

(a)(1) certain lenders may sometimes offer credit to consumers indiscriminately, without taking steps to ensure that consumers are capable of repaying the resulting debt, and in a manner which may encourage certain consumers to accumulate additional debt; and

(2) resulting consumer debt may increasingly be a major contributing factor to consumer insolvency.

(b) STUDY REQUIRED.—The Board of Governors of the Federal Reserve System (hereafter in this section referred to as the "Board") shall conduct a study of—

(1) consumer credit industry practices of soliciting and extending credit—

(A) indiscriminately;

(B) without taking steps to ensure that consumer are capable of repaying the resulting debt; and

(C) in a manner that encourages consumers to accumulate additional debt; and

(2) the effects of such practices on consumer debt and insolvency.

(c) REPORT AND REGULATIONS.—Not later than 24 months after the date of enactment of this Act, the Board—

(1) shall make public a report on its findings with respect to the credit industry's indiscriminate solicitation and extension of credit;

(2) may issue regulations that would require additional disclosures to consumers; and

(3) may take any other actions, consistent with its existing statutory authority, that the Board finds necessary to ensure responsible industrywide practices and to prevent resulting consumer debt and insolvency.

HARKIN (AND OTHERS) AMENDMENT NO. 3616

Mr. HARKIN (for himself, Mr. DORGAN, Mr. CONRAD, Mr. WELLSTONE, Mr. BRYAN, and Mr. KERREY) proposed an amendment to the bill, S. 1301, *supra*; as follows:

At the appropriate place, insert the following:

SEC. ____ SENSE OF THE CONGRESS REGARDING INTEREST RATES.

(a) FINDINGS.—The Congress finds, as of the date of enactment of this Act, that—

(1) real interest rates are at historically high levels, the highest in 9 years;

(2) the Federal Funds rate is 5.5 percent, where it has been since March 1997, despite an inflation rate of 1.6 percent;

(3) between 1992 and 1994, the Federal Funds rate averaged 3.6 percent, while inflation was at 2.8 percent;

(4) to confirm that real interest rates are historically high, the Chairman of the Board of Governors of the Federal Reserve System, Alan Greenspan, said during his Humphrey-Hawkins testimony before the Committee on Banking and Financial Services of the House of Representatives on February 24, 1998, "Statistically, it is a fact that real interest rates are higher now than they have been on the average of the post-World War II period.";

(5) inflation over the 2 years preceding the date of enactment of this Act was at its lowest level since the 1960's;

(6) interest rates on 30 year Treasury bonds have sunk to record lows and are below the Federal funds rate, a signal that the United States economy could be headed for a recession;

(7) United States corporate earnings in the second quarter of 1998 were down 1.3 percent from a year earlier;

(8) a reduction in interest rates would increase resources for business growth;

(9) the farm debt is at its highest level since 1985, and broad commodity price indexes are extremely low;

(10) there are significant, widespread signs of global deflation, to which the United States has not been exposed since the Great Depression;

(11) there has been a deterioration in a number of economies around the world, which will negatively impact the United States through fewer purchases of United States exports and a greater influx of cheap imports to the United States;

(12) the United States economy is a large, healthy economic engine, and if the United States economy does slow, it would be exceedingly difficult for the world-wide economy to recover;

(13) a decline in equity values could dampen confidence and slow consumer and business spending, which together represents four-fifths of the United States economy;

(14) a decline in United States interest rates would help bolster the currencies of countries throughout the world suffering from economic hardships; and

(15) a reduction in interest rates would strengthen the United States economy over the next year while the world's weakened economies recover.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that the Federal Open Market Committee should promptly reduce the Federal Funds rate.

GRASSLEY AMENDMENT NO. 3617

Mr. GRASSLEY proposed an amendment to the bill, S. 1301, *supra*; as follows:

SEC. . TREASURY DEPARTMENT STUDY REGARDING SECURITY INTERESTS UNDER AN OPEN END CREDIT PLAN.

(a) Within 180 days of the enactment of this Act, the Federal Reserve Board in consultation with the Treasury Department, the general credit industry, and consumer groups, shall prepare a study regarding the adequacy of information received by consumers regarding the creation of security interests under open end credit plans.

(b) FINDINGS.—This study shall include the Board's findings regarding:

(1) whether consumers understand at the time of purchase of property under an open end credit plan that such property may serve as collateral under that credit plan;

(2) whether consumers understand at the time of purchase the legal consequences of disposing of property that is purchased under an open credit plan and is subject to a security interest under than plan; and

(3) whether creditors holding security interests in property purchased under an open end credit plan use such security interests to cover reaffirmations of existing debts under section 524 of the United States Bankruptcy Code.

In formulating these findings, the Board shall consider, among other factors it deems relevant, prevailing industry practices in this area.

(c) DISCLOSURE RECOMMENDATIONS.—This study shall also include the Board's recommendations regarding the utility and practicality of additional disclosures by credit card issuers at the time of purchase regarding security interests under open end credit plans, including, but not limited to:

(1) disclosures of the specific property in which the creditor will receive a security interest;

(2) disclosures of the consequences of non-payment of the card balance, including how the security interest may be enforced; and

(3) disclosures of the process by which payments made on the card will be credited with respect to the lien created by the security contract and other debts on the card.

(d) The Board shall submit this report to the Senate Committee on the Judiciary, the

Senate Committee on Banking, Housing, and Urban Affairs, the House Committee on the Judiciary, and the House Committee on Banking and Financial Services within the time allotted by this section.

Insert at an appropriate place:

Section 546 of title 11, United States Code, is amended by inserting at the end thereof—

"(I) Notwithstanding section 545(2) and (3) of this title, the trustee may not avoid a warehouseman's lien for storage, transportation or other costs incidental to the storage and handling of goods, as provided by Section 7-209 of the Uniform Commercial Code."

Insert at an appropriate place:

Section 330(a) of Title 11 is amended:

(1) in subsection (3)(A) after the word "awarded", by inserting "to an examiner, Chapter 11 trustee, or professional person"; and

(2) by adding at the end of subsection (3)(A) the following:

"(3)(B) In determining the amount of reasonable compensation to be awarded a trustee, the court shall treat such compensation as a commission based on the results achieved."

On page 59 of amendment 3595, after clause "(v)", insert "(vi) not unfair because excessive in amount based upon the value of the collateral."

On page 60 of amendment 3595, after clause "(iii)" insert "(iv) the following statement: If your current rate is a temporary introductory rate, your total costs may be higher."

NATIONAL AIR TRANSPORTATION SYSTEM IMPROVEMENT ACT OF 1998

MCCAIN (AND FORD) AMENDMENT NO. 3618

Mr. MCCAIN (for himself and Mr. FORD) proposed an amendment to the bill (S. 2279) to amend title 49, United States Code, to authorize the programs of the Federal Aviation Administration for fiscal years 1999, 2000, 2001, and 2002, and for other purposes; as follows:

On page 88, in the matter appearing after line 8, strike the item relating to section 106.

On page 88, in the matter appearing after line 8, insert the following after the item relating to section 211:

Sec. 212. Airfield pavement conditions.

On page 89, strike the item relating to section 403.

On page 89, strike the item relating to section 503 and insert the following:

Sec. 503. Runway safety areas; precision approach path indicators.

On page 89, after the item relating to section 519 insert the following:

Sec. 520. Improvements to air navigation facilities.

Sec. 521. Denial of airport access to certain air carriers.

Sec. 522. Tourism.

Sec. 523. Equivalency of FAA and EU safety standards.

Sec. 524. Sense of the Senate on property taxes on public-use airports.

Sec. 525. Federal Aviation Administration Personnel Management System.

Sec. 526. Aircraft and aviation component repair and maintenance advisory panel.

Sec. 527. Report on enhanced domestic airline competition.

Sec. 528. Aircraft situational display data.

On page 89 strike the items relating to section 606 through 612 and insert the following:

Sec. 606. Slot exemptions for nonstop regional jet service.

Sec. 607. Exemptions to perimeter rule at Ronald Reagan Washington national airport.

Sec. 608. Additional slots at Chicago O'Hare International Airport.

Sec. 609. Consumer notification of e-ticket expiration dates.

Sec. 610. Joint venture agreements.

Sec. 611. Regional air service incentive options.

Sec. 612. GAO study of air transportation needs.

On page 89, after the item relating to section 704, insert the following:

Sec. 705. Prohibition of commercial air tours over the Rocky Mountain National Park.

On page 89, strike the items relating to title VIII and to section 801, and insert the following:

TITLE VIII—CENTENNIAL OF FLIGHT COMMEMORATION

Sec. 801. Short title.

Sec. 802. Findings.

Sec. 803. Establishment.

Sec. 804. Membership.

Sec. 805. Duties.

Sec. 806. Powers.

Sec. 807. Staff and support services.

Sec. 808. Contributions.

Sec. 809. Exclusive right to name, logos, emblems, seals, and marks.

Sec. 810. Reports.

Sec. 811. Audit of financial translations.

Sec. 812. Advisory board.

Sec. 813. Definitions.

Sec. 814. Termination.

Sec. 815. Authorization of appropriations.

On page 90, line 10, insert:

“(a) IN GENERAL.—” before “Section”.

On page 90, between lines 15 and 16, insert the following:

(b) COORDINATION.—The authority granted the Secretary under section 41717 of title 49, United States Code, does not affect the Secretary's authority under any other provision of law.

On page 90, beginning with “1999,” in line 16, strike through “2002.” in line 18 and insert the following: “1999 and \$5,784,000,000 for fiscal year 2000.”

On page 92, line 23, insert “and” after the semicolon.

On page 92, line 24, strike “2000;” and insert “2000.”

On page 92, beginning with line 25, strike through line 1 on page 93.

On page 93, line 5, strike “1999, 2000, 2001, and 2002” and insert “1999 and 2000”.

On page 93, line 25, strike “1999,” and insert “1999 and”.

On page 94, beginning with “2000,” in line 1, strike through line 3 and insert “2000.”

On page 94, line 18, insert “at the end thereof” after “adding”.

On page 96, beginning in line 8, strike “analysis for subchapter I of” and insert “chapter analysis for”.

On page 96, line 10, strike “adding at the end” and insert “inserting after the item relating to section 47135”.

On page 97, beginning in line 13, strike “the demonstration program result in” and insert “this section be used in a manner giving rise to”.

On page 103, line 19, strike “subchapter” and insert “chapter”.

On page 105, line 15, insert a comma after “systems”.

On page 106, line 8, strike “Notwithstanding” and insert “(a) IN GENERAL.—Notwithstanding”.

On page 106, between lines 16 and 17, insert the following:

(b) EFFECTIVE DATE.—This section applies to any request filed on or after the date of enactment of this Act.

On page 107, line 10, after “conditioning”) insert “and aircraft fueling facilities adjacent to an airport terminal building”.

On page 107, between lines 12 and 13, insert the following:

SEC. 212. AIRFIELD PAVEMENT CONDITIONS.

(a) EVALUATION OF OPTIONS.—The Administrator of the Federal Aviation Administration shall evaluate options for improving the quality of information available to the Administration on airfield pavement conditions for airports that are part of the national air transportation system, including—

(1) improving the existing runway condition information contained in the Airport Safety Data Program by reviewing and revising rating criteria and providing increased training for inspectors;

(2) requiring such airports to submit pavement condition index information as part of their airport master plan or as support in applications for airport improvement grants; and

(3) requiring all such airports to submit pavement condition index information on a regular basis and using this information to create a pavement condition database that could be used in evaluating the cost-effectiveness of project applications and forecasting anticipated pavement needs.

(b) REPORT TO CONGRESS.—The Administrator shall transmit a report, containing an evaluation of such options, to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure not later than 12 months after the date of enactment of this Act.

On page 110, line 3, insert a comma after “business”.

On page 110, line 4, insert a comma after “residence”.

On page 110, line 10, insert a comma after “business”.

On page 110, line 11, insert a comma after “residence”.

On page 111, beginning with line 4, strike through line 9 on page 112 and insert the following:

Section 45301 is amended by striking “government.” in subsection (a)(2) and inserting “government or to any entity obtaining services outside the United States.”.

On page 115, beginning with line 14, strike through line 13 on page 116.

On page 117, beginning with line 21, strike through line 2 on page 118, and insert the following:

SEC. 503. RUNAWAY SAFETY AREAS; PRECISION APPROACH PATH INDICATORS.

Within 6 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall solicit comments on the need for—

(1) the improvement of runway safety areas; and

(2) the installation of precision approach path indicators.

On page 118, strike lines 6 through 12 and insert the following:

“(b) NONAPPLICATION.—Subsection (a) does not apply to aircraft when used in—

“(1) scheduled flights by scheduled air carriers holding certificates issued by the Secretary of Transportation under subpart II of this part;

“(2) training operations conducted entirely within a 50-mile radius of the airport from which the training operations begin;

“(3) flight operations related to the design and testing, manufacture, preparation, and delivery of aircraft;

“(4) showing compliance with regulations, exhibition, or air racing; or

“(5) the aerial application of a substance for an agricultural purpose.”.

On page 118, between lines 12 and 13, insert the following:

(b) COMPLIANCE.—Section 44712 is amended by redesignating subsection (c) as subsection (d), and by inserting after subsection (b) the following:

“(c) COMPLIANCE.—An aircraft is deemed to meet the requirement of subsection (a) if it is equipped with an emergency locator transmitter that transmits on the 121.5/243 megahertz frequency or the 406 megahertz frequency, or with other equipment approved by the Secretary for meeting the requirement of subsection (a).”.

On page 118, line 13, strike “(b)” and insert “(c).”

On page 118, line 17, strike “subsection (a)” and insert “this section”.

On page 118, line 19, strike “amendment made by subsection (a)” and insert “amendments made by this section”.

On page 118, beginning with line 21, strike through line 11 on page 119, and insert the following:

(a) DENIAL; REVOCATION; AMENDMENT OF CERTIFICATE.—

(a) IN GENERAL.—Chapter 447 is amended by adding at the end thereof the following:

“§ 44725. Denial and revocation of certificate for counterfeit parts violations

“(a) DENIAL OF CERTIFICATE.—

“(1) IN GENERAL.—Except as provided in paragraph (2) of this subsection and subsection (e)(2) of this section, the Administrator may not issue a certificate under this chapter to any person—

“(A) convicted of a violation of a law of the United States or of a State relating to the installation, production, repair, or sale of a counterfeit or falsely-represented aviation part or material; or

“(B) subject to a controlling or ownership interest of an individual convicted of such a violation.

“(2) EXCEPTION.—Notwithstanding paragraph (1), the Administrator may issue a certificate under this chapter to a person described in paragraph (1) if issuance of the certificate will facilitate law enforcement efforts.

“(b) REVOCATION OF CERTIFICATE.—

“(1) IN GENERAL.—Except as provided in subsections (f) and (g) of this section, the Administrator shall issue an order revoking a certificate issued under this chapter if the Administrator finds that the holder of the certificate, or an individual who has a controlling or ownership interest in the holder—

“(A) was convicted of a violation of a law of the United States or of a State relating to the installation, production, repair, or sale of a counterfeit or falsely-represented aviation part or material; or

“(B) knowingly carried out or facilitated an activity punishable under such a law.

“(2) NO AUTHORITY TO REVIEW VIOLATION.—In carrying out paragraph (1) of this subsection, the Administrator may not review whether a person violated such a law.

“(c) NOTICE REQUIREMENT.—Before the Administrator revokes a certificate under subsection (b), the Administrator shall—

“(1) advise the holder of the certificate of the reason for the revocation; and

“(2) provide the holder of the certificate an opportunity to be heard on why the certificate should not be revoked.

“(d) APPEAL.—The provisions of section 44710(d) apply to the appeal of a revocation order under subsection (b). For the purpose of applying that section to such an appeal, ‘person’ shall be substituted for ‘individual’ each place it appears.

“(e) ACQUITTAL OR REVERSAL.—

“(1) IN GENERAL.—The Administrator may not revoke, and the Board may not affirm a revocation of, a certificate under section (b)(1)(B) of this section if the holder of the certificate, or the individual, is acquitted of all charges related to the violation.

“(2) REISSUANCE.—The Administrator may reissue a certificate revoked under subsection (b) of this section to the former holder if—

“(A) the former holder otherwise satisfies the requirements of this chapter for the certificate;

“(B) the former holder, or individual, is acquitted of all charges related to the violation on which the revocation was based; or

“(C) the conviction of the former holder, or individual, of the violation on which the revocation was based is reversed.

“(f) WAIVER.—The Administrator may waive revocation of a certificate under subsection (b) of this section if—

“(1) a law enforcement official of the United States Government, or of a State (with respect to violations of State law), requests a waiver; or

“(2) the waiver will facilitate law enforcement efforts.

“(g) AMENDMENT OF CERTIFICATE.—If the holder of a certificate issued under this chapter is other than an individual and the Administrator finds that—

“(1) an individual who had a controlling or ownership interest in the holder committed a violation of a law for the violation of which a certificate may be revoked under this section, or knowingly carried out or facilitated an activity punishable under such a law; and

“(2) the holder satisfies the requirements for the certificate without regard to that individual,

then the Administrator may amend the certificate to impose a limitation that the certificate will not be valid if that individual has a controlling or ownership interest in the holder. A decision by the Administrator under this subsection is not reviewable by the Board.”.

“(2) CONFORMING AMENDMENT.—The chapter analysis for chapter 447 is amended by adding at the end thereof the following:

“44725. Denial and revocation of certificate for counterfeit parts violations”.

On page 119, line 12, strike “(c)” and insert “(b)”.

On page 121, beginning with line 10, strike through line 8 on page 123 and insert the following:

SEC. 508. CONVEYANCES OF UNITED STATES GOVERNMENT LAND.

(a) IN GENERAL.—Section 47125(a) is amended to read as follows:

“(a) CONVEYANCES TO PUBLIC AGENCIES.—

“(1) REQUEST FOR CONVEYANCE.—Except as provided in subsection (b) of this section, the Secretary of Transportation—

“(A) shall request the head of the department, agency, or instrumentality of the United States Government owning or controlling land or airspace to convey a property interest in the land or airspace to the public agency sponsoring the project or owning or controlling the airport when necessary to carry out a project under this subchapter at a public airport, to operate a public airport, or for the future development of an airport under the national plan of integrated airport systems; and

“(B) may request the head of such a department, agency, or instrumentality to convey a property interest in the land or airspace to such a public agency for a use that will complement, facilitate, or augment airport development, including the develop-

ment of additional revenue from both aviation and nonaviation sources.

“(2) RESPONSE TO REQUEST FOR CERTAIN CONVEYANCES.—Within 4 months after receiving a request from the Secretary under paragraph (1), the head of the department, agency, or instrumentality shall—

“(A) decide whether the requested conveyance is consistent with the needs of the department, agency, or instrumentality;

“(B) notify the Secretary of the decision; and

“(C) make the requested conveyance if—

“(i) the requested conveyance is consistent with the needs of the department, agency, or instrumentality;

“(ii) the Attorney General approves the conveyance; and

“(iii) the conveyance can be made without cost to the United States Government.

“(3) REVERSION.—Except as provided in subsection (b), a conveyance under this subsection may only be made on the condition that the property interest conveyed reverts to the Government, at the option of the Secretary, to the extent it is not developed for an airport purpose or used consistently with the conveyance.”.

(b) RELEASE OF CERTAIN CONDITIONS.—Section 47125 is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting the following after subsection (a):

“(b) RELEASE OF CERTAIN CONDITIONS.—The Secretary may grant a release from any term, condition, reservation, or restriction contained in any conveyance executed under this section, section 16 of the Federal Airport Act, section 23 of the Airport and Airway Development Act of 1970, or section 516 of the Airport and Airway Improvement Act of 1982, to facilitate the development of additional revenue from aeronautical and non-aeronautical sources if the Secretary—

“(1) determines that the property is no longer needed for aeronautical purposes;

“(2) determines that the property will be used solely to generate revenue for the public airport;

“(3) provides preliminary notice to the head of the department, agency, or instrumentality that conveyed the property interest at least 30 days before executing the release;

“(4) provides notice to the public of the requested release;

“(5) includes in the release a written justification for the release of the property; and

“(6) determines that release of the property will advance civil aviation in the United States.”.

(c) EFFECTIVE DATE.—Section 47125(b) of title 49, United States Code, as added by subsection (b) of this section, applies to property interests conveyed before, on, or after the date of enactment of this Act.

(d) IDITAROD AREA SCHOOL DISTRICT.—Notwithstanding any other provision of law (including section 47125 of title 49, United States Code, as amended by this section), the Administrator of the Federal Aviation Administration, or the Administrator of the General Services Administration, may convey to the Iditarod Area School District without reimbursement all right, title, and interest in 12 acres of property at Lake Minchumina, Alaska, identified by the Administrator of the Federal Aviation Administration, including the structures known as housing units 100 through 105 and as utility building 301.

On page 124, line 2, strike the closing quotation marks and the second period.

On page 124, line 19, strike “subsection.” and insert “section.”.

On page 128, strike the matter appearing between lines 8 and 9 and insert the following:

“44516. Human factors program”.

On page 132, line 10, after “project” insert “on the air operations area.”

On page 140, strike lines 16 through 21.

On page 143, between lines 18 and 19, insert the following:

SEC. 520. IMPROVEMENTS TO AIR NAVIGATION FACILITIES.

Section 44502(a) is amended by adding at the end thereof the following:

“(5) The Administrator may improve real property leased for air navigation facilities without regard to the costs of the improvements in relation to the cost of the lease if—

“(A) the improvements primarily benefit the government;

“(B) are essential for mission accomplishment; and

“(C) the government’s interest in the improvements is protected.”.

SEC. 521. DENIAL OF AIRPORT ACCESS TO CERTAIN AIR CARRIERS.

(a) IN GENERAL.—Section 47107 is amended by adding at the end thereof the following:

“(q) DENIAL OF ACCESS.—

“(1) EFFECT OF DENIAL.—If an owner or operator of an airport described in paragraph (2) denies access to an air carrier described in paragraph (3), that denial shall not be considered to be unreasonable or unjust discrimination or a violation of this section.

“(b) AIRPORTS TO WHICH SUBSECTION APPLIES.—An airport is described in this paragraph if it—

“(A) is designated as a reliever airport by the Administrator of the Federal Aviation Administration;

“(B) does not have an operating certificate issued under part 139 of title 14, Code of Federal Regulations (or any subsequent similar regulations); and

“(C) is located within a 35-mile radius of an airport that has—

“(i) at least 0.05 percent of the total annual boardings in the United States; and

“(ii) current gate capacity to handle the demands of a public charter operation.

“(3) AIR CARRIERS DESCRIBED.—An air carrier is described in this paragraph if it conducts operations as a public charter under part 380 of title 14, Code of Federal Regulations (or any subsequent similar regulations) with aircraft that is designed to carry more than 9 passengers per flight.

“(4) DEFINITIONS.—In this subsection:

“(A) AIR CARRIER; AIR TRANSPORTATION; AIRCRAFT; AIRPORT.—The terms ‘air carrier’, ‘air transportation’, ‘aircraft’, and ‘airport’ have the meanings given those terms in section 40102 of this title.

“(B) PUBLIC CHARTER.—The term ‘public charter’ means charter air transportation for which the general public is provided in advance a schedule containing the departure location, departure time, and arrival location of the flights.”.

SEC. 522. TOURISM.

(a) FINDINGS.—Congress finds that—

(1) through an effective public-private partnership, Federal, State, and local governments and the travel and tourism industry can successfully market the United States as the premiere international tourist destination in the world;

(2) in 1997, the travel and tourism industry made a substantial contribution to the health of the Nation’s economy, as follows:

(A) The industry is one of the Nation’s largest employers, directly employing 7,000,000 Americans, throughout every region of the country, heavily concentrated among small businesses, and indirectly employing an additional 9,200,000 Americans, for a total of 16,200,000 jobs.

(B) The industry ranks as the first, second, or third largest employer in 32 States and the District of Columbia, generating a total tourism-related annual payroll of \$127,900,000,000.

(C) The industry has become the Nation's third-largest retail sales industry, generating a total of \$489,000,000,000 in total expenditures.

(D) The industry generated \$71,700,000,000 in tax revenues for Federal, State, and local governments;

(3) the more than \$98,000,000,000 spent by foreign visitors in the United States in 1997 generated a trade services surplus of more than \$26,000,000,000;

(4) the private sector, States, and cities currently spend more than \$1,000,000,000 annually to promote particular destinations within the United States to international visitors;

(5) because other nations are spending hundreds of millions of dollars annually to promote the visits of international tourists to their countries, the United States will miss a major marketing opportunity if it fails to aggressively compete for an increased share of international tourism expenditures as they continue to increase over the next decade;

(6) a well-funded, well-coordinated international marketing effort—combined with additional public and private sector efforts—would help small and large businesses, as well as State and local governments, share in the anticipated phenomenal growth of the international travel and tourism market in the 21st century;

(7) by making permanent the successful visa waiver pilot program, Congress can facilitate the increased flow of international visitors to the United States;

(8) Congress can increase the opportunities for attracting international visitors and enhancing their stay in the United States by—

(A) improving international signage at airports, seaports, land border crossings, highways, and bus, train, and other public transit stations in the United States;

(B) increasing the availability of multilingual tourist information; and

(C) creating a toll-free, private-sector operated, telephone number, staffed by multilingual operators, to provide assistance to international tourist coping with an emergency;

(9) by establishing a satellite system of accounting for travel and tourism, the Secretary of Commerce could provide Congress and the President with objective, thorough data that would help policy-makers more accurately gauge the size and scope of the domestic travel and tourism industry and its significant impact on the health of the Nation's economy; and

(10) having established the United States National Tourism Organization under the United States National Tourism Organization Act of 1996 (22 U.S.C. 2141 et seq.) to increase the United States share of the international tourism market by developing a national travel and tourism strategy, Congress should support a long-term marketing effort and other important regulatory reform initiatives to promote increased travel to the United States for the benefit of every sector of the economy.

(b) PURPOSES.—The purposes of this section are to provide international visitor initiatives and an international marketing program to enable the United States travel and tourism industry and every level of government to benefit from a successful effort to make the United States the premiere travel destination in the world.

(c) INTERNATIONAL VISITOR ASSISTANCE TASK FORCE.—

(1) ESTABLISHMENT.—Not later than 9 months after the date of enactment of this Act, the Secretary of Commerce shall establish an Intergovernmental Task Force for International Visitor Assistance (hereafter in this subsection referred to as the "Task Force").

(2) DUTIES.—The Task Force shall examine—

(A) signage at facilities in the United States, including airports, seaports, land border crossings, highways, and bus, train, and other public transit stations, and shall identify existing inadequacies and suggest solutions for such inadequacies, such as the adoption of uniform standards on international signage for use throughout the United States in order to facilitate international visitors' travel in the United States;

(B) the availability of multilingual travel and tourism information and means of disseminating, at no or minimal cost to the Government, of such information; and

(C) facilitating the establishment of a toll-free, private-sector operated, telephone number, staffed by multilingual operators, to provide assistance to international tourists coping with an emergency.

(3) MEMBERSHIP.—The Task Force shall be composed of the following members:

(A) The Secretary of Commerce.

(B) The Secretary of State.

(C) The Secretary of Transportation.

(D) The Chair of the Board of Directors of the United States National Tourism Organization.

(E) Such other representatives of other Federal agencies and private-sector entities as may be determined to be appropriate to the mission of the Task Force by the Chairman.

(4) CHAIRMAN.—The Secretary of Commerce shall be Chairman of the Task Force. The Task Force shall meet at least twice each year. Each member of the Task Force shall furnish necessary assistance to the Task Force.

(5) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Chairman of the Task Force shall submit to the President and to Congress a report on the results of the review, including proposed amendments to existing laws or regulations as may be appropriate to implement such recommendations.

(d) TRAVEL AND TOURISM INDUSTRY SATELLITE SYSTEM OF ACCOUNTING.—

(1) IN GENERAL.—The Secretary of Commerce shall complete, as soon as may be practicable, a satellite system of accounting for the travel and tourism industry.

(2) FUNDING.—To the extent any costs or expenditures are incurred under this subsection, they shall be covered to the extent funds are available to the Department of Commerce for such purpose.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) AUTHORIZATION.—Subject to paragraph (2), there are authorized to be appropriated such sums as may be necessary for the purpose of funding international promotional activities by the United States National Tourism Organization to help brand, position, and promote the United States as the premiere travel and tourism destination in the world.

(2) RESTRICTIONS ON USE OF FUNDS.—None of the funds appropriated under paragraph (1) may be used for purposes other than marketing, research, outreach, or any other activity designed to promote the United States as the premiere travel and tourism destination in the world, except that the general and administrative expenses of operating the United States National Tourism Organization shall be borne by the private sector through such means as the Board of Directors of the Organization shall determine.

(3) REPORT TO CONGRESS.—Not later than March 30 of each year in which funds are made available under subsection (a), the Secretary shall submit to the Committee on Commerce of the House of Representatives and the Committee on Commerce, Science,

and Transportation of the Senate a detailed report setting forth—

(A) the manner in which appropriated funds were expended;

(B) changes in the United States market share of international tourism in general and as measured against specific countries and regions;

(C) an analysis of the impact of international tourism on the United States economy, including, as specifically as practicable, an analysis of the impact of expenditures made pursuant to this section;

(D) an analysis of the impact of international tourism on the United States trade balance and, as specifically as practicable, analysis of the impact on the trade balance of expenditures made pursuant to this section; and

(E) an analysis of other relevant economic impacts as a result of expenditures made pursuant to this section.

SEC. 523. EQUIVALENCY OF FAA AND EU SAFETY STANDARDS

The Administrator of the Federal Aviation Administration shall determine whether the Administration's safety regulations are equivalent to the safety standards set forth in European Union Directive 89/336EEC. If the Administrator determines that the standards are equivalent, the Administrator shall work with the Secretary of Commerce to gain acceptance of that determination pursuant to the Mutual Recognition Agreement between the United States and the European Union of May 18, 1998, in order to ensure that aviation products approved by the Administration are acceptable under that Directive.

SEC. 524. SENSE OF THE SENATE ON PROPERTY TAXES ON PUBLIC-USE AIRPORTS,

It is the sense of the Senate that—

(1) property taxes on public-use airports should be assessed fairly and equitably, regardless of the location of the owner of the airport; and

(2) the property tax recently assessed on the City of The Dalles, Oregon, as the owner and operator of the Columbia Gorge Regional/The Dalles Municipal Airport, located in the State of Washington, should be repealed.

SEC. 525. FEDERAL AVIATION ADMINISTRATION PERSONNEL MANAGEMENT SYSTEM.

(a) APPLICABILITY OF MERIT SYSTEMS PROTECTION BOARD PROVISIONS.—Section 347(b) of the Department of Transportation and Related Agencies Appropriations Act, 1996 (109 Stat. 460) is amended—

(1) by striking "and" at the end of paragraph (6);

(2) by striking the period at the end of paragraph (7) and inserting a semicolon and "and"; and

(3) by adding at the end thereof the following:

"(8) sections 1204, 1211–1218, 1221, and 7701–7703, relating to the Merit Systems Protection Board."

(b) APPEALS TO MERIT SYSTEMS PROTECTION BOARD.—Section 347(c) of the Department of Transportation and Related Agencies Appropriations Act, 1996 is amended to read as follows:

"(c) APPEALS TO MERIT SYSTEM PROTECTION BOARD.—Under the new personnel management system developed and implemented under subsection (a), an employee of the Federal Aviation Administration may submit an appeal to the Merit Systems Protection Board and may seek judicial review of any resulting final orders or decisions of the Board from any action that was appealable to the Board under any law, rule, or regulation as of March 31, 1996."

SEC 526. AIRCRAFT AND AVIATION COMPONENT REPAIR AND MAINTENANCE ADVISORY PANEL.

(a) **ESTABLISHMENT OF PANEL.**—The Administrator of the Federal Aviation Administration—

(1) shall establish an Aircraft Repair and Maintenance Advisory Panel to review issues related to the use and oversight of aircraft and aviation component repair and maintenance facilities located within, or outside of, the United States; and

(2) may seek the advice of the panel on any issue related to methods to improve the safety of domestic or foreign contract aircraft and aviation component repair facilities.

(b) **MEMBERSHIP.**—The panel shall consist of—

(1) 8 members, appointed by the Administrator as follows:

(A) 3 representatives of labor organizations representing aviation mechanics;

(B) 1 representative of cargo air carriers;

(C) 1 representative of passenger air carriers;

(D) 1 representative of aircraft and aviation component repair stations;

(E) 1 representative of aircraft manufacturers; and

(F) 1 representative of the aviation industry not described in the preceding subparagraphs;

(2) 1 representative from the Department of Transportation, designated by the Secretary of Transportation;

(3) 1 representative from the Department of State, designated by the Secretary of State; and

(4) 1 representative from the Federal Aviation Administration, designated by the Administrator.

(c) **RESPONSIBILITIES.**—The panel shall—

(1) determine how much aircraft and aviation component repair work and what type of aircraft and aviation component repair work is being performed by aircraft and aviation component repair stations located within, and outside of, the United States to better understand and analyze methods to improve the safety and oversight of such facilities; and

(2) provide advice and counsel to the Administrator with respect to aircraft and aviation component repair work performed by those stations, staffing needs, and any safety issues associated with that work.

(d) **FAA TO REQUEST INFORMATION FROM FOREIGN AIRCRAFT REPAIR STATIONS.**—

(1) **COLLECTION OF INFORMATION.**—The Administrator shall by regulation request aircraft and aviation component repair stations located outside the United States to submit such information as the Administrator may require in order to assess safety issues and enforcement actions with respect to the work performed at those stations on aircraft used by United States air carriers.

(2) **DRUG AND ALCOHOL TESTING INFORMATION.**—Included in the information the Administrator requests under paragraph (1) shall be information on the existence and administration of employee drug and alcohol testing programs in place at such stations, if applicable.

(3) **DESCRIPTION OF WORK DONE.**—Included in the information the Administrator requests under paragraph (1) shall be information on the amount and type of aircraft and aviation component repair work performed at those stations on aircraft registered in the United States.

(e) **FAA TO REQUEST INFORMATION ABOUT DOMESTIC AIRCRAFT REPAIR STATIONS.**—If the Administrator determines that information on the volume of the use of domestic aircraft and aviation component repair stations is needed in order better to utilize Federal Aviation Administration resources, the Administrator may—

(1) require United States air carriers to submit the information described in subsection (d) with respect to their use of contract and non-contract aircraft and aviation component repair facilities located in the United States; and

(2) obtain information from such stations about work performed for foreign air carriers.

(f) **FAA TO MAKE INFORMATION AVAILABLE TO PUBLIC.**—The Administrator shall make any information received under subsection (d) or (e) available to the public.

(g) **TERMINATION.**—The panel established under subsection (a) shall terminate on the earlier of—

(1) the date that is 2 years after the date of enactment of this Act; or

(2) December 31, 2000.

(h) **ANNUAL REPORT TO CONGRESS.**—The Administrator shall report annually to the Congress on the number and location of air agency certificates that were revoked, suspended, or not renewed during the preceding year.

(i) **DEFINITIONS.**—Any term used in this section that is defined in subtitle VII of title 49, United States Code, has the meaning given that term in that subtitle.

SEC. 527. REPORT ON ENHANCED DOMESTIC AIRLINE COMPETITION.

(a) **FINDINGS.**—The Congress makes the following findings:

(1) There has been a reduction in the level of competition in the domestic airline business brought about by mergers, consolidations, and proposed domestic alliances.

(2) Foreign citizens and foreign air carriers may be willing to invest in existing or start-up airlines if they are permitted to acquire a larger equity share of a United States airline.

(b) **STUDY.**—the Secretary of Transportation, after consulting the appropriate Federal agencies, shall study and report to the Congress not later than December 31, 1998, on the desirability and implications of—

(1) decreasing the foreign ownership provisions in section 40102(a)(15) of title 49, United States Code, to 51 percent from 75 percent; and

(2) changing the definition of air carrier in section 40102(a)(2) of such title by substituting “a company whose principal place of business is in the United States” for “a citizen of the United States”.

SEC. 528. AIRCRAFT SITUATIONAL DISPLAY DATA.

(a) **IN GENERAL.**—A memorandum of agreement between the Administrator of the Federal Aviation Administration and any person that obtains aircraft situational display data from the Administration shall require that—

(1) the person demonstrate to the satisfaction of the Administrator that such person is capable of selectively blocking aircraft registration numbers of any aircraft; and

(2) the person agree to block selectively the aircraft registration numbers of any aircraft owner or operator upon that owner or operator's request within 30 days after receiving the request.

(b) **TERMINATION FOR NONCOMPLIANCE.**—If any person obtaining such data under such a memorandum of agreement fails to block such numbers within 30 days after receiving a request described in subsection (a)(2), then the memorandum of agreement will terminate immediately.

(c) **EXISTING MEMORANDA TO BE CONFORMED.**—the Administrator shall conform any memoranda of agreement, in effect on the date of enactment of this Act, between the Administration and a person under which that person obtains such data to incorporate the requirements of subsection (a) within 30 days after that date.

On page 146, line 13, insert “of chapter 417” after “Subchapter II”.

On page 157, strike lines 14 through 23, and insert the following:

To carry out sections 41743 through 41746 of title 49, United States Code, for the 4 fiscal-year period beginning with fiscal year 1999—

(1) there are authorized to be appropriated to the Secretary of Transportation not more than \$10,000,000; and

(2) not more than \$20,000,000 shall be made available, if available, to the Secretary for obligation and expenditure out of the account established under section 45303(a) of title 49, United States Code.

To the extent that amounts are not available in such account, there are authorized to be appropriated such sums as may be necessary to provide the amount authorized to be obligated under paragraph (2) to carry out those sections for that 4 fiscal-year period.

On page 157, between lines 12 and 13, insert the following:

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Secretary of Transportation such sums as may be necessary to carry out section 41747 of title 49, United States Code.

On page 159, beginning with line 3, strike through line 22 on page 167 and insert the following:

SEC. 606. SLOT EXEMPTIONS FOR NONSTOP REGIONAL JET SERVICE.

(a) **IN GENERAL.**—Subchapter I of chapter 417 is amended by—

(1) redesignating section 41715 as 41716; and

(2) inserting after section 41714 the following:

“§ 41715. Slot exemption for nonstop regional jet service.

“(a) **IN GENERAL.**—Within 90 days after receiving an application for an exemption to provide nonstop regional jet air service between—

“(1) an airport that is smaller than a large hub airport (as defined in section 47134(d)(2)); and

“(2) a high density airport subject to the exemption authority under section 41714(a), the Secretary of Transportation shall grant or deny the exemption in accordance with established principles of safety and the promotion of competition.

“(b) **EXISTING SLOTS TAKEN INTO ACCOUNT.**—In deciding to grant or deny an exemption under subsection (a), the Secretary may take into consideration the slots and slot exemptions already used by the applicant.

“(c) **CONDITIONS.**—The Secretary may grant an exemption to an air carrier under subsection (a)—

“(1) for a period of not less than 12 months;

“(2) for a minimum of 2 daily roundtrip flights; and

“(3) for a maximum of 3 daily roundtrip flights.

“(d) **CHANGE OF NONHUB, SMALL HUB, OR MEDIUM HUB AIRPORT; JET AIRCRAFT.**—The Secretary may, upon application made by an air carrier operating under an exemption granted under subsection (a)—

“(1) authorize the air carrier or an affiliated air carrier to upgrade service under the exemption to a larger jet aircraft; or

“(2) authorize an air carrier operating under such an exemption to change the nonhub airport or small hub airport for which the exemption was granted to provide the same service to a different airport that is smaller than a large hub airport (as defined in section 47134(d)(2)) if—

“(A) the air carrier has been operating under the exemption for a period of not less than 12 months; and

“(B) the air carrier can demonstrate unmitigatable losses.

“(e) **FORFEITURE FOR MISUSE.**—Any exemption granted under subsection (a) shall be

terminated immediately by the Secretary if the air carrier to which it was granted uses the slot for any purpose other than the purpose for which it was granted or in violation of the conditions under which it was granted.

“(f) RESTORATION OF AIR SERVICE.—To the extent that—

“(1) slots were withdrawn from an air carrier under section 41714(b);

“(2) the withdrawal of slots under that section resulted in a net loss of slots; and

“(3) the net loss of slots and slot exemptions resulting from the withdrawal had an adverse effect on service to nonhub airports and in other domestic markets,

the Secretary shall give priority consideration to the request of any air carrier from which slots were withdrawn under that section for an equivalent number of slots at the airport where the slots were withdrawn. No priority consideration shall be given under this subsection to an air carrier described in paragraph (1) when the net loss of slots and slot exemptions is eliminated.

“(g) PRIORITY TO NEW ENTRANTS AND LIMITED INCUMBENT CARRIERS.—

“(1) IN GENERAL.—In granting slot exemptions under this section the Secretary shall, in conjunction with subsection (f), give priority consideration to an application from an air carrier that, as of July 1, 1998, operated or held fewer than 20 slots or slot exemptions at the high density airport for which it filed an exemption application.

“(2) LIMITATION.—No priority may be given under paragraph (1) to an air carrier that, at the time of application, operates or holds 20 or more slots and slot exemptions at the airport for which the exemption application is filed.

“(3) AFFILIATED CARRIERS.—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 exemptions under this section regardless of the form of the corporate relationship between the commuter air carrier and the other air carrier.

“(h) 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).

“(i) REGIONAL JET DEFINED.—In this section—

“(1) REGIONAL JET.—The term ‘regional jet’ means a passenger, turbofan-powered aircraft carrying not fewer than 30 and not more than 50 passengers.

“(2) OTHER TERMS.—Any term used in this section that is defined in section 41762 has the meaning given that term by section 41762.”

(b) CONFORMING AMENDMENTS.—

(1) Section 40102 is amended by inserting after paragraph (28) the following: “(28A) LIMITED INCUMBENT AIR CARRIER.—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 93.226(h) as such sections were in effect on August 1, 1998.”

(2) The chapter analysis for chapter 417 is amended by striking the item relating to section 41716 and inserting the following:

“41715. Slot exemptions for nonstop regional jet service.

“41716. Air service termination notice.”

SEC. 607. EXEMPTIONS TO PERIMETER RULE AT RONALD REAGAN WASHINGTON NATIONAL AIRPORT.

(a) IN GENERAL.—Subchapter I of chapter 417, as amended by section 606, is amended by—

(1) redesignating section 41716 as 41717; and

(2) inserting after section 41715 the following:

“§41716. Special Rules for Ronald Reagan Washington National Airport

“(a) BEYOND-PERIMETER EXEMPTIONS.—In addition to any exemption granted under section 41714(d), 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; and

“(2) increase competition in multiple markets.

“(b) WITHIN-PERIMETER EXEMPTIONS.—In addition to any exemption granted under section 41714(d) or subsection (a) of this section, 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 commuter air carriers for service to airports smaller than large hub airports (as defined in section 47134(d)(2)) 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 their perimeter to airports other than large hubs under this paragraph in a manner consistent with the promotion of air transportation.

“(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.—An exemption granted under subsection (a) may not—

“(A) 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; or

“(B) result in the withdrawal or reduction of slots operated by an air carrier.

“(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; and

“(B) will result in 12 additional daily commuter slot exemptions at such airport; and

“(C) will not result in additional daily commuter slot exemptions for service to any within-the-perimeter airport that is not smaller than a large hub airport (as defined in section 47134(d)(2)).

“(4) REVIEW OF SAFETY, ENVIRONMENTAL, AND NOISE IMPACT.—The Secretary shall assess the impact of granting exemptions under subsections (a) and (b) on the environment (including noise levels) and safety during the first 90 days after the date of enactment of the Wendell H. Ford National Air Transportation System Improvement Act of 1998. The environmental assessment shall be carried out in accordance with parts 1500–1508 of title 40, Code of Federal Regulations, including a public meeting.

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

(b) 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 41716.”

(c) MWAA NOISE-RELATED GRANT ASSURANCES.—

(1) 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 1999 or any subsequent fiscal year—

(A) 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

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

(2) WAIVER.—The Secretary of Transportation may waive the requirements of paragraph (1) for any fiscal year for which the Secretary determines that no additional noise mitigation is necessary at or around Ronald Reagan Washington National Airport.

(3) SUNSET.—This subsection shall cease to be in effect 5 years after the date of enactment of this Act.

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

“(3) In making grants under paragraph (1)(A), the Secretary shall give priority to applications for airport noise compatibility planning and programs at and around airports where operations increase under title VI of the Wendell H. Ford National Air Transportation System Improvement Act of 1998 and the amendments made by that title.”

(e) CONFORMING AMENDMENTS.—

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

(2) The chapter analysis for chapter 417, as amended by section 606(b) of this Act, is amended by striking the item relating to section 41716 and inserting the following:

“41716. Special Rules for Ronald Reagan Washington National Airport.

“41717. Air service termination notice.”

(d) 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 Washington D.C. Council of Governments 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.

SEC. 608. ADDITIONAL SLOT EXEMPTIONS AT CHICAGO O'HARE INTERNATIONAL AIRPORT.

(a) IN GENERAL.—Chapter 417, as amended by section 607, is amended by—

(1) redesignating section 41717 as 41718; and

(2) inserting after section 41716 the following:

“§41717. Special Rules for Chicago O'Hare International Airport

“(a) IN GENERAL.—The Secretary of Transportation shall grant 30 slot exemptions over a 3-year period beginning on the date of enactment of the Wendell H. Ford National Air Transportation System Improvement Act of 1998 at Chicago O'Hare International Airport.

“(b) EQUIPMENT AND SERVICE REQUIREMENTS.—

“(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) SERVICE PROVIDED.—Of the exemptions granted under subsection (a)—

“(A) 18 shall be used only for service to underserved markets, of which no fewer than 6 shall be designated as commuter slot exemptions; and

“(B) 12 shall be air carrier slot exemptions.

“(c) PROCEDURAL REQUIREMENTS.—Before granting additional exemptions under subsection (a), the Secretary shall—

“(1) conduct an environmental review, taking noise into account, and determine that the granting of the additional exemptions will not cause a significant increase in noise;

“(2) determine whether capacity is available and can be used safely and, if the Secretary so determines then so certify;

“(3) give 30 days notice to the public through publication in the Federal Register of the Secretary's intent to grant the additional exemptions; and

“(4) consult with appropriate officers of the State and local government on any related noise and environmental issues.

“(d) UNDERSERVED MARKET DEFINED.—In this section, the term ‘service to underserved markets’ means passenger air transportation service to an airport that is a nonhub airport or a small hub airport (as defined in paragraphs (4) and (5), respectively, of section 41731(a)).”.

(b) STUDIES.—

(1) 3-YEAR REPORT.—The Secretary shall study and submit a report 3 years after the first exemption granted under section 41717(a) of title 49, United States Code, is first used on the impact of the additional slots on the safety, environment, noise, access to underserved markets, and competition at Chicago O'Hare International Airport.

(2) DOT STUDY IN 2000.—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.

(c) CONFORMING AMENDMENT.—The chapter analysis for chapter 417, as amended by section 607(b) of this Act, is amended by striking the item relating to section 41717 and inserting the following:

“41717. Special Rules for Chicago O'Hare International Airport.

“41718. Air service termination notice.”.

On page 168, line 7, strike “417” and insert “417, as amended by section 608.”.

On page 168, line 9, strike “41716.” and insert “41719.”

On page 173, line 1, strike “RURAL”.

On page 173, strike lines 3 through 14 and insert the following:

The General Accounting Office shall conduct a study of the current state of the national airport network and its ability to meet the air transportation needs of the United States over the next 15 years. The study shall include airports located in re-

mote communities and reliever airports. In assessing the effectiveness of the system the Comptroller General may consider airport runway length of 5,500 feet or the equivalent altitude-adjusted length, air traffic control facilities, and navigational aids.

On page 189, line 2, strike “40125” and insert “40126”.

On page 189, line 9, strike “40125” and insert “40126”.

On page 189, between lines 11 and 12, insert the following:

(3) COMPLIANCE WITH OTHER REGULATIONS.—For purposes of section 40126 of title 49, United States Code—

(A) regulations issued by the Secretary of Transportation and the Administrator of the Federal Aviation Administration under section 3 of Public Law 100-91 (16 U.S.C. 1a-1, note); and

(B) commercial air tour operations carried out in compliance with the requirements of those regulations,

shall be deemed to meet the requirements of such section 40126.

On page 191, strike lines 1 through 5 and insert the following:

“(2) on the designation of appropriate and feasible quiet aircraft technology standards for quiet aircraft technologies under development for commercial purposes, which will receive preferential treatment in a given air tour management plan;

On page 192, after line 22, insert the following:

SEC. 705. PROHIBITION OF COMMERCIAL AIR TOURS OVER THE ROCKY MOUNTAIN NATIONAL PARK.

Effective beginning on the date of enactment of this Act, no commercial air tour may be operated in the airspace over the Rocky Mountain National Park notwithstanding any other provision of this Act or section 40126 of title 49, United States Code, as added by this Act.

On page 193, strike lines 1 through 12 and insert the following:

**TITLE VIII—CENTENNIAL OF FLIGHT
COMMEMORATION**

SEC. 801. SHORT TITLE.

This title may be cited as the “Centennial of Flight Commemoration Act”

SEC. 802. FINDINGS.

Congress finds that—

(1) December 17, 2003, is the 100th anniversary of the first successful manned, free, controlled, and sustained flight by a power-driven, heavier-than-air machine;

(2) the first flight by Orville and Wilbur Wright represents the fulfillment of the age-old dream of flying;

(3) the airplane has dramatically changed the course of transportation, commerce, communication, and warfare throughout the world;

(4) the achievement by the Wright brothers stands as a triumph of American ingenuity, inventiveness, and diligence in developing new technologies, and remains an inspiration for all Americans;

(5) it is appropriate to remember and renew the legacy of the Wright brothers at a time when the values of creativity and daring represented by the Wright brothers are critical to the future of the Nation; and

(6) as the Nation approaches the 100th anniversary of powered flight, it is appropriate to celebrate and commemorate the centennial year through local, national, and international observances and activities.

SEC. 803. ESTABLISHMENT.

There is established a commission to be known as the Centennial of Flight Commission.

SEC. 804. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—The Commission shall be composed of 6 members, as follows:

(1) The Director of the National Air and Space Museum of the Smithsonian Institute or his designee.

(2) The Administrator of the National Aeronautics and Space Administration or his designee.

(3) The chairman of the First Flight Centennial Foundation of North Carolina, or his designee.

(4) The chairman of the 2003 Committee of Ohio, or his designee.

(5) As chosen by the Commission, the president or head of a United States aeronautical society, foundation, or organization of national stature or prominence who will be a person from a State other than Ohio or North Carolina.

(6) The Administrator of the Federal Aviation Administration, or his designee.

(b) VACANCIES.—Any vacancy in the Commission shall be filled in the same manner in which the original designation was made.

(c) COMPENSATION.—

(1) PROHIBITION OF PAY.—Except as provided in paragraph (2), members of the Commission shall serve without pay or compensation.

(2) TRAVEL EXPENSES.—The Commission may adopt a policy, only by unanimous vote, for members of the Commission and related advisory panels to receive travel expenses, including per diem in lieu of subsistence. The policy may not exceed the levels established under sections 5702 and 5703 of title 5, United States Code. Members who are Federal employees shall not receive travel expenses if otherwise reimbursed by the Federal Government.

(d) QUORUM.—Three members of the Commission shall constitute a quorum.

(e) CHAIRPERSON.—The Commission shall select a Chairperson of the Commission from the members designated under subsection (a)(1), (2), or (5). The Chairperson may not vote on matters before the Commission except in the case of a tie vote. The Chairperson may be removed by a vote of a majority of the Commission's members.

(f) ORGANIZATION.—No later than 90 days after the date of enactment of this Act, the Commission shall meet and select a Chairperson, Vice Chairperson, and Executive Director.

SEC. 805. DUTIES.

(a) IN GENERAL.—The Commission shall—

(1) represent the United States and take a leadership role with other nations in recognizing the importance of aviation history in general and the centennial of powered flight in particular, and promote participation by the United States in such activities;

(2) encourage and promote national and international participation and sponsorships in commemoration of the centennial of powered flight by persons and entities such as—

(A) aerospace manufacturing companies;

(B) aerospace-related military organizations;

(C) workers employed in aerospace-related industries;

(D) commercial aviation companies;

(E) general aviation owners and pilots;

(F) aerospace researchers, instructors, and enthusiasts;

(G) elementary, secondary, and higher educational institutions;

(H) civil, patriotic, educational, sporting, arts, cultural, and historical organizations and technical societies;

(I) aerospace-related museums; and

(J) State and local governments;

(3) plan and develop, in coordination with the First Flight Centennial Commission, the First Flight Centennial Foundation of North Carolina, and the 2003 Committee of Ohio, programs and activities that are appropriate to commemorate the 100th anniversary of powered flight;

(4) maintain, publish, and distribute a calendar or register of national and international programs and projects concerning, and provide a central clearinghouse for, information and coordination regarding, dates, events, and places of historical and commemorative significance regarding aviation history in general and the centennial of powered flight in particular;

(5) provide national coordination for celebration dates to take place throughout the United States during the centennial year;

(6) assist in conducting educational, civic, and commemorative activities relating to the centennial of powered flight throughout the United States, especially activities that occur in the States of North Carolina and Ohio and that highlight the activities of the Wright brothers in such States; and

(7) encourage the publication of popular and scholarly works related to the history of aviation or the anniversary of the centennial of powered flight.

(b) **NONDUPLICATION OF ACTIVITIES.**—The Commission shall attempt to plan and conduct its activities in such a manner that activities conducted pursuant to this title enhance, but do not duplicate, traditional and established activities of Ohio's 2003 Committee, North Carolina's First Flight Centennial Commission, the First Flight Centennial Foundation, or any organization of national stature or prominence.

SEC. 806. POWERS.

(a) **ADVISORY COMMITTEES AND TASK FORCES.**—

(1) **IN GENERAL.**—The Commission may appoint any advisory committee or task force from among the membership of the Advisory Board in section 812.

(2) **FEDERAL COOPERATION.**—To ensure the overall success of the Commission's efforts, the Commission may call upon various Federal departments and agencies to assist in and give support to the programs of the Commission. The head of the Federal department or agency, where appropriate, shall furnish the information or assistance requested by the Commission, unless prohibited by law.

(3) **PROHIBITION OF PAY OTHER THAN TRAVEL EXPENSES.**—Members of an advisory committee or task force authorized under paragraph (1) shall not receive pay, but may receive travel expenses pursuant to the policy adopted by the Commission under section 804(c)(2).

(b) **POWERS OF MEMBERS AND AGENTS.**—Any member or agent of the Commission may, if authorized by the Commission, take any action that the Commission is authorized to take under this title.

(c) **AUTHORITY TO PROCURE AND TO MAKE LEGAL AGREEMENTS.**—

(1) **IN GENERAL.**—Notwithstanding any other provision in this title, only the Commission may procure supplies, services, and property, and make or enter into leases and other legal agreements in order to carry out this title.

(2) **RESTRICTION.**—

(A) **IN GENERAL.**—A contract, lease, or other legal agreement made or entered into by the Commission may not extend beyond the date of the termination of the Commission.

(B) **FEDERAL SUPPORT.**—The Commission shall obtain property, equipment, and office space from the General Services Administration or the Smithsonian Institution, unless other office space, property, or equipment is less costly.

(3) **SUPPLIES AND PROPERTY POSSESSED BY COMMISSION AT TERMINATION.**—Any supplies and property, except historically significant items, that are acquired by the Commission under this title and remain in the possession of the Commission on the date of the termi-

nation of the Commission shall become the property of the General Services Administration upon the date of termination.

(d) **MAILS.**—The Commission may use the United States mails in the same manner and under the same conditions as any other Federal agency.

SEC. 807. STAFF AND SUPPORT SERVICES.

(a) **EXECUTIVE DIRECTOR.**—There shall be an Executive Director appointed by the Commission and chosen from among detailees from the agencies and organizations represented on the Commission. The Executive Director may be paid at a rate not to exceed the maximum rate of basic pay payable for the Senior Executive Service.

(b) **STAFF.**—The Commission may appoint and fix the pay of any additional personnel that it considers appropriate, except that an individual appointed under this subsection may not receive pay in excess of the maximum rate of basic pay payable for GS-14 of the General Schedule.

(c) **INAPPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.**—The Executive Director and staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates, except as provided under subsections (a) and (b) of this section.

(d) **MERIT SYSTEM PRINCIPLES.**—The appointment of the Executive Director or any personnel of the Commission under subsection (a) or (b) shall be made consistent with the merit system principles under section 2301 of title 5, United States Code.

(e) **STAFF OF FEDERAL AGENCIES.**—Upon request by the Chairperson of the Commission, the head of any Federal department or agency may detail, on either a nonreimbursable or reimbursable basis, any of the personnel of the department or agency to the Commission to assist the Commission to carry out its duties under this title.

(f) **ADMINISTRATIVE SUPPORT SERVICES.**—

(1) **REIMBURSABLE SERVICES.**—The Secretary of the Smithsonian Institution may provide to the Commission on a reimbursable basis any administrative support services that are necessary to enable the Commission to carry out this title.

(2) **NONREIMBURSABLE SERVICES.**—The Secretary may provide administrative support services to the Commission on a nonreimbursable basis when, in the opinion of the Secretary, the value of such services is insignificant or not practical to determine.

(g) **COOPERATIVE AGREEMENTS.**—The Commission may enter into cooperative agreements with other Federal agencies, State and local governments, and private interests and organizations that will contribute to public awareness of and interest in the centennial of powered flight and toward furthering the goals and purposes of this title.

(h) **PROGRAM SUPPORT.**—The Commission may receive program support from the non-profit sector.

SEC. 808. CONTRIBUTIONS.

(a) **DONATIONS.**—The Commission may accept donations of personal services and historic materials relating to the implementation of its responsibilities under the provisions of this title.

(b) **VOLUNTEER SERVICES.**—Notwithstanding section 1342 of title 31, United States Code, the Commission may accept and use voluntary and uncompensated services as the Commission determines necessary.

(c) **REMAINING FUNDS.**—Any funds (including funds received from licensing royalties) remaining with the Commission on the date of the termination of the Commission may

be used to ensure proper disposition, as specified in the final report required under section 810(b), of historically significant property which was donated to or acquired by the Commission. Any funds remaining after such disposition shall be transferred to the Secretary of the Treasury for deposit into the general fund of the Treasury of the United States.

SEC. 809. EXCLUSIVE RIGHT TO NAME, LOGOS, EMBLEMS, SEALS, AND MARKS.

(a) **IN GENERAL.**—The Commission may devise any logo, emblem, seal, or descriptive or designating mark that is required to carry out its duties or that it determines is appropriate for use in connection with the commemoration of the centennial of powered flight.

(b) **LICENSING.**—The Commission shall have the sole and exclusive right to use, or to allow or refuse the use of, the name "Centennial of Flight Commission" on any logo, emblem, seal, or descriptive or designating mark that the Commission lawfully adopts.

(c) **EFFECT ON OTHER RIGHTS.**—No provision of this section may be construed to conflict or interfere with established or vested rights.

(d) **USE OF FUNDS.**—Funds from licensing royalties received pursuant to this section shall be used by the Commission to carry out the duties of the Commission specified by this title.

(e) **LICENSING RIGHTS.**—All exclusive licensing rights, unless otherwise specified, shall revert to the Air and Space Museum of the Smithsonian Institution upon termination of the Commission.

SEC. 810. REPORTS.

(a) **ANNUAL REPORT.**—In each fiscal year in which the Commission is in existence, the Commission shall prepare and submit to Congress a report describing the activities of the Commission during the fiscal year. Each annual report shall also include—

(1) recommendations regarding appropriate activities to commemorate the centennial of powered flight, including—

(A) the production, publication, and distribution of books, pamphlets, films, and other educational materials;

(B) bibliographical and documentary projects and publications;

(C) conferences, convocations, lectures, seminars, and other similar programs;

(D) the development of exhibits for libraries, museums, and other appropriate institutions;

(E) ceremonies and celebrations commemorating specific events that relate to the history of aviation;

(F) programs focusing on the history of aviation and its benefits to the United States and humankind; and

(G) competitions, commissions, and awards regarding historical, scholarly, artistic, literary, musical, and other works, programs, and projects related to the centennial of powered flight;

(2) recommendations to appropriate agencies or advisory bodies regarding the issuance of commemorative coins, medals, and stamps by the United States relating to aviation or the centennial of powered flight;

(3) recommendations for any legislation or administrative action that the Commission determines to be appropriate regarding the commemoration of the centennial of powered flight;

(4) an accounting of funds received and expended by the Commission in the fiscal year that the report concerns, including a detailed description of the source and amount of any funds donated to the Commission in the fiscal year; and

(5) an accounting of any cooperative agreements and contract agreements entered into by the Commission.

(b) FINAL REPORT.—Not later than June 30, 2004, the Commission shall submit to the President and Congress a final report. The final report shall contain—

(1) a summary of the activities of the Commission;

(2) a final accounting of funds received and expended by the Commission;

(3) any findings and conclusions of the Commission; and

(4) specific recommendations concerning the final disposition of any historically significant items acquired by the Commission, including items donated to the Commission under section 808(a)(1).

SEC. 811. AUDIT OF FINANCIAL TRANSACTIONS.

(A) IN GENERAL.—

(1) AUDIT.—The Comptroller General of the United States shall audit on an annual basis the financial transactions of the Commission, including financial transactions involving donated funds, in accordance with generally accepted auditing standards.

(2) ACCESS.—In conducting an audit under this section, the Comptroller General—

(A) shall have access to all books, accounts, financial records, reports, files, and other papers, items, or property in use by the Commission, as necessary to facilitate the audit; and

(B) shall be afforded full facilities for verifying the financial transactions of the Commission, including access to any financial records or securities held for the Commission by depositories, fiscal agents, or custodians.

(b) FINAL REPORT.—Not later than September 30, 2004, the Comptroller General of the United States shall submit to the President and to Congress a report detailing the results of any audit of the financial transactions of the Commission conducted by the Comptroller General.

SEC. 812. ADVISORY BOARD.

(a) ESTABLISHMENT.—There is established a First Flight Centennial Federal Advisory Board.

(b) NUMBER AND APPOINTMENT.—

(1) IN GENERAL.—The Board shall be composed of 19 members as follows:

(A) The Secretary of the Interior, or the designee of the Secretary.

(B) The Librarian of Congress, or the designee of the Librarian.

(C) The Secretary of the Air Force, or the designee of the Secretary.

(D) The Secretary of the Navy, or the designee of the Secretary.

(E) The Secretary of Transportation, or the designee of the Secretary.

(F) Six citizens of the United States, appointed by the President, who—

(i) are not officers or employees of any government (except membership on the Board shall not be construed to apply to the limitation under this clause); and

(ii) shall be selected based on their experience in the fields of aerospace history, science, or education, or their ability to represent the entities enumerated under section 805(a)(2).

(G) Four citizens of the United States, appointed by the majority leader of the Senate in consultation with the minority leader of the Senate.

(H) Four citizens of the United States, appointed by the Speaker of the House of Representatives in consultation with the minority leader of the House of Representatives. Of the individuals appointed under this subparagraph—

(i) one shall be selected from among individuals recommended by the representative whose district encompasses the Wright Brothers National Memorial; and

(ii) one shall be selected from among individuals recommended by the representatives

whose districts encompass any part of the Dayton Heritage National Historical Park.

(c) VACANIES.—Any vacancy in the Advisory Board shall be filled in the same manner in which the original designation was made.

(d) MEETINGS.—Seven members of the Advisory Board shall constitute a quorum for a meeting. All meetings shall be open to the public.

(e) CHAIRPERSON.—The President shall designate 1 member appointed under subsection (b)(1)(F) as chairperson of the Advisory Board.

(f) MAILS.—The Advisory Board may use the United States mails in the same manner and under the same conditions as a Federal agency.

(g) DUTIES.—The Advisory Board shall advise the Commission on matters related to this title.

(h) PROHIBITION OF COMPENSATION OTHER THAN TRAVEL EXPENSES.—Members of the Advisory Board shall not receive pay, but may receive travel expenses pursuant to the policy adopted by the Commission under section 804(e).

(i) TERMINATION.—The Advisory Board shall terminate upon the termination of the Commission.

SEC. 813. DEFINITIONS.

In this title:

(1) ADVISORY BOARD.—The term “Advisory Board” means the Centennial of Flight Federal Advisory Board.

(2) CENTENNIAL OF POWERED FLIGHT.—The term “centennial of powered flight” means the anniversary year, from December 2002 to December 2003, commemorating the 100-year history of aviation beginning with the First Flight and highlighting the achievements of the Wright brothers in developing the technologies which have led to the development of aviation as it is known today.

(3) COMMISSION.—The term “Commission” means the Centennial of Flight Commission.

(4) DESIGNEE.—The term “designee” means a person from the respective entity of each entity represented on the Commission or Advisory Board.

(5) FIRST FLIGHT.—The term “First Flight” means the first four successful manned, free, controlled, and sustained flights by a power-driven, heavier-than-air machine, which were accomplished by Orville and Wilbur Wright of Dayton, Ohio on December 17, 1903, at Kitty Hawk, North Carolina.

SEC. 814. TERMINATION.

The Commission shall terminate not later than 60 days after the submission of the final report required by section 810(b) and shall transfer all documents and material to the National Archives or other appropriate Federal entity.

SEC. 815. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this title—

(1) \$250,000 for fiscal year 1999;

(2) \$600,000 for fiscal year 2000;

(3) \$750,000 for fiscal year 2001;

(4) \$900,000 for fiscal year 2002;

(5) \$900,000 for fiscal year 2003; and

(6) \$600,000 for fiscal year 2004.

○

COATS AMENDMENT NO. 3619

(Ordered to lie on the table.)

Mr. COATS submitted an amendment intended to be proposed by him to the bill, S. 2279, supra; as follows:

On page 164, line 7, strike “commuter”.

On page 164, line 7, insert “, including commuter air carriers,” after “air carriers”.

On page 165, lines 4 and 5, strike “daily commuter slots at such airport” and insert

“daily slots at such airport, of which at least 6 shall be commuter slots”.

On page 165, lines 6 and 7, strike “commuter slots” and insert “slots”.

INHOFE AMENDMENT NO. 3620

Mr. INHOFE proposed an amendment to the bill, S. 2279, supra; as follows:

At the appropriate place, insert the following:

SEC. ____ AMENDMENTS, MODIFICATIONS, SUSPENSIONS, AND REVOCATIONS OF CERTIFICATES.

Section 44709 of title 49, United States Code, is amended—

(1) in subsection (e)—

(A) by striking “When” and inserting “(1) Except as provided in paragraph (2), if”; and

(B) by striking “However, if” and all that follows through the end of the subsection and inserting the following:

“(2) If the Administrator determines, in the order, that an emergency exists and safety in air commerce or air transportation requires the order to be effective immediately—

“(A) subject to subparagraph (B), the order shall be in effect unless the Administrator is not able to prove to the Board, upon an inquiry of the Board, the existence of an emergency that requires the immediate application of the order in the interest of safety in air commerce and air transportation; and

“(B) the Board shall—

“(i) not later than 5 days after the filing of an appeal under paragraph (1), make a disposition concerning the issues of the appeal that are related to the existence of an emergency referred to in subparagraph (A); and

“(ii) not later than 60 days after the filing of an appeal under paragraph (1), make a final disposition of the appeal.

“(3) If the Administrator determines, in the order, the existence of an emergency described in paragraph (2)(A), the appellant may request a hearing by the Board on the issues of the appeal that are related to the existence of the emergency. Such request shall be made not later than 48 hours after the issuance of the order. If an appellant requests a hearing under this paragraph, the Board shall hold the hearing not later than 48 hours after receiving that request.”; and

(2) in subsection (f), by inserting “by further order” after “the Administrator decides”.

ROTH (AND MOYNIHAN) AMENDMENT NO. 3621

Mr. ROTH (for himself and Mr. MOYNIHAN) proposed an amendment to the bill, S. 2279, supra; as follows:

At the end of the bill add the following:

TITLE IV—EXTENSION OF AIRPORT AND AIRWAY TRUST FUND EXPENDITURE AUTHORITY

SEC. 801. EXTENSION OF EXPENDITURE AUTHORITY.

(a) IN GENERAL.—Paragraph (1) of section 9502(d) of the Internal Revenue Code of 1986 (relating to expenditures from Airport and Airway Trust Fund) is amended—

(1) by striking “October 1, 1998” and inserting “October 1, 2000”; and

(2) by inserting before the semicolon at the end of subparagraph (A) the following “or the Wendell H. Ford National Air Transportation System Improvement Act of 1998”.

(b) LIMITATION ON EXPENDITURE AUTHORITY.—Section 9502 of such Code is amended by adding at the end the following new subsection:

“(f) LIMITATION ON TRANSFERS TO TRUST FUND.—

“(1) IN GENERAL.—Except as provided in paragraph (2), no amount may be appropriated or credited to the Airport and Airway Trust Fund on and after the date of any

expenditure from the Airport and Airway Trust Fund which is not permitted by this section. The determination of whether an expenditure is so permitted shall be made without regard to—

“(A) any provision of law which is not contained or referenced in this title or in a revenue Act; and

“(B) whether such provision of law is a subsequently enacted provision or directly or indirectly seeks to waive the application of this subsection.

“(2) EXCEPTION FOR PRIOR OBLIGATIONS.—Paragraph (1) shall not apply to any expenditure to liquidate any contract entered into (or for any amount otherwise obligated) before October 1, 2000, in accordance with the provisions of this section.”.

DeWINE AMENDMENT NO. 3622

(Ordered to lie on the table.)

Mr. DEWINE submitted an amendment intended to be proposed by him to the bill, S. 2279, supra; as follows:

At the appropriate place in title V, insert the following:

SEC. 5. . TO EXPRESS THE SENSE OF THE SENATE CONCERNING A BILATERAL AGREEMENT BETWEEN THE UNITED STATES AND THE UNITED KINGDOM.

(a) DEFINITIONS.—In this section:

(1) AIR CARRIER.—The term “air carrier” has the meaning given that term in section 40102 of title 49, United States Code.

(2) AIRCRAFT.—The term “aircraft” has the meaning given that term in section 40102 of title 49, United States Code.

(3) AIR TRANSPORTATION.—The term “air transportation” has the meaning given that term in section 40102 of title 49, United States Code.

(4) BERMUDA II AGREEMENT.—The term “Bermuda II Agreement” means the Agreement Between the United States of America and United Kingdom of Great Britain and Northern Ireland Concerning Air Services, signed at Bermuda on July 23, 1977 (TIAS 8641).

(5) CLEVELAND-LONDON (GATWICK) ROUTE.—The term “Cleveland-London (Gatwick) route” means the route between Cleveland, Ohio, and the Gatwick Airport in London, England.

(6) FOREIGN AIR CARRIER.—The term “foreign air carrier” has the meaning given that term in section 40102 of title 49, United States Code.

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

(8) SLOT.—The term “slot” means a reservation for an instrument flight rule take-off or landing by an air carrier of an aircraft in air transportation.

(b) FINDINGS.—Congress finds that—

(1) under the Bermuda II Agreement, the United States has a right to designate an air carrier of the United States to serve the Cleveland-London (Gatwick) route;

(2)(A) on December 3, 1996, the Secretary awarded the Cleveland-London (Gatwick) route to Continental Airlines;

(B) on June 15, 1998, Continental Airlines announced plans to launch nonstop service on that route on February 19, 1999, and to provide single-carrier one-stop service between London, England (from Gatwick Airport) and dozens of cities in Ohio and the surrounding region; and

(C) on August 4, 1998, the Secretary renewed the authority of Continental Airlines to carry out the nonstop service referred to in subparagraph (B) and selected Cleveland, Ohio, as a new gateway under the Bermuda II Agreement;

(3) unless the Government of the United Kingdom provides Continental Airlines commercially viable access to Gatwick Airport, Continental Airlines will not be able to ini-

tiate service on the Cleveland-London (Gatwick) route; and

(4) Continental Airlines is prepared to initiate competitive air service on the Cleveland-London (Gatwick) route when the Government of the United Kingdom provides commercially viable access to the Gatwick Airport.

(c) SENSE OF THE SENATE.—It is the sense of the Senate that the Secretary should—

(1) act vigorously to ensure the enforcement of the rights of the United States under the Bermuda II Agreement;

(2) intensify efforts to obtain the necessary assurances from the Government of the United Kingdom to allow an air carrier of the United States to operate commercially viable, competitive service for the Cleveland-London (Gatwick) route; and

(3) ensure that the rights of the Government of the United States and citizens and air carriers of the United States are enforced under the Bermuda II Agreement before seeking to renegotiate a broader bilateral agreement to establish additional rights for air carriers of the United States and foreign air carriers of the United Kingdom, including the right to commercially viable competitive slots at Gatwick Airport and Heathrow Airport in London, England, for air carriers of the United States.

SNOWE AMENDMENTS NOS. 3623–3625

Mr. MCCAIN (for Ms. SNOWE) proposed three amendments to the bill, S. 2279, supra; as follows:

AMENDMENT NO. 3623

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 1142704,” 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

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

On page 147, line 4, after “program.” insert the following: “For purposes of this subsection, the application of geographic 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.”.

MCCAIN (AND FORD) AMENDMENT NO. 3626

Mr. MCCAIN (for himself and Mr. FORD) proposed an amendment to the bill, S. 2279, supra; as follows:

On page 48 of the managers’ amendment, strike “additional” in line 12, line 16, and line 23.

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 Wednesday, September 23, 1998 at 2:00 p.m. in SR-328A. The purpose of this meeting will be to examine forestry issues.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public that a full committee hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place on Thursday, October 1, 1998 at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to consider the nominations of Eljay B. Bowron to be Inspector General of the Department of the Interior; Rose Eilene Gottemoeller to be an Assistant Secretary of Energy for Non-Proliferation and National Security; and David Michaels to be an Assistant Secretary of Energy for Environment, Safety and Health.

For further information, please contact Gary Ellsworth of the Committee staff at (202) 224-7141.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be allowed to meet during the session of the Senate on Wednesday, September 23, 1998. The purpose of this meeting will be to examine forestry issues.

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

COMMITTEE ON ARMED SERVICES

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to