

made to satisfy any legitimate congressional oversight interest, and despite the lack of any basis to charge contemptuous conduct, the House persists in its efforts to pressure and sanction.

This effort and the lack of balance it signals do not bode well for the House's other tasks.

I recall, as well, that it was not too many months ago in this same Congress that Republican leaders in the House were urging that impeachment be used as a device to intimidate federal judges when they rendered decisions that a Republican Member did not like. Impeachment should not be used as a partisan, ideological bludgeon in any context. That is not the proper use of this important constitutional authority. Such comments, at a minimum, complicate the task at hand.

Nor is it reassuring to read accounts of meetings, on the other side of the aisle, in this body, where partisan litmus tests on this matter are being applied to those chairing committees in the Senate.

There are few matters of such possible significance that may come before Congress as the matter of a President's fitness to serve.

The people of the United States elected William Jefferson Clinton to the Presidency in 1992 and reelected him in 1996. He and the Vice President are the only people serving anywhere in the Nation in any office who were elected by the entire country.

Under our Constitution, the Senate is charged with the ultimate responsibility to act as the jury in connection with any charges that the House were to deem worthy of impeachment.

Never in our history as a country has the Senate convicted a President of an impeachable offense. Only in the tumultuous times following the Civil War has the Senate been through the ordeal of a Presidential impeachment trial.

Mr. President, I am honored to have been elected by the people of Vermont to serve as their United States Senator. In our history, only 20 other Vermonters have had the privilege to hold the seat I now have representing our State. I am proud to serve as the ranking Democrat on the Senate Judiciary Committee. I appreciate my limited role in the Senate and in our government. I cannot take lightly being asked to judge whether a President, elected by the people of the United States, ought to be removed from office by an act of the Congress of the United States.

Now, the search for blame is a practiced congressional skill. It always bears fruit—sometimes bitter fruit. But the acceptance of our own solemn responsibility is more difficult. We must discharge our duties by serving the national interest, not by appealing to partisan or even public passions.

Let our actions not compound the Nation's anguish, harm the common good, nor further shake the public's

faith in our institutions of self-government. These institutions have served this country well for over 200 years, in accordance with our Constitution, which has been a guidepost for that time. Our Constitution has survived because good men and women have stood up when needed to make sure it survives.

Mr. President, I yield the floor and I yield back the remainder of my time.

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

The Senate continued with the consideration of the bill.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

AMENDMENT NO. 3227

Mr. LAUTENBERG. Mr. President, can you tell me how much time is available?

The PRESIDING OFFICER. Senator TORRICELLI controls 30 minutes as a proponent of his amendment.

Mr. LAUTENBERG. On Senator TORRICELLI's time, I yield myself as much time as I need, which will probably be less than 10 minutes.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. LAUTENBERG. Mr. President, I rise as a cosponsor of the pending amendment, offered by my friend and colleague from New Jersey, Senator TORRICELLI. The amendment, called the Quiet Communities Act, will reestablish the Environmental Protection Agency's appropriate role in noise abatement.

This amendment simply reactivates an office in the EPA—the Office of Noise Abatement and Control—that was unfunded in 1981 at the request of the Reagan administration. The Office of Noise Abatement and Control will coordinate Federal noise abatement activities, develop noise standards, provide technical assistance to local communities, and promote research and education on the impacts of noise pollution.

This office will be a resource to the millions of Americans who are affected by noise pollution, and particularly aircraft noise.

Those of us who are in the New York-New Jersey region know only too well what effect aircraft noise has on our communities. It is a serious problem for populations across our country who are constantly harassed by airplane noise, truck noise, construction noise, and other noise, when they can never find peace in their own homes. In our region, with the several airports we have operating—La Guardia and Kennedy and Newark, and others—it is a constant. We have to find ways to deal with it.

Just like air and water pollution, noise pollution is an environmental

health issue. People who are tormented by noise pollution experience a range of health problems, such as hearing loss, stress, high blood pressure, sleep deprivation, distraction, and lost productivity. Aircraft noise is especially detrimental to human health.

Some studies indicate that persistent exposure to high levels of aircraft noise is linked to hypertension, cardiovascular and gastrointestinal problems, among other disorders.

Noise pollution is particularly troublesome in parts of the State of New Jersey.

New Jersey is the most densely populated State in the Nation, and millions of New Jerseyans live close to major transportation centers that generate significant levels of noise in their neighborhoods. For example, aircraft approaching and departing from Newark International Airport are guided along flight paths routed over residential neighborhoods, patterns which disrupt families and disturb the community's quality of life. Communities affected by aircraft noise have been living with the pain for over 10 years and they must find relief.

Unfortunately, the Federal Aviation Administration, which is charged with the responsibility of monitoring aircraft noise, has not adequately addressed the noise problems in New Jersey, and when attempted, its approach toward these problems is often flawed.

For example the FAA's current threshold of 65 decibels Day-Night Level—or DNL—that the FAA indicates is compatible with residential use is often criticized as problematic and, in the opinion of the National Resources Defense Council, significantly underestimates the level at which many people are affected by aircraft noise.

The fact that this fundamental threshold is controversial and the science behind it is disputed points to the fact that more research is needed on these issues.

Mr. President, citizens living near airports have few resources at their disposal to find out more about the effects of air noise on their health and their environment.

The Office of Noise Abatement and Control used to be one resource, and it has been dormant for too long.

Simply put, Mr. President, noise pollution, and particularly aircraft noise, is a serious environmental health issue that deserves attention from the primary Federal agency whose responsibility is environmental protection—the EPA.

Unfortunately, Mr. President, that was not the view in 1981. But now we have an opportunity to correct this mistake by adopting this amendment.

Besides reactivating the Office of Noise Abatement and Control, the bill authorizes funding of \$5 million a year for the first 2 years and \$8 million a year for the subsequent years to fund Office's activities.

According to the National Institutes of Health, more than 20 million Americans are exposed on a regular basis to

hazardous noise levels that could result in hearing loss and other psychological and physiological damage. In my view, \$5 million a year to address a problem affecting over 20 million Americans is a sound investment.

The bill also requires the Office of Noise Abatement and Control to produce a study. The study must examine the FAA's selection of noise measurement methodologies, determine the threshold of noise at which health impacts are felt and determine the effectiveness of noise abatement programs at airports around the United States.

The EPA would then issue recommendations—recommendations, Mr. President, not directives—to the FAA on measures that will mitigate the impact of air noise on affected communities. In my opinion, Mr. President, this study is long overdue, and particularly long overdue for the millions of Americans who live every day with the nuisance of aircraft noise in their lives.

Mr. President, back in 1990, I sponsored a provision in the Airport Noise and Capacity Act, that required all commercial airlines to convert their fleets from Stage II to Stage III noise certification levels, a quieter plane, by the year 2000. I am pleased to say that many of the commercial airlines are ahead of their schedules and we have seen positive benefits.

Research is continuing on even quieter aircraft, and we may soon see fleets that would satisfy Stage IV noise certification levels. However, as air travel increases, communities will experience more aircraft noise. This issue will not go away. Indeed, if nothing is done, it will only get worse.

Mr. President, this amendment simply reactivates a program in EPA that has been dormant for too long, a program that addressed a serious environmental health issue, in the Federal agency that is responsible for mitigating environmental health problems. This amendment makes sense, and will provide some element of relief for the millions of Americans who face debilitating noise pollution, such as aircraft pollution, every day.

Mr. President, we have a chance to do something about this at a fairly modest cost overall, and to say to those people, simply because they live in an area that is crowded, that is a transportation center and so forth, that you shouldn't have to suffer a different way of life, or a less pleasant way of life than other citizens across this country.

We do all kinds of things to mitigate against noise. We build highway noise barriers and have all kinds of systems. We have police rules that say you can't blow your horn unnecessarily—all kinds of programs that would reduce the amount of noise pollution that we endure each and every day.

I strongly support this amendment and urge my colleagues to think through what it means to their communities, to their States, and do the same thing.

I yield the floor.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the time between now and 12:10 p.m. be equally divided in the usual form for debate on the pending Torricelli amendment prior to the motion to table. I further ask that upon the expiration of time Senator MCCAIN be recognized to offer a motion to table the amendment. Finally, I ask that no second-degree amendments be in order prior to the vote.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I just want to mention that I received information from Senator CHAFEE, chairman of the Environment and Public Works Committee, who feels very strongly that legislation of this nature should—and I agree with him—very appropriately go through the Environment and Public Works Committee. That is another reason why I hope my colleagues will support the motion to table at the appropriate time.

Mr. President, I yield the floor.

Mr. FORD. Mr. President.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. FORD. Mr. President, it is always painful to be against an amendment by one of your colleagues, and particularly a friend. But I think under the circumstances it is a little premature to go with this when the Environment Committee has asked that this come through their committee and not be offered on the floor. But attacking noise is a difficult problem that requires a coordinated effort involving research, airport grant money, flight paths, and phaseout of noisy aircraft.

The FAA has been successful in its efforts to reduce airplane noise. In fact, the FAA has spent in the last few years \$2 billion for sound insulation and property purchase around our U.S. airports. And duplicating the expertise of the FAA within the EPA and costing the taxpayers some \$21 million would be wasteful, in my opinion, of government resources. It would complicate and confuse efforts to deal with and better understand community noise concerns. And it would, Mr. President, create a judicial ambiguity that could have real problems as we reduce aircraft noise worldwide.

Since 1993, the Federal Interagency Committee on Aircraft Noise has worked successfully to advance cooperative noise research among the various Federal agencies with an interest in this area. The participants of this interagency committee on noise includes the National Park Service; EPA is a part of this, FAA, NASA, HUD housing, Department of Defense, National Institutes of Health, and others. And the participating agencies have and continue to address all of the responsibilities envisioned in the Quiet Communities Act through their cooperative research work, and EPA is, has been, and will remain an active participant in this process.

Mr. President, there is no need to change their current structure. I want to reiterate:—There does not appear to be any substantive reason to expend \$21 million and add needless jurisdictional confusion to the ongoing efforts to deal effectively with community aircraft noise.

I go back to the struggle we had to eliminate Stage 2 aircraft engines. There were 4.5 million, as my friend from Arizona said, people that were subjected to noise as it relates to aircraft. We have been quite successful. We have reduced that now by 90 percent. We are down to a mere 10 percent. And by January 1, 2000, all aircraft will have to be Stage 3. So the noise is going to be reduced even further.

I understand the problems. But we have been working on it for some time. I hope that our colleagues will leave the authority with FAA and let them continue with all the groups in the Federal Government, such as NASA, Housing, Defense, National Institutes of Health, and EPA that are working together.

I am going to join with my friend in endorsing his motion to table.

I yield the floor.

Mr. President, the proponent of this amendment, Senator TORRICELLI, wanted at least 2 minutes. I don't believe Senator MCCAIN and I have any time left. I will suggest the absence of a quorum and ask that the time be charged equally to both sides up to no more than 2 minutes.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. ROBERTS). Without objection, it is so ordered.

The Senator has 2 minutes remaining.

Mr. TORRICELLI. Mr. President, in a few moments, the Senate will vote on an amendment that I have offered with my colleague, Senator LAUTENBERG. The amendment could not be simpler on its face or more modest in its intent. We could have required an environmental impact statement for every time the FAA changes a flight path. We did not do that. We could have given the EPA the power to set standards for noise, for health. Maybe we should have, but we did not do that.

All that we have asked is that, as with each of our other major industrial competitors in the western world, noise be considered as a factor in the operation of this Nation's airports. That is all. And on two bases. First, when the FAA establishes methodology to determine whether or not particular noise involving airplanes is safe for schoolchildren or families or recreation, that methodology be evaluated by the EPA. That is all. They will not establish it. They will not make the decisions. They

will evaluate whether the methodology is sound because scientific studies are indicating our current methodology does not accurately gauge whether or not our children are safe.

Second, that the appropriate levels of what is safe be established. There is also independent scientific evidence, as confirmed by European allies, that current levels may allow a level of noise pollution that does have detrimental health impacts. We would like the EPA's judgment on what the appropriate levels might be. They will not make a decision. They will offer their advice.

Mr. President, it is modest in its intent. It recognizes that noise is a real part of their lives for 40 million Americans every day of this expansion of our air networks. I urge adoption of this amendment.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Mr. President, I am very appreciative of and I believe sympathetic to the concerns of the Senator from New Jersey, Senator TORRICELLI. There are very large noise issues in his State and in States surrounding his. I just think it is important for us to recognize that noise levels have decreased by some 80 percent around America. We are moving to Stage 3 aircraft. We do not need to reestablish another bureaucracy. I am confident in the FAA in that the provisions of the 1990 act, which Senator FORD was responsible for, are being carried out in an accelerated fashion. I pledge to the Senator from New Jersey that if there is not continued progress, I would be more than happy to revisit this issue with him.

Mr. President, I yield the remainder of my time. I move to table the Torricelli amendment.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question occurs on agreeing to the motion to table the amendment, No. 3627, offered by the Senator from New Jersey. The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Ohio (Mr. GLENN), the Senator from South Carolina (Mr. HOLINGS), and the Senator from Illinois (Ms. MOSELEY-BRAUN) are necessarily absent. I also announce that the Senator from Minnesota (Mr. WELLSTONE) is attending a funeral.

I further announce that, if present and voting, the Senator from Minnesota (Mr. WELLSTONE) would vote "no."

The result was announced—yeas 69, nays 27, as follows:

[Rollcall Vote No. 287 Leg.]

YEAS—69

Abraham	Dorgan	Landrieu
Akaka	Enzi	Lott
Allard	Faircloth	Lugar
Ashcroft	Feingold	Mack
Baucus	Ford	McCain
Bennett	Frist	McConnell
Bingaman	Gorton	Murkowski
Bond	Graham	Nickles
Breaux	Gramm	Roberts
Brownback	Grams	Rockefeller
Bryan	Grassley	Roth
Burns	Gregg	Santorum
Campbell	Hagel	Sessions
Chafee	Harkin	Shelby
Cleland	Hatch	Smith (NH)
Coats	Helms	Smith (OR)
Cochran	Hutchinson	Snowe
Collins	Inhofe	Stevens
Conrad	Inouye	Thomas
Coverdell	Kempthorne	Thompson
Craig	Kerrey	Thurmond
Daschle	Kohl	Warner
DeWine	Kyl	Wyden

NAYS—27

Biden	Hutchison	Mikulski
Boxer	Jeffords	Moynihan
Bumpers	Johnson	Murray
Byrd	Kennedy	Reed
D'Amato	Kerry	Reid
Dodd	Lautenberg	Robb
Domenici	Leahy	Sarbanes
Durbin	Levin	Specter
Feinstein	Lieberman	Torricelli

NOT VOTING—4

Glenn	Moseley-Braun
Hollings	Wellstone

The motion to lay on the table the amendment (No. 3627) was agreed to.

Mr. McCAIN. Mr. President, I see Senator ABRAHAM on the floor. Before I yield, I want to say that I believe we are very close. We have about two or three amendments left, on which I believe we will be able to set times for debate, and we will have votes on those amendments before 6 o'clock this evening, when the Senate will recess for the evening.

I thank all of my colleagues for their assistance in narrowing down what looks like about 30 or 40 amendments to 2 or 3. There are a couple of recalcitrant, obstinate Members who will shortly show up on the floor, but the rest we thank very much.

Mr. FORD. Mr. President, if the Senator will yield, as we go through these amendments that we have worked out, with the Senator's agreement, as amendments on my side come, I will offer those and get them done so we can move on when we come to 6 o'clock tonight and try to get a final vote on this piece of legislation so that we will not be kept here after 6 o'clock.

Mr. McCAIN. Mr. President, I made a comment in jest, and I want to make sure the Record is clear that it was in jest. The Senator from North Dakota, as well as the Senator from Rhode Island, who are waiting to address these very serious issues. I have discussed, on several occasions, the situation that existed in North Dakota. When there was a Northwest Airlines strike, his State was, for all intents and purposes, shut down. The Senator from North Dakota has been an important member of our committee and a serious student and expert on these aviation issues. I certainly was not in any way making light of his involvement or that of the

Senator from Rhode Island in these aviation issues.

I yield the floor.

Mr. ABRAHAM addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. ABRAHAM. Mr. President, I ask unanimous consent to speak up to 10 minutes as in morning business.

The PRESIDING OFFICER. Is there objection?

Mr. FORD. Reserving the right to object, do we have Senators who want to offer amendments?

Mr. McCAIN. I ask the Senator from Kentucky if we can let him speak for 10 minutes.

Mr. FORD. That will be fine, since we don't have a Senator on the floor wanting to offer an amendment right now.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Michigan is recognized for 10 minutes.

AMERICAN COMPETITIVENESS

Mr. ABRAHAM. Mr. President, I rise to announce an agreement between the White House and supporters of the American Competitiveness Act which I hope and expect will insure passage and implementation of legislation to safeguard the competitive edge of American business.

Mr. President, the American Competitiveness Act was designed to address a growing shortage of skilled workers for certain high technology positions important to American business.

This shortage threatens all sectors of our economy. Economist Larry Kudlow reports that high technology companies account for about one third of real economic growth. Overall, electronic commerce is expected to grow to \$80 billion by the year 2000.

But high technology firms are running into serious worker shortages.

A study conducted by Virginia Tech estimates that right now we have more than 340,000 unfilled positions for highly skilled information technology workers.

And, while Department of Labor figures project our economy will produce more than 1.3 million information technology jobs over the next 10 years, our universities will not produce the graduates needed to fill those positions.

In fact, it is estimated that the shortfall will be very, very substantial. If they are to keep their major operations in America, firms must find workers with the skills needed to fill important positions in their companies. This requires that we do more as a nation to encourage our young people to choose high-technology fields for study and for their careers. In the long term this is the only way we can stay competitive and protect American jobs.

As I said, the shortfalls clearly demonstrate the need for us to grow more talent here at home. In fact, you need