

times its size. The park is easily accessible, yet continues to provide quiet, solitude, and remoteness to visitors, especially in the back country. Trail Ridge road provides a unique experience for visitors that are not able to hike in the park. It is the highest paved highway in the United States, and crosses the park from east to west. Spectacular views of peaks and valleys can be seen from the road and nearby overlooks in every direction, similar to what you could see during a helicopter tour. Trail Ridge Road reaches above the timber line and travels for 4 miles above 12,000 feet and for 11 miles above 11,000 feet.

Several problems are specific to this mountainous national park. The elevation of the Park does not allow for a large minimum altitude to minimize noise, therefore, according to the National Park Service, natural quiet is unlikely if overflights are permitted at all. The terrain, consisting of many 13,000 foot peaks and narrow valleys, coupled with unpredictable weather presents serious safety concerns. Also, the unique terrain of Rocky Mountain National Park would cause air traffic to cumulate over the popular, lower portions of the park as pilots are forced to navigate around the dangerous peaks and high winds. Not only would the overflights be concentrated directly over the most popular portions of the park, but more powerful, and louder, helicopters must be used to achieve the necessary lift at a high altitude.

Rocky Mountain National Park has been fortunate enough to be free from overflights to this point, partially because local towns have discouraged companies that might provide such services. Last year the FAA issued a temporary ban on sightseeing flights over Rocky Mountain National Park.

In light of these distinctive qualities, one can assess that the best solution to overflight disturbance is a ban on commercial tour flights at Rocky Mountain National Park. My proposed ban will apply to commercial tour overflights only, with exceptions granted for emergency flights and commercial airlines and private planes. Both the senior Senator from Colorado and I are strongly behind this effort to permanently ban overflights at the park.

A ban would be completely consistent with the recommendations of the overflights task force. There has been public involvement and preparation of an air tour management plan. There is no need to repeat the steps required under this legislative proposal at Rocky Mountain National Park.

A commercial tour overflight ban has wide spread support throughout my state. State and local officials in areas adjacent to the park strongly support a ban on overflights. In fact, local ordinances already exist to protect the quiet at the Park. The entire Colorado delegation and Colorado's Governor are on record in support of an overflight ban. My proposal is supported by the

business community, including the local Chambers of Commerce, as well as the local environmental community.

In 1995, one of our top Denver newspapers editorialized that the FAA should make Rocky Mountain National Park off-limits to low-flying aircraft use, "the sooner the better." Now, three years later, we have finally taken the opportunity to place a permanent restriction on scenic overflights.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

PRIVILEGE OF THE FLOOR

Mr. WELLSTONE. Mr. President, I ask unanimous consent that John Bradshaw, who is a fellow in my office, be allowed to be on the floor for the duration of this statement.

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

Mr. WELLSTONE. I thank the Chair.

KOSOVO

Mr. WELLSTONE. Mr. President, I ask unanimous consent that a letter which I sent to the President about Kosovo be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SEPTEMBER 22, 1998.

President BILL CLINTON,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: As NATO Defense Ministers, including Secretary Cohen, gather in Portugal this week to consider the situation in Kosovo, I write to express my deep concern over the growing humanitarian crisis there. Unless immediate and determined action by the U.S. and our western allies is taken to address this situation, it is clear we will begin to face a catastrophic loss of civilian lives with the onset of winter in the region as early as mid-October.

Despite tight constraints on their reporting by the government of Serbia, the western media daily offers new reports on the rapidly deteriorating situation there. Candid assessments by Administration officials acknowledge the growing crisis. Systematic and brutal military action by Serbian forces, accelerated during their summer-long offensive against UCK forces, has forced an estimated 300,000 or more ethnic Albanians to flee their homes. While many have fled as refugees to neighboring countries, most of these displaced persons remain inside Kosovo and are now vulnerable to exposure, starvation, disease and further Serb military attack. I understand that Assistant Secretary for Refugees Julia Taft concluded during her recent visit there that over 210 villages in the region have already been looted, and many torched, by Serbian security forces.

Serbia has failed utterly to comply with the persistent demands of the Contact Group to: (1) cease attacks on civilian populations, and withdraw its forces used to repress civil-

ians; (2) permit the establishment of an effective international observer group in Kosovo; (3) allow refugees and displaced persons to return to their homes safely, under international supervision; (4) allow unimpeded access for humanitarian organizations and supplies; and (5) make rapid progress in the dialogue with the Kosovar leadership.

While Ambassador Hill is to be commended for his persistent diplomatic efforts, it is clear that the time has come for a more vigorous and sustained high-level multilateral effort to pressure President Milosevic to comply fully with Contact Group demands. I urge you therefore to proceed immediately with a series of steps designed to prevent the looming humanitarian crisis and to prepare for possible implementation of more forceful options developed by NATO planners. These actions include:

Moving forward now, under NATO auspices, with the pre-deployment phase of NATO military plans on Kosovo, including securing base rights agreements in the region, immediately assessing the contributions of each NATO member in the event military action is necessary, and then forward-deploying appropriate levels of NATO military forces and equipment, thus preparing us to take any appropriate military action that may be necessary to secure Serb compliance with Contact Group demands, and with international law regarding the treatment of Kosovar civilians;

Bolstering border security efforts through preventive NATO force deployments which can increase regional stability and assist in international monitoring and anti-arms smuggling efforts;

Leading an immediate multilateral effort, at the United Nations and through regional bodies like the European Union, to tighten the existing sanctions regime on Serbia, and to re-impose the trade embargo, total airflight and investment bans, and other sanctions lifted after signing of the Dayton Peace Accords, coupled with renewed enforcement initiatives to prevent the flourishing of black markets under a full embargo;

Accelerating U.S. and NATO logistical support for the ongoing international humanitarian aid effort in Kosovo, including pre-deployment of humanitarian supplies in Kosovo in anticipation of winter distributions by NGOs—but only in a way which avoids absolutely the prospect of a repeat of the disgraceful "safe haven" disaster of Srebrenica;

Pressing for more extensive access for human rights monitoring in Kosovo by internationally-recognized organizations, including the Organization for Security and Cooperation in Europe, and non-governmental monitors, and providing appropriate support and assistance for their efforts;

Encouraging the International Criminal Tribunal for the Former Yugoslavia immediately to send its Chief Prosecutor to Belgrade and Kosovo; increasing aid and intelligence support to the Tribunal; and assisting them in placing forensics teams on the ground there, thus signaling to all parties that the Tribunal is committed to prosecuting war crimes committed in Kosovo, including attacks on innocent civilians, and has begun to actually gather evidence to support potential indictments against perpetrators—and their commanders and political leadership to whom they answer;

I believe it is essential that these actions be taken as quickly as possible. We must act now, before the onset of winter in Kosovo, to prevent a potential humanitarian tragedy of historic proportions. I also recognize that these steps in themselves may not be sufficient to force Serbia to comply with the Contact Group's demands in a timely manner,

and that further NATO military actions may need to be considered if the situation in Kosovo has not substantially improved, the massacres of civilians continues, and unimpeded access for humanitarian relief workers has not been granted.

Thanks you for your consideration.

Sincerely,

PAUL D. WELLSTONE,
United States Senator.

Mr. WELLSTONE. Mr. President, I thank my colleagues who have come to the floor today to speak about Kosovo for their words.

Mr. President, I rise to call for urgent Presidential action to forestall a humanitarian catastrophe in Kosovo. Unless immediate and determined action by the U.S. and our western allies is taken to address this situation, it is clear we will begin to face a massive loss of civilian lives with the onset of winter in the region as early as mid-October.

The western media offers new reports daily on the rapidly deteriorating situation there. Candid assessments by Administration officials acknowledge the growing crisis. Systematic and brutal military action by Serbian forces, accelerated during their summer-long offensive against UCK forces, has forced an estimated 300,000 or more ethnic Albanians to flee their homes. In recent weeks Serb forces have shelled entire villages, not just rebel positions, forcing more civilians to flee. While many have fled as refugees to neighboring countries, most of these displaced persons remain inside Kosovo and are now vulnerable to exposure, starvation, disease and further Serb military attack. I understand that Assistant Secretary of State for Refugees Julia Taft concluded during her recent visit there that over 210 villages in the region have already been looted, and many torched, by Serbian security forces.

With winter approaching, international relief agencies now fear that tens of thousands of refugees without food or shelter could face death. By some estimates there are 50,000 to 100,000 people in Kosovo living out in the open, without any shelter. Unless they can return to their homes or be provided adequate shelter within the next few weeks they may die of exposure.

Our respected former colleagues Senator Bob Dole recently returned from Kosovo warning that there is a "human catastrophe in the making." President Clinton said last week that there is a potential for a "major humanitarian disaster" in Kosovo and that it is "important that we move as quickly as possible with our allies to avert a tragedy." The President cautioned: "We don't want a repeat of Bosnia."

The President is right. We cannot wait any longer to take more vigorous action to force Serbia to cease making this crisis worse and to allow necessary humanitarian relief into the area. Serbia must comply with the persistent demands of the Contact Group: (1) cease attacks on civilian populations, and withdraw its forces used to repress

civilians; (2) permit the establishment of an effective international observer group in Kosovo; (3) allow refugees and displaced persons to return to their homes safely, under international supervision; (4) allow unimpeded access for humanitarian organizations and supplies; and (5) make rapid progress in the dialogue with the Kosovar leadership.

In recent days there have been some positive developments in the UN Security Council and in NATO which indicate that those organizations may be ready to take necessary action. The Security Council is contemplating a resolution stating that the situation in Kosovo "constitutes a threat to peace and security" that impels the council to demand an immediate cease-fire. This demand would be in accordance with Chapter 7 of the UN charter. There are indications that Russia may be willing to support this resolution. The resolution does not call for the use of force, but I note that Chapter 7 authorizes the use of armed force by NATO members to compel compliance with the council's orders.

Parallel progress is being made at NATO headquarters in Brussels where the U.S. has asked the North Atlantic Council to canvass member countries to determine which countries are willing to provide personnel and equipment to military operations in Kosovo. This action will be useful in precipitating consultations between NATO governments and their respective parliaments and bringing into the open the debate on military options.

I applaud these developments and call on the UN and NATO to accelerate them.

I also want to commend U.S. Ambassador Chris Hill for his persistent diplomatic efforts. The U.S. should continue to work toward a political solution to this problem along the lines pursued by Ambassador Hill. At the same time, though, we must also proceed with a more vigorous and sustained high-level multilateral effort to pressure President Milosevic to comply fully with Contact Group demands.

Mr. President, I want to outline some steps that I hope the administration will proceed with.

I urge the Administration therefore to proceed immediately with a series of steps designed to prevent the looming humanitarian crisis and to prepare for possible implementation of more forceful options developed by NATO planners.

I urge the administration today on the floor of the U.S. Senate to proceed immediately with these steps.

These actions include: Moving forward now, under NATO auspices, with the pre-deployment phase of NATO military plans on Kosovo, including securing base rights agreements in the region, immediately assessing the contributions of each NATO member in the event military action is necessary, and then forward-deploying appropriate levels of NATO military forces

and equipment, thus preparing us to take any appropriate military action that may be necessary to secure Serb compliance with Contact Group demands, and with international law regarding the treatment of Kosovar citizens; bolstering border security efforts through preventive NATO force deployments which can increase regional stability and assist in international monitoring and anti-arms smuggling efforts; leading an immediate multilateral effort, at the United Nations and through regional bodies like the European Union, to tighten the existing sanctions regime on Serbia, and to re-impose the total airflight and investment bans, and other sanctions lifted after signing of the Dayton Peace Accords, and to consider reimposing the trade embargo, coupled with renewed enforcement initiatives to prevent the flourishing of black markets under a full embargo; accelerating U.S. and NATO logistical support for the ongoing international humanitarian aid effort in Kosovo, including pre-deployment of humanitarian supplies in Kosovo in anticipation of winter distribution by NGOs—but only in a way which avoids absolutely the prospect of a repeat of the disgraceful "safe haven" disaster of Srebrenica; pressing for more extensive access for human rights monitoring in Kosovo by internationally recognized organizations, including the Organization for Security and Cooperation in Europe, and non-governmental monitors, and providing appropriate support and assistance for their efforts; and encouraging the International Criminal Tribunal for the Former Yugoslavia immediately to send its Chief Prosecutor to Belgrade and Kosovo; increasing aid and intelligence support to the Tribunal; and assisting them in placing forensics teams on the ground there, thus signaling to all parties that the Tribunal is committed to prosecuting war crimes committed in Kosovo including attacks on innocent civilians, and has begun to actually gather evidence to support potential indictments against perpetrators—and their commanders and political leadership to whom they answer.

I believe it is essential that these actions be taken as quickly as possible. We must act now, before the onset of winter in Kosovo, to prevent a potential humanitarian tragedy of historic proportions. I also recognize that these steps in themselves may not be sufficient to force Serbia to comply with the Contact Group's demands in a timely manner, and that further NATO military actions may need to be considered if the situation in Kosovo has not substantially improved, the massacres of civilians continues, and unimpeded access for humanitarian relief workers has not been granted.

Mr. President, again, I thank my colleagues who have spoken today on this matter. I do think it is important that we speak out. I think in the last couple of days we have seen positive developments in the U.N. Security Council and

NATO which indicate that these organizations may be ready to take necessary action. But I wanted to outline today some options which I believe we need to consider and which I think will communicate a message to Milosevic that we are deadly serious; to talk actually about taking military action is very serious. It is always the last option. But I believe, at the minimum, we can do some predeployment phases of NATO military plans.

I think we can bolster some of our border security efforts. I think we can tighten the sanctions regime on Serbia. I think we can accelerate United States and NATO logistical support for international humanitarian aid efforts in Kosovo. I think we can press for more extensive access for human rights monitoring by some internationally recognized organizations. And I think we can make it clear that we are going to give the International Criminal Tribunal all the support it needs as well.

None of this may be enough—I want to say this one more time in this Chamber. None of these steps may be sufficient to force Serbia to comply with the contact group's demands in a timely manner and further military action may be necessary. But if these actions are not taken as quickly as possible, we are—Senator Dole is right—going to see a humanitarian crisis of tragic proportions. We are going to see a lot of men, women and children who are going to die unless we take action.

I yield the floor.

Mr. FORD. Mr. President, we are about—

Mr. WELLSTONE. Mr. President, could I ask my colleague for his indulgence for 2 minutes?

Mr. FORD. I have no objection.

Mr. WELLSTONE. I know it is the end of the day and colleagues are anxious to go home.

Mr. FORD. Mr. President, we are trying to wrap up the aviation bill.

Mr. WELLSTONE. I am sorry.

Mr. FORD. We gave the Senator time off the aviation bill. We have some amendments.

Mr. WELLSTONE. I did not realize that.

Mr. FORD. But the 2 minutes are fine.

Mr. WELLSTONE. I thank the Senator.

SENATOR MURIEL HUMPHREY

Mr. WELLSTONE. I want to mention to my colleague from Kentucky that tomorrow in Minnesota we are going to have a service for Muriel Humphrey—Senator Humphrey. Both Humphreys were Senators. I wish to express the appreciation, love and affection all of the people of Minnesota feel toward the Humphrey family.

Much has been written about Muriel Humphrey. I had a chance to get to meet her. I did not know her nearly as well as other Minnesotans, but I can tell you she was a wonderful person, very caring toward her family, very

caring toward the great Senator Hubert Humphrey, a really fine Senator—the first woman to serve in the Senate from the State of Minnesota in her own right—and, I think most important of all, a wonderful, wonderful model for public service. It is a great loss for Minnesota. It is a great loss for our country. Muriel Humphrey will be a very special person to all of us in Minnesota for many years to come. We will never forget her.

I yield the floor.

WENDELL H. FORD NATIONAL AIR TRANSPORTATION SYSTEM IMPROVEMENT ACT OF 1998

The Senate continued with the consideration of the bill.

AMENDMENTS NOS. 3623, 3624, AND 3625, EN BLOC

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. On behalf of Senator SNOWE, I send three amendments to the desk and ask unanimous consent that they be considered en bloc.

The PRESIDING OFFICER. The clerk will report the amendments.

The assistant legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], for Ms. SNOWE, proposes amendments en bloc numbered 3623, 3624 and 3625.

The amendments are as follows:

AMENDMENT NO. 3623

(Purpose: To provide increased civil penalties for violation of the prohibition against discrimination against handicapped individuals, and for other purposes)

On page 121, line 1, strike “**INTERNATIONAL**”.

On page 121, line 3, before “The” insert “(a) ESTABLISHMENT OF HIGHER INTERNATIONAL STANDARDS.—”.

On page 121, between lines 9 and 10, insert the following:

(b) INCREASED CIVIL PENALTIES.—Section 46301(a) is amended by—

(1) inserting “41705,” after “41704,” in paragraph (1)(A); and

(2) adding at the end thereof the following:

“(7) Unless an air carrier that violates section 41705 with respect to an individual provides that individual a credit or voucher for the purchase of a ticket on that air carrier or any affiliated air carrier in an amount (determined by the Secretary) of—

“(A) not less than \$500 and not more than \$2,500 for the first violation; or

“(B) not less than \$2,500 and not more than \$5,000 for any subsequent violation, that air carrier is liable to the United States Government for a civil penalty, determined by the Secretary, of not more than 100 percent of the amount of the credit or voucher so determined. For purposes of this paragraph, each act of discrimination prohibited by section 41705 constitutes a separate violation of that section.”.

On page 89, strike the item relating to section 507 and insert the following:

Sec. 507. Higher standards for handicapped access.

AMENDMENT NO. 3624

(Purpose: To require human weather observers for ASOS stations until the automated system reports consistently on changing conditions)

At the appropriate place, insert the following new section:

SEC. . AUTOMATED SURFACE OBSERVATION SYSTEM STATIONS.

The Administrator of the Federal Aviation Administration shall not terminate human weather observers for Automated Surface Observation System stations until—

(1) the Secretary of Transportation determines that the System provides consistent reporting of changing meteorological conditions and notifies the Congress in writing of that determination; and

(2) 60 days have passed since the report was submitted to the Congress.

AMENDMENT NO. 3625

(Purpose: To provide that communities participating in the community-carrier air service program will be selected from all regions of the country)

On page 147, line 4, after “program,” insert the following: “For purposes of this subsection, the application of geographical diversity criteria means criteria that—

“(1) will promote the development of a national air transportation system; and

“(2) will involve the participation of communities in all regions of the country.”.

Ms. SNOWE. Mr. President, I thank the Chairman, Senator MCCAIN, and the ranking member, Senator FORD, for their assistance with my three amendments.

One way that the FAA reauthorization bill will improve the nation's air service is through the new Community Carrier Air Service Program. This program will provide assistance to communities so that underserved markets can attract carriers.

The Secretary of Transportation will select communities to participate in this program based on geographic diversity and other unique circumstances that presently hinder communities from attracting adequate air service. It is important to note that the intent of this language is to ensure that participation in the program will promote the development of a national air transportation system. And my amendment will ensure that it involves the Transportation must ensure this diversity so that every region of the nation can benefit from the program.

An important provision for Maine's pilots is included in my amendment on the ASOS program. This amendment requires that the Federal Aviation Administration retain human observers at the automated surface transportation system stations which have had a high rate of reporting error. The language in the amendment requires the FAA to correct the problems and notify Congress that the problems have been solved before it can remove a human observer from an ASOS station.

ASOS is an automatic weather observance system which uses electronic sensors, computers and display units to detect weather. It is fully automated and computerized and is intended to replace human observers of on-the-ground weather conditions in specific locales. Information from ASOS sensors are transmitted to a computer, and users, like pilots, can call a special phone number or tune into a special radio frequency to obtain information.

ASOS is intended to make weather information collection and dissemination more cost-effective by replacing