At the request of Mr. ASHCROFT, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of Senate Resolution 183, a resolution designating the week beginning on September 19, 1999, and ending on September 25, 1999, as National Home Education Week.

SENATE RESOLUTION 195—EX-PRESSING THE SENSE OF THE SENATE CONCERNING DR. WILLIAM RANSOM WOOD

Mr. STEVENS (for himself and Mr. MURKOWSKI) submitted the following resolution; which was considered and agreed to:

S. RES. 195

Whereas Dr. William Ransom Wood's tireless dedication and wisdom have earned him honorable distinction for his work in the city of Fairbanks, the State of Alaska, and the Nation;

Whereas Dr. Wood served his country with distinction in battle during World War II as a captain in the United States Navy;

Whereas Dr. Wood served the people of Alaska as president of the University of Alaska, chairman of the American Cancer Society, vice president of the Alaska Boy Scout Council, Member of the Alaska Business Advisory Council, chairman of the Alaska Heart Association, and numerous other organizations;

Whereas Dr. Wood served the people of Fairbanks as mayor, chairman of the Fairbanks Community Hospital Foundation, president of Fairbanks Rotary Club, and in many other capacities;

Whereas the city of Fairbanks, the State of Alaska, and the Nation continue to benefit from Dr. Wood's outstanding leadership and vision;

Whereas Dr. Wood is the executive director of Festival Fairbanks which desires to commemorate the centennial of Fairbanks, Alaska with a pedestrian bridge which shall serve as a reminder to remember and respect the builders of the twentieth century; and

Whereas it shall also be in Dr. Wood's words, "a memorial to the brave indigenous

people. Who came before and persisted through hardships, generation after generation. The Centennial Bridge is a tribute to their stamina and ability to cope with changing times." Now, therefore, be it

Resolved, That the United States Senate urges the Secretary of Transportation Rodney Slater to designate the Fairbanks, Alaska Riverwalk Centennial Bridge community connector project as the Dr. William Ransom Wood Centennial Bridge.

AMENDMENTS SUBMITTED

**AIR TRANSPORTATION
IMPROVEMENT ACT**

**MCCAIN (AND OTHERS)
AMENDMENT NO. 1891**

Mr. GORTON (for Mr. MCCAIN (for himself, Mr. GORTON, and Mr. ROCKEFELLER)) proposed an amendment to the bill (S. 82) to authorize appropriations for Federal Aviation Administration, and for other purposes; as follows:

[The amendment was not available for printing. It will appear in a future issue of the RECORD.]

**GORTON (AND OTHERS)
AMENDMENT NO. 1892**

Mr. GORTON (for himself, Mr. ROCKEFELLER, Mr. GRASSLEY, Mr. HARKIN, and Mr. ASHCROFT) proposed an amendment to the bill, S. 82, supra; as follows:

Strike sections 506, 507, and 508 and insert the following:

SEC. 506. CHANGES IN, AND PHASE-OUT OF, SLOT RULES.

(a) RULES THAT APPLY TO ALL SLOT EXEMPTION REQUESTS.—

(1) PROMPT CONSIDERATION OF REQUESTS.—Section 41714(i) is amended to read as follows:

“(i) 45-DAY APPLICATION PROCESS.—

“(1) REQUEST FOR SLOT EXEMPTIONS.—Any slot exemption request filed with the Secretary under this section, section 41717, or 41719 shall include—

“(A) the names of the airports to be served;

“(B) the times requested; and

“(C) such additional information as the Secretary may require.

“(2) ACTION ON REQUEST; FAILURE TO ACT.—Within 45 days after a slot exemption request under this section, section 41717, or section 41719 is received by the Secretary, the Secretary shall—

“(A) approve the request if the Secretary determines that the requirements of the section under which the request is made are met;

“(B) return the request to the applicant for additional information; or

“(C) deny the request and state the reasons for its denial.

“(3) 45-DAY PERIOD TOLLED FOR TIMELY REQUEST FOR MORE INFORMATION.—If the Secretary returns the request for additional information during the first 10 days after the request is filed, then the 45-day period shall be tolled until the date on which the additional information is filed with the Secretary.

“(4) FAILURE TO DETERMINE DEEMED APPROVAL.—If the Secretary neither approves

the request under paragraph (2)(A) nor denies the request under subparagraph (2)(C) within the 45-day period beginning on the date it is received, excepting any days during which the 45-day period is tolled under paragraph (3), then the request is deemed to have been approved on the 46th day after it was filed with the Secretary.”

(2) EXEMPTIONS MAY NOT BE BOUGHT OR SOLD.—Section 41714 is further amended by adding at the end the following:

“(j) EXEMPTIONS MAY NOT BE BOUGHT OR SOLD.—No exemption from the requirements of subparts K and S of part 93 of title 14, Code of Federal Regulations, granted under this section, section 41717, or section 41719 may be bought or sold by the carrier to which it is granted.”

(3) EQUAL TREATMENT OF AFFILIATED CARRIERS.—Section 41714, as amended by paragraph (2), is further amended by adding at the end thereof the following:

“(k) AFFILIATED CARRIERS.—For purposes of this section, section 41717, 41718, and 41719, the Secretary shall treat all commuter air carriers that have cooperative agreements, including code-share agreements, with other air carriers equally for determining eligibility for the application of any provision of those sections regardless of the form of the corporate relationship between the commuter air carrier and the other air carrier.”

(4) NEW ENTRANT SLOTS.—Section 41714(c) is amended—

(A) by striking “(1) IN GENERAL.—”;

(B) by striking “and the circumstances to be exceptional.”; and

(C) by striking paragraph (2).

(5) LIMITED INCUMBENT; REGIONAL JET.—Section 40102 is amended by—

(A) inserting after paragraph (28) the following:

“(28A) The term ‘limited incumbent air carrier’ has the meaning given that term in subpart S of part 93 of title 14, Code of Federal Regulations, except that ‘20’ shall be substituted for ‘12’ in sections 93.213(a)(5), 93.223(c)(3), and 93.225(h) as such sections were in effect on August 1, 1998.”; and

(B) inserting after paragraph (37) the following:

“(37A) The term ‘regional jet’ means a passenger, turbofan-powered aircraft carrying not fewer than 30 and not more than 50 passengers.”

(b) PHASE-OUT OF SLOT RULES.—Chapter 417 is amended—

(1) by redesignating sections 41715 and 41716 as sections 41720 and 41721; and

(2) by inserting after section 41714 the following:

“§ 41715. Phase-out of slot rules at certain airports

“(a) TERMINATION.—The rules contained in subparts S and K of part 93, title 14, Code of Federal Regulations, shall not apply—

“(1) after March 31, 2003, at Chicago O’Hare International Airport; and

“(2) after December 31, 2006, at LaGuardia Airport or John F. Kennedy International Airport.

“(b) FAA SAFETY AUTHORITY NOT COMPROMISED.—Nothing in subsection (a) affects the Federal Aviation Administration’s authority for safety and the movement of air traffic.

(c) PRESERVATION OF EXISTING SERVICE.—Chapter 417, as amended by subsection (b), is amended by inserting after section 41715 the following:

“§ 41716. Preservation of certain existing slot-related air service

“An air carrier that provides air transportation of passenger from a high density airport (other than Ronald Reagan Washington

National Airport) to a small hub airport or non-hub airport, or to an airport that is smaller than a small hub or non-hub airport, on or before the date of enactment of the Air Transportation Improvement Act pursuant to an exemption from the requirements under subparts K and S of part 93 of title 14, Code of Federal Regulations (pertaining to slots at high density airports), or where slots were issued to an airline conditioned on a specific airport being served, may not terminate air transportation service for that route for a period of 2 years (with respect to service from LaGuardia Airport or John F. Kennedy International Airport), or 4 years (with respect to service from Chicago O'Hare International Airport), after the date on which those requirements cease to apply to that high density airport unless—

“(1) before October 1, 1999, the Secretary received a written air service termination notice for that route; or

“(2) after September 30, 1999, the air carrier submits an air service termination notice under section 41720 for that route and the Secretary determines that the carrier suffered excessive losses, including substantial losses on operations on that route during the calendar quarters immediately preceding submission of the notice.”.

(d) SPECIAL RULES AFFECTING LAGUARDIA AIRPORT AND JOHN F. KENNEDY INTERNATIONAL AIRPORT.—Chapter 417, as amended by subsection (c), is amended by inserting after section 41716 the following:

“§ 41717. Interim slot rules at New York airports

“(a) IN GENERAL.—The Secretary of Transportation may, by order, grant exemptions from the requirements under subparts K and S of part 93 of title 14, Code of Federal Regulations (pertaining to slots at high density airports) with respect to a regional jet aircraft providing air transportation between LaGuardia Airport or John F. Kennedy International Airport and a small hub or nonhub airport—

“(1) if the operator of the regional jet aircraft was not providing such air transportation during the week of June 15, 1999; or

“(2) if the level of air transportation to be provided between such airports by the operator of the regional jet aircraft during any week will exceed the level of air transportation provided by such operator between such airports during the week of June 15, 1999.”.

(e) SPECIAL RULES AFFECTING CHICAGO O'HARE INTERNATIONAL AIRPORT.—

(1) NONSTOP REGIONAL JET, NEW ENTRANTS, AND LIMITED INCUMBENTS.—chapter 417, as amended by subsection (d), is amended by inserting after section 41717 the following:

“§ 41718. Interim application of slot rules at Chicago O'Hare International Airport

“(a) SLOT OPERATING WINDOW NARROWED.—Effective April 1, 2002, the requirements of subparts K and S of part 93 of title 14, Code of Federal Regulations, do not apply with respect to aircraft operating before 2:45 post meridiem and after 8:15 post meridiem at Chicago O'Hare International Airport.

“(b) NEW OR INCREASED SERVICE TO SMALLER AIRPORTS; NEW ENTRANTS.—

“(1) IN GENERAL.—Effective January 1, 2000, the requirements of subparts K and S of part 93 of title 14, Code of Federal Regulations, do not apply with respect to—

“(A) any air carrier for the provision of nonstop regional jet or turboprop air service between Chicago O'Hare International Airport and an airport with fewer than 2,000,000 annual enplanements (based on the Federal

Aviation Administration's Primary Airport Enplanement Activity Summary for Calendar Year 1997) that is an airport not served by nonstop service, or not served by more than 1 carrier providing nonstop service, from Chicago O'Hare International Airport; or

“(B) a new entrant or limited incumbent air carrier for the provision of service to Chicago O'Hare International Airport.

“(2) NEW OR INCREASED SERVICE REQUIRED.—Paragraph (1)(A) applies only for the provision of—

“(A) air service to an airport to which the air carrier was not providing air service from Chicago O'Hare International Airport during the week of June 15, 1999; or

“(B) additional air service between Chicago O'Hare International Airport and any airport to which it provided air service during that week.

“(3) NEW ENTRANTS AND LIMITED INCUMBENTS.—Paragraph (1)(B) applies only for the provision of—

“(A) air service to an airport to which the air carrier was not providing air service from Chicago O'Hare International Airport during the week of June 15, 1999; or

“(B) additional air service between Chicago O'Hare International Airport and any airport to which it provided air service during that week.

“(c) STAGE 3 AIRCRAFT REQUIRED.—Subsection (a) does not apply to service by any aircraft that is not a Stage 3 aircraft (as defined by the Secretary).

“(d) DOT TO MONITOR FLIGHTS.—The Secretary of Transportation shall monitor flights under the authority provided by subsection (b) to ensure that any such flight meets the requirements of subsection (a). If the Secretary finds that an air carrier is operating a flight under the authority of subsection (b) that does meet those requirements the Secretary shall immediately terminate the air carrier's authority to operate that flight.

“(e) INTERNATIONAL SERVICE AT O'HARE AIRPORT.—The requirements of subparts K and S of part 93 of title 14, Code of Federal Regulations shall be of no force and effect at O'Hare International Airport after March 31, 2000, with respect to any aircraft providing foreign air transportation. For a foreign air carrier domiciled in a country to which a United States air carrier provides nonstop service from the United States, the preceding sentence applies to that foreign air carrier only if the country in which that carrier is domiciled provides reciprocal airport access for United States air carriers.”.

(2) PROHIBITION OF SLOT WITHDRAWS.—

(A) IN GENERAL.—Section 41714(b) is amended—

(i) by inserting “at Chicago O'Hare International Airport” after “a slot” in paragraph (2); and

(ii) by striking “if the withdrawal” and all that follows before the period in paragraph (2).

(3) CONVERSIONS.—Section 41714(b) is amended by striking paragraph (4) and inserting the following:

“(4) CONVERSIONS OF SLOTS.—Effective April 1, 2000, slots at Chicago O'Hare International Airport allocated to an air carrier as of June 15, 1999, to provide foreign air transportation shall be made available to such carrier to provide interstate or intrastate air transportation.”.

(4) IMMEDIATE RETURN OF WITHDRAWN SLOTS.—The Secretary of Transportation shall return any slot withdrawn from an air carrier under section 41714(b) of title 49,

United States Code, or the preceding provision of law, before the date of enactment of this Act, to that carrier no later than January 1, 2000.

(5) 3-YEAR REPORT.—The Secretary shall study and submit a report 3 years after the date of enactment of the Air Transportation Improvement Act on the impact of the changes resulting from the implementation of the Air Transportation Improvement Act on safety, the environment, noise, access to underserved markets, and competition at Chicago O'Hare International Airport.

(f) SPECIAL RULES AFFECTING REAGAN WASHINGTON NATIONAL AIRPORT.—

(1) IN GENERAL.—Chapter 417, as amended by subsection (e), is amended by inserting after section 41718 the following:

“§ 41719. Special Rules for Ronald Reagan Washington National Airport

“(a) BEYOND-PERIMETER EXEMPTIONS.—The Secretary shall by order grant exemptions from the application of sections 49104(a)(5), 49109, 49111(e), and 41714 of this title to air carriers to operate limited frequencies and aircraft on select routes between Ronald Reagan Washington National Airport and domestic hub airports of such carriers and exemptions from the requirements of subparts K and S of part 93, Code of Federal Regulations, if the Secretary finds that the exemptions will—

“(1) provide air transportation service with domestic network benefits in areas beyond the perimeter described in that section;

“(2) increase competition by new entrant air carriers or in multiple markets;

“(3) not reduce travel options for communities served by small hub airports and medium hub airports within the perimeter described in section 49109 of this title; and

“(4) not result in meaningfully increased travel delays.

“(b) WITHIN-PERIMETER EXEMPTIONS.—The Secretary shall by order grant exemptions from the requirements of sections 49104(a)(5), 49111(e), and 41714 of this title and subparts K and S of part 93 of title 14, Code of Federal Regulations, to air carriers for service to airports that were designated as medium-hub or smaller airports in the Federal Aviation Administration's Primary Airport Enplanement Activity Summary for Calendar Year 1997 within the perimeter established for civil aircraft operations at Ronald Reagan Washington National Airport under section 49109. The Secretary shall develop criteria for distributing slot exemptions for flights within the perimeter to such airports under this paragraph in a manner that promotes air transportation—

“(1) by new entrant and limited incumbent air carriers;

“(2) to communities without existing service to Ronald Reagan Washington National Airport;

“(3) to small communities; or

“(4) that will provide competitive service on a monopoly nonstop route to Ronald Reagan Washington National Airport.

“(c) LIMITATIONS.—

“(1) STAGE 3 AIRCRAFT REQUIRED.—An exemption may not be granted under this section with respect to any aircraft that is not a Stage 3 aircraft (as defined by the Secretary).

“(2) GENERAL EXEMPTIONS.—The exemptions granted under subsections (a) and (b) may not increase the number of operations at Ronald Reagan Washington National Airport in any 1-hour period during the hours between 7:00 a.m. and 9:59 p.m. by more than 2 operations.

“(3) ADDITIONAL EXEMPTIONS.—The Secretary shall grant exemptions under subsections (a) and (b) that—

“(A) will result in 12 additional daily air carrier slot exemptions at such airport for long-haul service beyond the perimeter;

“(B) will result in 12 additional daily air carrier slot exemptions at such airport for service within the perimeter; and

“(C) will not result in additional daily slot exemptions for service to any within-the-perimeter airport that was designated as a large-hub airport in the Federal Aviation Administration's Primary Airport Enplanement Activity Summary for Calendar Year 1997.

“(4) ASSESSMENT OF SAFETY, NOISE AND ENVIRONMENTAL IMPACTS.—The Secretary shall assess the impact of granting exemptions, including the impacts of the additional slots and flights at Ronald Reagan Washington National Airport provided under subsections (a) and (b) on safety, noise levels and the environment within 90 days of the date of the enactment of the Air Transportation Improvement Act. The environmental assessment shall be carried out in accordance with parts 1500–1508 of title 40, Code of Federal Regulations. Such environmental assessment shall include a public meeting.

“(5) APPLICABILITY WITH EXEMPTION 5133.—Nothing in this section affects Exemption No. 5133, as from time-to-time amended and extended.”

(2) OVERRIDE OF MWAA RESTRICTION.—Section 49104(a)(5) is amended by adding at the end thereof the following:

“(D) Subparagraph (C) does not apply to any increase in the number of instrument flight rule takeoffs and landings necessary to implement exemptions granted by the Secretary under section 41719.”

(3) MWAA NOISE-RELATED GRANT ASSURANCES.—

(A) IN GENERAL.—In addition to any condition for approval of an airport development project that is the subject of a grant application submitted to the Secretary of Transportation under chapter 471 of title 49, United States Code, by the Metropolitan Washington Airports Authority, the Authority shall be required to submit a written assurance that, for each such grant made to the Authority for fiscal year 2000 or any subsequent fiscal year—

(i) the Authority will make available for that fiscal year funds for noise compatibility planning and programs that are eligible to receive funding under chapter 471 of title 49, United States Code, in an amount not less than 10 percent of the aggregate annual amount of financial assistance provided to the Authority by the Secretary as grants under chapter 471 of title 49, United States Code; and

(ii) the Authority will not divert funds from a high priority safety project in order to make funds available for noise compatibility planning and programs.

(B) WAIVER.—The Secretary of Transportation may waive the requirements of subparagraph (A) for any fiscal year for which the Secretary determines that the Metropolitan Washington Airports Authority is in full compliance with applicable airport noise compatibility planning and program requirements under part 150 of title 14, Code of Federal Regulations.

(C) SUNSET.—This paragraph shall cease to be in effect 5 years after the date of enactment of this Act if on that date the Secretary of Transportation certifies that the Metropolitan Washington Airports Authority has achieved full compliance with applicable noise compatibility planning and program requirements under part 150 of title 14, Code of Federal Regulations.

(4) REPORT.—Within 1 year after the date of enactment of this Act, and biannually thereafter, the Secretary shall certify to the United States Senate Committee on Commerce, Science, and Transportation, the United States House of Representatives Committee on Transportation and Infrastructure, the Governments of Maryland, Virginia, and West Virginia and the metropolitan planning organization of Washington, D.C., that noise standards, air traffic congestion, airport-related vehicular congestion safety standards, and adequate air service to communities served by small hub airports and medium hub airports within the perimeter described in section 49109 of title 49, United States Code, have been maintained at appropriate levels.

(g) NOISE COMPATIBILITY PLANNING AND PROGRAMS.—Section 47117(e) is amended by adding at the end the following:

“(3) The Secretary shall give priority in making grants under paragraph (1)(A) to applications for airport noise compatibility planning and programs at and around—

“(A) Chicago O'Hare International Airport;

“(B) LaGuardia Airport;

“(C) John F. Kennedy International Airport; and

“(D) Ronald Reagan Washington National Airport.”

(h) STUDY OF COMMUNITY NOISE LEVELS AROUND HIGH DENSITY AIRPORTS.—The Secretary of Transportation shall study community noise levels in the areas surrounding the 4 high-density airports after the 100 percent Stage 3 fleet requirements are in place, and compare those levels with the levels in such areas before 1991.

(i) CONFORMING AMENDMENTS.—

(1) Section 49111 is amended by striking subsection (4).

(2) The chapter analysis for subchapter I of chapter 417 is amended—

(A) redesignating the items relating to sections 41715 and 41716 as relating to sections 41720 and 41721, respectively; and

(B) by inserting after the item relating to section 41714 the following:

“41715. Phase-out of slot rules at certain airports

“41716. Preservation of certain existing slot-related air service

“41717. Interim slot rules at New York airports

“41718. Interim application of slot rules at Chicago O'Hare International Airport

“41719. Special Rules for Ronald Reagan Washington National Airport.”

ROCKFELLER AMENDMENT NO. 1893

Mr. GORTON (for Mr. ROCKEFELLER) proposed an amendment to the bill, S. 82, supra; as follows:

At the appropriate place insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Air Traffic Management Improvement Act of 1999”.

SEC. 2. AMENDMENTS TO TITLE 49, UNITED STATES CODE.

Except as otherwise specifically provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision of law, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Federal Aviation Administration.

(2) SECRETARY.—The term “Secretary” means the Secretary of the Department of Transportation.

SEC. 4. FINDINGS.

The Congress makes the following findings:

(1) The nation's air transportation system is projected to grow by 3.4 percent per year over the next 12 years.

(2) Passenger enplanements are expected to rise to more than 1 billion by 2009, from the current level of 660 million.

(3) The aviation industry is one of our Nation's critical industries, providing a means of travel to people throughout the world, and a means of moving cargo around the globe.

(4) The ability of all sectors of American society, urban and rural, to access and to compete effectively in the new and dynamic global economy requires the ability of the aviation industry to serve all the Nation's communities effectively and efficiently.

(5) The Federal government's role is to promote a safe and efficient national air transportation system through the management of the air traffic control system and through effective and sufficient investment in aviation infrastructure, including the Nation's airports.

(6) Numerous studies and reports, including the National Civil Aviation Review Commission, have concluded that the projected expansion of air service may be constrained by gridlock in our Nation's airways, unless substantial management reforms are initiated for the Federal Aviation Administration.

(7) The Federal Aviation Administration is responsible for safely and efficiently managing the National Airspace System 365 days a year, 24 hours a day.

(8) The Federal Aviation Administration's ability to efficiently manage the air traffic system in the United States is restricted by antiquated air traffic control equipment.

(9) The Congress has previously recognized that the Administrator needs relief from the Federal government's cumbersome personnel and procurement laws and regulations to take advantage of emerging technologies and to hire and retain effective managers.

(10) The ability of the Administrator to achieve greater efficiencies in the management of the air traffic control system requires additional management reforms, such as the ability to offer incentive pay for excellence in the employee workforce.

(11) The ability of the Administrator to effectively manage finances is dependent in part on the Federal Aviation Administration's ability to enter into long-term debt and lease financing of facilities and equipment, which in turn are dependent on sustained sound audits and implementation of a cost management program.

(12) The Administrator should use the full authority of the Federal Aviation Administration to make organizational changes to improve the efficiency of the air traffic control system, without compromising the Federal Aviation Administration's primary mission of protecting the safety of the travelling public.

SEC. 5. AIR TRAFFIC CONTROL SYSTEM DEFINED.

Section 40102(a) is amended—

(1) by redesignating paragraphs (5) through (41) as paragraphs (6) through (42), respectively; and

(2) by inserting after paragraph (4) the following:

“(5) ‘air traffic control system’ means the combination of elements used to safely and

efficiently monitor, direct, control, and guide aircraft in the United States and United States-assigned airspace, including—

“(A) allocated electromagnetic spectrum and physical, real, personal, and intellectual property assets making up facilities, equipment, and systems employed to detect, track, and guide aircraft movement;

“(B) laws, regulations, orders, directives, agreements, and licenses;

“(C) published procedures that explain required actions, activities, and techniques used to ensure adequate aircraft separation; and

“(D) trained personnel with specific technical capabilities to satisfy the operational, engineering, management, and planning requirements for air traffic control.”.

SEC. 6. CHIEF OPERATING OFFICER FOR AIR TRAFFIC SERVICES.

(a) Section 106 is amended by adding at the end the following:

“(r) CHIEF OPERATING OFFICER.—

“(1) IN GENERAL.—

“(A) APPOINTMENT.—There shall be a Chief Operating Officer for the air traffic control system to be appointed by the Administrator, after consultation with the Management Advisory Council. The Chief Operating Officer shall report directly to the Administrator and shall be subject to the authority of the Administrator.

“(B) QUALIFICATIONS.—The Chief Operating Officer shall have a demonstrated ability in management and knowledge of or experience in aviation.

“(C) TERM.—The Chief Operating Officer shall be appointed for a term of 5 years.

“(D) REMOVAL.—The Chief Operating Officer shall serve at the pleasure of the Administrator, except that the Administrator shall make every effort to ensure stability and continuity in the leadership of the air traffic control system.

“(E) COMPENSATION.—

“(i) The Chief Operating Officer shall be paid at an annual rate of basic pay not to exceed that of the Administrator, including any applicable locality-based payment. This basic rate of pay shall subject the chief operating officer to the post-employment provisions of section 207 of title 18 as if this position were described in section 207(c)(2)(A)(i) of that title.

“(ii) In addition to the annual rate of basic pay authorized by paragraph (1) of this subsection, the Chief Operating Officer may receive a bonus not to exceed 50 percent of the annual rate of basic pay, based upon the Administrator's evaluation of the Chief Operating Officer's performance in relation to the performance goals set forth in the performance agreement described in subsection (b) of this section. A bonus may not cause the Chief Operating Officer's total aggregate compensation in a calendar year to equal or exceed the amount of the President's salary under section 102 of title 3, United States Code.

“(2) ANNUAL PERFORMANCE AGREEMENT.—The Administrator and the Chief Operating Officer shall enter into an annual performance agreement that sets forth measurable organization and individual goals for the Chief Operating Officer in key operational areas. The agreement shall be subject to review and renegotiation on an annual basis.

“(3) ANNUAL PERFORMANCE REPORT.—The Chief Operating Officer shall prepare and submit to the Secretary of Transportation and Congress an annual management report containing such information as may be prescribed by the Secretary.

“(4) RESPONSIBILITIES.—The Administrator may delegate to the Chief Operating Officer,

or any other authority within the Federal Aviation Administration responsibilities, including, but not limited to the following:

“(A) STRATEGIC PLANS.—To develop a strategic plan for the Federal Aviation Administration for the air traffic control system, including the establishment of—

“(i) a mission and objectives;

“(ii) standards of performance relative to such mission and objectives, including safety, efficiency, and productivity; and

“(iii) annual and long-range strategic plans.

“(iv) methods of the Federal Aviation Administration to accelerate air traffic control modernization and improvements in aviation safety related to air traffic control.

“(B) OPERATIONS.—To review the operational functions of the Federal Aviation Administration, including—

“(i) modernization of the air traffic control system;

“(ii) increasing productivity or implementing cost-saving measures; and

“(iii) training and education.

“(C) BUDGET.—To—

“(i) develop a budget request of the Federal Aviation Administration related to the air traffic control system prepared by the Administrator;

“(i) submit such budget request to the Administrator and the Secretary of Transportation; and

“(iii) ensure that the budget request supports the annual and long-range strategic plans developed under paragraph (4)(A) of this subsection.

“(5) BUDGET SUBMISSION.—The Secretary shall submit the budget request prepared under paragraph (4)(D) of this subsection for any fiscal year to the President who shall submit such request, without revision, to the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives and the Committees on Commerce, Science, and Transportation and Appropriations of the Senate, together with the President's annual budget request for the Federal Aviation Administration for such fiscal year.”.

SEC. 7. FEDERAL AVIATION MANAGEMENT ADVISORY COUNCIL.

(a) MEMBERSHIP.—Section 106(p)(2)(C) is amended to read as follows:

“(C) 13 members representing aviation interests, appointed by—

(i) in the case of initial appointments to the Council, the President by and with the advice and consent of the Senate; and

“(ii) in the case of subsequent appointments to the Council, the Secretary of Transportation.”.

(b) TERMS OF MEMBERS.—Section 106(p)(6)(A)(i) is amended by striking “by the President”.

(c) AIR TRAFFIC SERVICES SUBCOMMITTEE.—Section 106(p)(6) is amended by adding at the end thereof the following:

“(E) AIR TRAFFIC SERVICES SUBCOMMITTEE.—The Chairman of the Management Advisory Council shall constitute an Air Traffic Services Subcommittee to provide comments, recommend modifications, and provide dissenting views to the Administrator on the performance of air traffic services, including—

“(i) the performance of the Chief Operating Officer and other senior managers within the air traffic organization of the Federal Aviation Administration;

“(ii) long-range and strategic plans for air traffic services;

“(iii) review the Administrator's selection, evaluation, and compensation of senior ex-

ecutives of the Federal Aviation Administration who have program management responsibility over significant functions of the air traffic control system;

“(iv) review and make recommendations to the Administrator's plans for any major reorganization of the Federal Aviation Administration that would effect the management of the air traffic control system;

“(v) review, and make recommendations the Administrator's cost allocation system and financial management structure and technologies to help ensure efficient and cost-effective air traffic control operation.

“(vi) review the performance and co-operation of managers responsible for major acquisition projects, including the ability of the managers to meet schedule and budget targets; and

“(vii) other significant actions that the Subcommittee considers appropriate and that are consistent with the implementation of this Act.”.

SEC. 8. COMPENSATION OF THE ADMINISTRATOR.

Section 106(b) is amended—

(1) by inserting “(1)” before “The”; and

(2) by adding at the end the following:

“(2) In addition to the annual rate of pay authorized for the Administrator, the Administrator may receive a bonus not to exceed 50 percent of the annual rate of basic pay, based upon the Secretary's evaluation of the Administrator's performance in relation to the performance goals set forth in a performance agreement. A bonus may not cause the Administrator's total aggregate compensation in a calendar year to equal or exceed the amount of the President's salary under section 102 of title 3, United States Code.”.

SEC. 9. NATIONAL AIRSPACE REDESIGN.

(a) FINDINGS RELATING TO THE NATIONAL AIRSPACE.—The Congress makes the following additional findings:

(1) The National airspace, comprising more than 29 million square miles, handles more than 55,000 flights per day.

(2) Almost 2,000,000 passengers per day traverse the United States through 20 major en route centers including more than 700 different sectors.

(3) Redesign and review of the National airspace may produce benefits for the traveling public by increasing the efficiency and capacity of the air traffic control system and reducing delays.

(4) Redesign of the National airspace should be a high priority for the Federal Aviation Administration and the air transportation industry.

(b) REDESIGN REPORT.—The Administrator, with advice from the aviation industry and other interested parties, shall conduct a comprehensive redesign of the national airspace system and shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and to the Committee on Transportation and Infrastructure of the House on the Administrator's comprehensive national airspace redesign. The report shall include projected milestones for completion of the redesign and shall also include a date for completion. The report must be submitted to the Congress no later than December 31, 2000. There are authorized to be appropriated to the Administrator to carry out this section \$12,000,000 for fiscal years 2000, 2001, and 2002.

SEC. 10. FAA COSTS AND ALLOCATIONS SYSTEM MANAGEMENT.

(a) REPORT ON THE COST ALLOCATION SYSTEM.—No later than July 9, 2000, the Administrator shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on

Transportation and Infrastructure of the House on the cost allocation system currently under development by the Federal Aviation Administration. The report shall include a specific date for completion and implementation of the cost allocation system throughout the agency and shall also include the timetable and plan for the implementation of a cost management system.

(b) INDEPENDENT ASSESSMENT.—

(1) IN GENERAL.—The Inspector General of the Department of Transportation shall conduct the assessments described in this subsection. To conduct the assessments, the Inspector General may use the staff and resources of the Inspector General or contract with one or more independent entities.

(2) ASSESSMENT OF ADEQUACY AND ACCURACY OF FEDERAL AVIATION ADMINISTRATION COST DATA AND ATTRIBUTIONS.—

(A) IN GENERAL.—The Inspector General shall conduct an assessment to ensure that the method for calculating the overall costs of the Federal Aviation Administration and attributing such costs to specific users is appropriate, reasonable, and understandable to the users.

(B) COMPONENTS.—In conducting the assessment under this paragraph, the Inspector General shall assess the Federal Aviation Administration's definition of the services to which the Federal Aviation Administration ultimately attributes its costs.

(3) COST EFFECTIVENESS.—

(A) IN GENERAL.—The Inspector General shall assess the progress of the Federal Aviation Administration in cost and performance management, including use of internal and external benchmarking in improving the performance and productivity of the Federal Aviation Administration.

(B) ANNUAL REPORTS.—Not later than December 31, 2000, the Inspector General shall transmit to Congress an updated report containing the results of the assessment conducted under this paragraph.

(C) INFORMATION TO BE INCLUDED IN FEDERAL AVIATION ADMINISTRATION FINANCIAL REPORT.—The Administrator shall include in the annual financial report of the Federal Aviation Administration information on the performance of the Administration sufficient to permit users and others to make an informed evaluation of the progress of the Administration in increasing productivity.

SEC. 11. AIR TRAFFIC MODERNIZATION PILOT PROGRAM.

(a) IN GENERAL.—Chapter 445 is amended by adding at the end thereof the following:

“§ 4451b. Air traffic modernization joint venture pilot program

“(a) PURPOSE.—It is the purpose of this section to improve aviation safety and enhance mobility of the nation's air transportation system by facilitating the use of joint ventures and innovative financing, on a pilot program basis, between the Federal Aviation Administration and industry, to accelerate investment in critical air traffic control facilities and equipment.

“(b) DEFINITIONS.—As used in this section:

“(1) ASSOCIATION.—The term ‘Association’ means the Air Traffic Modernization Association established by this section.

“(2) PANEL.—The term ‘panel’ means the executive panel of the Air Traffic Modernization Association.

“(3) OBLIGOR.—The term ‘obligor’ means a public airport, an air carrier or foreign air carrier that operates a public airport, or a consortium consisting of 2 or more of such entities.

“(4) ELIGIBLE PROJECT.—The term ‘eligible project’ means a project relating to the na-

tion's air traffic control system that promotes safety, efficiency or mobility, and is included in the Airway Capital Investment Plan required by section 44502, including—

“(A) airport-specific air traffic facilities and equipment, including local area augmentation systems, instrument landings systems, weather and wind shear detection equipment, lighting improvements and control towers;

“(B) automation tools to effect improvements in airport capacity, including passive final approach spacing tools and traffic management advisory equipment; and

“(C) facilities and equipment that enhance airspace control procedures, including consolidation of terminal radar control facilities and equipment, or assist in en route surveillance, including oceanic and off-shore flight tracking.

“(5) SUBSTANTIAL COMPLETION.—The term ‘substantial completion’ means the date upon which a project becomes available for service.

“(c) AIR TRAFFIC MODERNIZATION ASSOCIATION.—

“(1) IN GENERAL.—There may be established in the District of Columbia a private, not for profit corporation, which shall be known as the Air Traffic Modernization Association, for the purpose of providing assistance to obligors through arranging lease and debt financing of eligible projects.

“(2) NON-FEDERAL ENTITY.—The Association shall not be an agency, instrumentality or establishment of the United States Government and shall not be a ‘wholly-owned Government controlled corporation’ as defined in section 9101 of title 31, United States Code. No action under section 1491 of title 28, United States Code shall be allowable against the United States based on the actions of the Association.

“(3) EXECUTIVE PANEL.—

“(A) The Association shall be under the direction of an executive panel made up of 3 members, as follows:

“(i) 1 member shall be an employee of the Federal Aviation Administration to be appointed by the Administrator;

“(ii) 1 member shall be a representative of commercial air carriers, to be appointed by the Management Advisory Council; and

“(iii) 1 member shall be a representative of operators of primary airports, to be appointed by the Management Advisory Council.

“(B) The panel shall elect from among its members a chairman who shall serve for a term of 1 year and shall adopt such bylaws, policies, and administrative provisions as are necessary to the functioning of the Association.

“(4) POWERS, DUTIES AND LIMITATIONS.—Consistent with sound business techniques and provisions of this chapter, the Association is authorized—

“(A) to borrow funds and enter into lease arrangements as lessee with other parties relating to the financing of eligible projects, provided that any public debt issuance shall be rated investment grade by a nationally recognized statistical rating organization.

“(B) to lend funds and enter into lease arrangements as lessor with obligors, but—

“(i) the term of financing offered by the Association shall not exceed the useful life of the eligible project being financed, as estimated by the Administrator; and

“(ii) the aggregate amount of combined debt and lease financing provided under this subsection for air traffic control facilities and equipment—

“(I) may not exceed \$500,000,000 per fiscal year for fiscal years 2000, 2001, and 2002;

“(II) shall be used for not more than 10 projects; and

“(III) may not provide funding in excess of \$50,000,000 for any single project; and

“(C) to exercise all other powers that are necessary and proper to carry out the purposes of this section.

“(5) PROJECT SELECTION CRITERIA.—In selecting eligible projects from applicants to be funded under this section, the Association shall consider the following criteria:

“(A) The eligible projects' contribution to the national air transportation system, as outlined in the Federal Aviation Administration's modernization plan for alleviating congestion, enhancing mobility, and improving safety.

“(B) The credit-worthiness of the revenue stream pledged by the obligor.

“(C) The extent to which assistance by the Association will enable the obligor to accelerate the date of substantial completion of the project.

“(D) The extent of economic benefit to be derived within the aviation industry, including both public and private sectors.

“(d) AUTHORITY TO ENTER INTO JOINT VENTURE.—

“(1) IN GENERAL.—Subject to the conditions set forth in this section, the Administrator of the Federal Aviation Administration is authorized to enter into a joint venture, on a pilot program basis, with Federal and non-Federal entities to establish the Air Traffic Modernization Association described in subsection (c) for the purpose of acquiring, procuring or utilizing of air traffic facilities and equipment in accordance with the Airway Capital Investment Plan.

“(2) COST SHARING.—The Administrator is authorized to make payments to the Association from amounts available under section 4801(a) of this title, provided that the agency's share of an annual payment for a lease or other financing agreement does not exceed the direct or imputed interest portion of each annual payment for an eligible project. The share of the annual payment to be made by an obligor to the lease or other financing agreement shall be in sufficient amount to amortize the asset cost. If the obligor is an airport sponsor, the sponsor may use revenue from a passenger facility fee, provided that such revenue does not exceed 25 cents per enplaned passenger per year.

“(3) PROJECT SPECIFICATIONS.—The Administrator shall have the sole authority to approve the specifications, staffing requirements, and operating and maintenance plan for each eligible project, taking into consideration the recommendations of the Air Traffic Services Subcommittee of the Management Advisory Council.

“(e) INCENTIVES FOR PARTICIPATION.—An airport sponsor that enters into a lease or financial arrangement financed by the Air Traffic Modernization Association may use its share of the annual payment as a credit toward the non-Federal matching share requirement for any funds made available to the sponsor for airport development projects under chapter 471 of this title.

“(f) UNITED STATES NOT OBLIGATED.—The contribution of Federal funds to the Association pursuant to subsection (d) of this section shall not be construed as a commitment, guarantee, or obligation on the part of the United States to any third party, nor shall any third party have any right against the United States by virtue of the contribution. The obligations of the Association do not constitute any commitment, guarantee or obligation of the United States.

“(g) REPORT TO CONGRESS.—Not later than 3 years after establishment of the Association, the Administrator shall provide a comprehensive and detailed report to the Senate

Committee on Commerce, Science, and Transportation and the House Committee on Transportation and Infrastructure on the Association's activities including—

“(1) an assessment of the Association's effectiveness in accelerating the modernization of the air traffic control system;

“(2) a full description of the projects financed by the Association and an evaluation of the benefits to the aviation community and general public of such investment; and

“(3) recommendations as to whether this pilot program should be expanded or other strategies should be pursued to improve the safety and efficiency of the nation's air transportation system.

“(h) AUTHORIZATION.—Not more than the following amounts may be appropriated to the Administrator from amounts made available under section 4801(a) of this title for the agency's share of the organization and administrative costs for the Air Traffic Modernization Association.

“(1) \$500,000 for fiscal year 2000;

“(2) \$500,000 for fiscal year 2001; and

“(3) \$500,000 for fiscal year 2002.

“(i) RELATIONSHIP TO OTHER AUTHORITIES.—Nothing in this section is intended to limit or diminish existing authorities of the Administrator to acquire, establish, improve, operate, and maintain air navigation facilities and equipment.”

(b) CONFORMING AMENDMENTS.—

“(1) Section 40117(b)(1) is amended by striking “controls.” and inserting “controls, or to finance an eligible project through the Air Traffic Modernization Association in accordance with section 44516 of this title.”

“(2) The analysis for chapter 445 is amended by adding at the end the following:

“44516. Air traffic modernization pilot program.”

BRYAN AMENDMENT NO. 1894

(Ordered to lie on the table.)

Mr. BRYAN submitted an amendment intended to be proposed by him to the bill, S. 82, supra; as follows:

At the appropriate place, add the following new section:

SEC. —

Any regulations based upon the “Evaluation Methodology for Air Tour Operations Over Grand Canyon National Park” adopted by the National Park Service on July 14, 1999 shall not be implemented until 90 days after the National Park Service has provided to Congress a report describing 1) the reasonable scientific basis for such evaluation methodology and 2) the peer review process used to validate such evaluation methodology.

INOUYE AMENDMENT NO. 1895

(Ordered to lie on the table.)

Mr. INOUYE submitted an amendment intended to be proposed by him to the bill, S. 82, supra; as follows:

At the end of title IV, insert the following new section:

SEC. 441. CARRY-ON BAGGAGE.

(a) DEFINITIONS.—In this section:

(1) AIRPLANE.—The term “airplane” means an airplane, as that term is used in section 121.589 of title 14, Code of Federal Regulations.

(2) CARRY-ON BAGGAGE.—The term “carry-on baggage” does not include child safety seats or assistive devices used by disabled passengers.

(3) CERTIFICATE HOLDER.—The term “certificate holder” means a certificate holder, as that term is used in section 121.589 of title 14, Code of Federal Regulations.

(4) PASSENGER.—The term “passenger” includes any child under the age of 2 who boards an airplane of a certificate holder, without regard to whether a ticket for air transportation was purchased for the child.

(b) REGULATIONS.—Not later than 6 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall promulgate revised regulations to modify the regulations contained in section 121.589 of title 14, Code of Federal Regulations, to establish a uniform standard for certificate holders governing—

(1) the number of pieces of carry-on baggage allowed per passenger;

(2) the dimensions of each allowable carry-on baggage; and

(3) a definition of carry-on baggage.

REID (AND FRIST) AMENDMENT NO. 1896

(Ordered to lie on the table.)

Mr. REID (for himself and Mr. FRIST) submitted an amendment intended to be proposed by them to the Bill, S. 82, supra; as follows:

At the appropriate place, add the following new title:

TITLE ——PENALTIES FOR UNRULY PASSENGERS

SEC. 01. PENALTIES FOR UNRULY PASSENGERS.

(a) IN GENERAL.—Chapter 463 is amended by adding at the end the following:

“§ 46317. Interference with cabin or flight crew

“(a) GENERAL RULE.—

“(1) IN GENERAL.—An individual who physically assaults or threatens to physically assault a member of the flight crew or cabin crew of a civil aircraft or any other individual on the aircraft, or takes any action that poses an imminent threat to the safety of the aircraft or other individuals on the aircraft is liable to the United States Government for a civil penalty of not more than \$25,000.

“(2) ADDITIONAL PENALTIES.—In addition or as an alternative to the penalty under paragraph (1), the Secretary of Transportation (referred to in this section as the ‘Secretary’) may prohibit the individual from flying as a passenger on an aircraft used to provide air transportation for a period of not more than 1 year.

“(b) REGULATIONS.—The Secretary shall issue regulations to carry out paragraph (2) of subsection (a), including establishing procedures for imposing bans on flying, implementing such bans, and providing notification to air carriers of the imposition of such bans.

“(c) COMPROMISE AND SETOFF.—

“(1) COMPROMISE.—The Secretary may compromise the amount of a civil penalty imposed under this section.

“(2) SETOFF.—The United States Government may deduct the amount of a civil penalty imposed or compromised under this section from amounts the Government owes the person liable for the penalty.”

(b) CONFORMING AMENDMENT.—The table of sections for chapter 463 is amended by adding at the end the following:

“46317. Interference with cabin or flight crew.”

SEC. 02. DEPUTIZING OF STATE AND LOCAL LAW ENFORCEMENT OFFICERS.

(a) DEFINITIONS.—In this section:

(1) AIRCRAFT.—The term “aircraft” has the meaning given that term in section 40102.

(2) AIR TRANSPORTATION.—The term “air transportation” has the meaning given that term in section 40102.

(3) ATTORNEY GENERAL.—The term “Attorney General” means the Attorney General of the United States.

(b) ESTABLISHMENT OF A PROGRAM TO DEPUTIZED LOCAL LAW ENFORCEMENT OFFICERS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General shall—

(A) establish a program under which the Attorney General may deputize State and local law enforcement officers as Deputy United States Marshals for the limited purpose of enforcing Federal laws that regulate security on board aircraft, including laws relating to violent, abusive, or disruptive behavior by passengers of air transportation; and

(B) encourage the participation of law enforcement officers of State and local governments in the program established under subparagraph (A).

(2) CONSULTATION.—In establishing the program under paragraph (1), the Attorney General shall consult with appropriate officials of—

(A) the Federal Government (including the Administrator of the Federal Aviation Administration or a designated representative of the Administrator); and

(B) State and local governments in any geographic area in which the program may operate.

(3) TRAINING AND BACKGROUND OF LAW ENFORCEMENT OFFICERS.—

(A) IN GENERAL.—Under the program established under this subsection, to qualify to serve as a Deputy United States Marshal under the program, a State or local law enforcement officer shall—

(i) meet the minimum background and training requirements for a law enforcement officer under part 107 of title 14, Code of Federal Regulations (or equivalent requirements established by the Attorney General); and

(ii) receive approval to participate in the program from the State or local law enforcement agency that is the employer of that law enforcement officer.

(B) TRAINING NOT FEDERAL RESPONSIBILITY.—The Federal Government shall not be responsible for providing to a State or local law enforcement officer the training required to meet the training requirements under subparagraph (A)(i). Nothing in this subsection may be construed to grant any such law enforcement officer the right to attend any institution of the Federal Government established to provide training to law enforcement officers of the Federal Government.

(c) POWERS AND STATUS OF DEPUTIZED LAW ENFORCEMENT OFFICERS.—

(1) IN GENERAL.—Subject to paragraph (2), a State or local law enforcement officer that is deputized as a Deputy United States Marshal under the program established under subsection (b) may arrest and apprehend an individual suspected of violating any Federal law described in subsection (b)(1)(A), including any individual who violates a provision subject to a civil penalty under section 46301 of title 49, United States Code, or section 46302, 46303, 46504, 46505, or 46507 of that title, or who commits an act described in section 46506 of that title.

(2) LIMITATION.—The powers granted to a State or local law enforcement officer deputized under the program established under subsection (b) shall be limited to enforcing

Federal laws relating to security on board aircraft in flight.

(3) STATUS.—A State or local law enforcement officer that is deputized as a Deputy United States Marshal under the program established under subsection (b) shall not—

(A) be considered to be an employee of the Federal Government; or

(B) receive compensation from the Federal Government by reason of service as a Deputy United States Marshal in the program.

(d) STATUTORY CONSTRUCTION.—Nothing in this section may be construed to—

(1) grant a State or local law enforcement officer that is deputized under the program under subsection (b) the power to enforce any Federal law that is not described in subsection (c); or

(2) limit the authority that a State or local law enforcement officer may otherwise exercise in the capacity under any other applicable State or Federal law.

(e) REGULATIONS.—The Attorney General may promulgate such regulations as may be necessary to carry out this section.

ABRAHAM AMENDMENT NO. 1897

(Ordered to lie on the table.)

Mr. ABRAHAM submitted an amendment intended to be proposed by him to the bill, S. 82, supra; as follows:

At the appropriate place insert the following:

SEC. . GENERAL AVIATION METROPOLITAN ACCESS AND RELIEVER AIRPORT GRANT FUND.

(a) DEFINITION.—Title 49, United States Code, is amended by adding the following new section at the end of section 47144(d)(1):

“(C) GENERAL AVIATION METROPOLITAN ACCESS AND RELIEVER AIRPORT.—‘General Aviation Metropolitan Access and Reliever Airport’ means a Reliever Airport which has annual operations in excess of 75,000 operations, a runway with a minimum usable landing distance of 5,000 feet, a precision instrumental landing procedure, a minimum of 150 based aircraft, and where the adjacent Air Carrier Airport exceeds 20,000 hours of annual delays as determined by the Federal Aviation Administration.

(b) APPORTIONMENT. States Code, section 4711(d), is amended by adding at the end:

“(4) The Secretary shall apportion an additional 5 per cent of the amount subject to apportionment for each fiscal year to States that include a General Aviation Metropolitan Access and Reliever Airport equal to the percentage of the apportionment equal to the percentage of the number of operations of the State’s eligible General Aviation Metropolitan Access and Reliever Airports compared to the total operations of all General Aviation Metropolitan Access and Reliever Airports.”

BAUCUS AMENDMENT NO. 1898

Mr. BAUCUS proposed an amendment to the bill, S. 82, supra; as follows:

At the appropriate place, insert the following new section:

SEC. . REPORTING OF REASONS FOR DELAYS OR CANCELLATIONS IN AIR FLIGHTS.

In addition to the information required to be included in each report filed with the Office of Airline Information of the Department of Transportation under section 234.4 of title 14, Code of Federal Regulations (as in effect on the date of enactment of this Act), each air carrier subject to the reporting re-

quirement shall specify the reasons for delays or cancellations in all air flights to and from all airports for which the carrier provides service during the period covered by the airport.

LEVIN (AND ABRAHAM) AMENDMENT NO. 1899

Mr. ROCKEFELLER (for Mr. LEVIN (for himself and Mr. ABRAHAM)) proposed an amendment to the bill, S. 82, supra; as follows:

At the appropriate place, insert the following new section:

SEC. . DESIGNATION OF GENERAL AVIATION AIRPORT.

Section 47118 of title 49, United States Code, is amended—

(1) in the second sentence of subsection (a), by striking “12” and inserting “15”; and

(2) by adding at the end the following new subsection:

“(g) DESIGNATION OF GENERAL AVIATION AIRPORT.—Notwithstanding any other provision of this section, at least one of the airports designated under subsection (a) may be a general aviation airport that is a former military installation closed or realigned under a law described in subsection (a)(1).”

ROBB (AND OTHERS) AMENDMENT NO. 1900

(Ordered to lie on the table.)

Mr. ROBB (for himself, Ms. MIKULSKI, and Mr. SARBANES) submitted an amendment intended to be proposed by them to the bill, S. 82, supra; as follows:

At the appropriate place, insert the following new section:

SEC. . CURFEW.

Notwithstanding any other provision of law, any exemptions granted to air carriers under this Act may not result in additional operations at Ronald Reagan Washington National Airport between the hours of 10:00 p.m. and 7:00 a.m.

ROBB (AND OTHERS) AMENDMENTS NOS. 1901–1902

(Ordered to lie on the table.)

Mr. ROBB (for himself, Mr. SARBANES, and Ms. MIKULSKI) submitted two amendments intended to be proposed by them to the bill, S. 82, supra; as follows:

AMENDMENT NO. 1901

At the appropriate place, insert the following new title:

TITLE

SEC. . 01. GOOD NEIGHBORS POLICY.

(a) PUBLIC DISCLOSURE OF NOISE MITIGATION EFFORTS BY AIR CARRIERS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary of Transportation shall collect and publish information provided by air carriers regarding their operating practices that encourage their pilots to follow the Federal Aviation Administration’s operating guidelines on noise abatement.

(b) SAFETY FIRST.—The Secretary shall take such action as is necessary to ensure that noise abatement efforts do not threaten aviation safety.

(c) PROTECTION OF PROPRIETARY INFORMATION.—In publishing information required by

this section, the Secretary shall take such action as is necessary to prevent the disclosure of any air carrier’s proprietary information.

(d) NO MANDATE.—Nothing in this section shall be construed to mandate, or to permit the Secretary to mandate, the use of noise abatement settings by pilots.

SEC. . 02. GAO REVIEW OF AIRCRAFT ENGINE NOISE ASSESSMENT.

(a) GAO STUDY.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and report to Congress on regulations and activities of the Federal Aviation Administration in the area of aircraft engine noise assessment. The study shall include a review of—

(1) the consistency of noise assessment techniques across different aircraft models and aircraft engines, and with varying weight and thrust settings; and

(2) a comparison of testing procedures used for unmodified engines and engines with hush kits or other quieting devices.

(b) RECOMMENDATIONS TO THE FAA.—The Comptroller General’s report shall include specific recommendations to the Federal Aviation Administration on new measures that should be implemented to ensure consistent measurement of aircraft engine noise.

SEC. . 03. GAO REVIEW OF FAA COMMUNITY NOISE ASSESSMENT.

(a) GAO STUDY.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and report to Congress on the regulations and activities of the Federal Aviation Administration in the area of noise assessment in communities near airports. The study shall include a review of whether the noise assessment practices of the Federal Aviation Administration fairly and accurately reflect the burden of noise on communities.

(b) RECOMMENDATIONS TO THE FAA.—The Comptroller General’s report shall include specific recommendations to the Federal Aviation Administration on new measures to improve the assessment of airport noise in communities near airports.

AMENDMENT NO. 1902

At the appropriate place, insert the following new section:

SEC. . LIMITATIONS ON EXEMPTIONS.

Notwithstanding any other provision of law, no additional operations may be granted for Ronald Reagan Washington National Airport above the level that existed on January 1, 1999.

BAUCUS AMENDMENT NO. 1903

(Ordered to lie on the table.)

Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill, S. 82, supra; as follows:

At the appropriate place, insert the following new section:

SEC. . AUDIT AND INVESTIGATION OF SUFFICIENCY OF INFORMATION REPORTED TO THE DEPARTMENT OF TRANSPORTATION ON DELAYS AND CANCELLATIONS OF AIR FLIGHTS.

(a) AUDIT AND INVESTIGATION.—The Inspector General of the Department of Transportation shall conduct an audit and investigation of the sufficiency of information transmitted by air carriers to the Department with respect to delays or cancellations in air flights caused by mechanical failure of aircraft, with special attention to the sufficiency of information on the reasons for such delays or cancellations.

(b) REPORT.—Not later than ___ days after the date of enactment of this Act, the Inspector General of the Department of Transportation shall submit a report to Congress setting forth the findings of the audit and investigation conducted under subsection (a).

SNOWE AMENDMENT NO. 1904

(Ordered to lie on the table.)

Ms. SNOWE submitted an amendment intended to be proposed by her to the bill, S. 82, supra; as follows:

At the end of title V of the Manager's substitute amendment, add the following:

SEC. __. REQUIREMENT TO ENHANCE COMPETITIVENESS OF SLOT EXEMPTIONS FOR REGIONAL JET AIR SERVICE AND NEW ENTRANT AIR CARRIERS AT CERTAIN HIGH DENSITY TRAFFIC AIRPORTS.

(a) IN GENERAL.—Subchapter I of chapter 417, as amended by sections 507 and 508, is amended by adding at the end thereof the following:

“§41721. Requirement to enhance competitiveness of slot exemptions for nonstop regional jet air service and new entrant air carriers at certain airports

“In granting slot exemptions for nonstop regional jet air service and new entrant air carriers under this subchapter to John F. Kennedy International Airport, and La Guardia Airport, the Secretary of Transportation shall require the Federal Aviation Administration to provide commercially reasonable times to takeoffs and landings of air flights conducted under those exemptions.”.

(b) CONFORMING AMENDMENT.—The chapter analysis for subchapter I of chapter 417, as amended by this title, is amended by adding at the end thereof the following:

“41721. Requirement to enhance competitiveness of slot exemptions for nonstop regional jet air service and new entrant air carriers at certain airports.”.

NOTICES OF HEARINGS

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LUGAR. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry will meet on October 6, 1999 in SR-328A at 9:00 a.m. The purpose of this meeting will be to discuss The Science of Biotechnology and its Potential Applications to Agriculture.

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LUGAR. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry will meet on October 7, 1999 in SR-328A at 9:00 a.m. The purpose of this meeting will be to discuss The Regulation of Products of Biotechnology and New Challenges Faced By Farmers and Food Business.

SUBCOMMITTEE ON FOREST AND PUBLIC LAND MANAGEMENT

Mr. CRAIG. Mr. President, I would like to announce for the public some changes to the agenda for the hearing that is scheduled before the Subcommittee on Forests and Public Land Management of the Senate Committee

on Energy and Natural Resources on Thursday, October 14, 1999 at 2:30 p.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

S. 1331, a bill to give Lincoln County, Nevada, the right to purchase at fair market value certain public land in the county, has been deleted from the agenda; S. 1343, a bill to direct the Secretary of Agriculture to convey certain National Forest land to Elko County, Nevada, for continued use as a cemetery, has been added to the agenda.

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

ADDITIONAL STATEMENTS

FIFTIETH ANNIVERSARY OF THE PEOPLE'S REPUBLIC OF CHINA

• Mr. HUTCHINSON. Mr. President, the Communist party celebrated the fiftieth anniversary of the People's Republic of China on October 1. Unfortunately, many Chinese people had little reason to celebrate. Indeed, this was not a celebration of the Chinese people but an orchestrated celebration of the Communist party—a party of purges.

From the formative decade of Yanan, where the party was headquartered, and Mao Tse-tung soundly crushed challenges to his power, to the killing of hundreds of landlords in the 1950s; to the anti-rightist purging of half a million people following the Hundred Flowers period and during the Great Leap Forward; to the Cultural Revolution, during which millions were murdered or died in confinement; to the massacre at Tiananmen square just ten years ago—the Communist party under Mao Tse-tung and Deng Xiaoping sustained its existence not by the consent of the people, but through the violent elimination of dissent.

Even today, we see the party of purges in action on a daily basis. The Communist party under Jiang Zemin is deeply engaged in a piercing campaign to silence the voices of faith and freedom—to purge from society, anyone they see as a threat to their power. The Chinese government continues to imprison members of the Chinese Democracy Party. In August, the government sentenced Liu Xianbin to thirteen years in prison on charges of subversion. His real crime was his desire for democracy. Another Democracy Party member, Mao Qingxiang, was formally arrested in September after being held in detention since June. He will likely languish in prison for ten years because of his desire to be free. I could go on, but some human rights groups estimate that there could be as many as 10,000 political prisoners suf-

fering in Chinese prisons. The party is determined to purge from society those people it finds unsavory.

And the Chinese government will not tolerate people worshiping outside its official churches. So when it began cracking down on the Falun Gong meditation group, which it considers a cult, the government used this inexcusable action to perpetrate another—an intensified assault on Christians. In August, the government arrested thirty-one Christian house church members in Henan province. Henan province must be a wellspring of faith because over 230 Christians have been arrested there since October. Now I am concerned that eight of these House church leaders may face execution if they are labeled and treated as leaders of a cult. Let me say clearly and unequivocally that the eyes of the international community are watching. I hope that these peaceful people will be released.

In the months leading up to this fiftieth anniversary celebration, everything and everyone were swept aside to cast a glamorous light on the Communist party. But the reality was quite ugly. Hundreds of street children, homeless, and mentally and physically disabled people were rounded up and forced into Custody and Repatriation centers across the country. There they were beaten, they were given poor food in unsanitary conditions, and they had to pay rent.

In fact, only 500,000 carefully selected citizens were allowed to participate in the celebration in Beijing. Non-Beijing residents could not enter the city and migrant workers were sent home. They did not see the Communist Party in all its glory, as it displayed the DF-31 intercontinental ballistic missile and other arms, nor did they see the tanks rolling past Tiananmen Square. And Tibetans in Lhasa, who certainly did not want to celebrate, were forced to participate under threat of losing their pay or their pensions. Mr. President, this was a celebration of the party, not the people.

But this gilded celebration will not obscure the corrosion beneath. We must recognize the nature of this corrupt regime. We must never turn a blind eye or a deaf ear to cries of those suffering in China. We must face reality when we deal with the Chinese government.

So when Time Warner chairman Gerald Levin courts President Jiang Zemin even when Time Magazine's China issue is banned, when our top executives are silent on human rights, when we put profit over principle, we are shielding our eyes from the stark reality of persecution in China. As Ronald Reagan said, “. . . we demean the valor of every person who struggles for human dignity and freedom. And we also demean all those who have given that last full measure of devotion.”