

subjects covered by the legislation, including state and local officials who run our nation's 9-1-1 systems, trauma experts, the American Automobile Association, the wireless industry and others. The bill has the strong support of a diverse coalition that includes these and many other groups. To the extent that some groups have concerns about a few of the bill's provisions, I intend to continue to work with them to try to address these concerns.

Mr. President, this bill is an important step forward to helping state and local emergency agencies do their jobs, offering them significant grants to improve their capabilities. This bill also will go a long way toward helping the nation expand its wireless network. It will help make sure that Americans everywhere can dial 9-1-1 to summon prompt assistance in an emergency.

I look forward to working with my colleagues on the Commerce Committee on this important life-saving legislation, and I urge all my colleagues to support it.

ADDITIONAL COSPONSORS

S. 981

At the request of Mr. LEVIN, the name of the Senator from Missouri (Mr. ASHCROFT) was added as a cosponsor of S. 981, a bill to provide for analysis of major rules.

S. 1147

At the request of Mr. WELLSTONE, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1147, a bill to amend the Public Health Service Act, Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to provide for nondiscriminatory coverage for substance abuse treatment services under private group and individual health coverage.

S. 1529

At the request of Mr. KENNEDY, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1529, a bill to enhance Federal enforcement of hate crimes, and for other purposes.

S. 2110

At the request of Mr. BIDEN, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 2110, a bill to authorize the Federal programs to prevent violence against women, and for other purposes.

S. 2130

At the request of Mr. GRAMS, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 2130, a bill to amend the Internal Revenue Code of 1986 to provide additional retirement savings opportunities for small employers, including self-employed individuals.

S. 2180

At the request of Mr. LOTT, the names of the Senator from New Hampshire (Mr. GREGG), the Senator from Pennsylvania (Mr. SANTORUM), the Sen-

ator from Pennsylvania (Mr. SPECTER), the Senator from Wisconsin (Mr. FEINGOLD), the Senator from Maryland (Mr. SARBANES), and the Senator from New Mexico (Mr. DOMENICI) were added as cosponsors of S. 2180, a bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to clarify liability under that Act for certain recycling transactions.

S. 2201

At the request of Mr. TORRICELLI, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 2201, a bill to delay the effective date of the final rule promulgated by the Secretary of Health and Human Services regarding the Organ Procurement and Transplantation Network.

S. 2283

At the request of Mr. DEWINE, the names of the Senator from Vermont (Mr. JEFFORDS), the Senator from Vermont (Mr. LEAHY), and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 2283, a bill to support sustainable and broad-based agricultural and rural development in sub-Saharan Africa, and for other purposes.

S. 2295

At the request of Mr. MCCAIN, the names of the Senator from Kansas (Mr. BROWNBACK) and the Senator from Colorado (Mr. ALLARD) were added as cosponsors of S. 2295, a bill to amend the Older Americans Act of 1965 to extend the authorizations of appropriations for that Act, and for other purposes.

S. 2354

At the request of Mr. BOND, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 2354, a bill to amend title XVIII of the Social Security Act to impose a moratorium on the implementation of the per beneficiary limits under the interim payment system for home health agencies, and to modify the standards for calculating the per visit cost limits and the rates for prospective payment systems under the medicare home health benefit to achieve fair reimbursement payment rates, and for other purposes.

S. 2417

At the request of Mr. SESSIONS, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 2417, a bill to provide for allowable catch quota for red snapper in the Gulf of Mexico, and for other purposes.

S. 2494

At the request of Mr. MCCAIN, the names of the Senator from Vermont (Mr. JEFFORDS) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 2494, a bill to amend the Communications Act of 1934 (47 U.S.C. 151 et seq.) to enhance the ability of direct broadcast satellite and other multichannel video providers to compete effectively with cable television systems, and for other purposes.

SENATE RESOLUTION 260

At the request of Mr. GRAHAM, the names of the Senator from Alaska (Mr.

STEVENS), the Senator from Arizona (Mr. MCCAIN), and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of Senate Resolution 260, a resolution expressing the sense of the Senate that October 11, 1998, should be designated as "National Children's Day."

SENATE RESOLUTION 274

At the request of Mr. FORD, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of Senate Resolution 274, a resolution to express the sense of the Senate that the Louisville Festival of Faiths should be commended and should serve as model for similar festivals in other communities throughout the United States.

SENATE RESOLUTION 282—EX-PRESSING THE SENSE OF THE SENATE REGARDING SOCIAL SECURITY AND BUDGET SURPLUS

Mr. JOHNSON submitted the following resolution; which was referred jointly to the Committee on the Budget and to the Committee on Governmental Affairs.

S. RES. 282

Whereas the Congressional Budget Office projections released July 15, 1998, indicate that the "on-budget" deficit, which does not include Social Security program surpluses, will be \$41,000,000,000 for Fiscal Year 1998;

Whereas the Congressional Budget Office projections also show that the amount of Federal debt held by the Social Security trust funds will grow from \$736,000,000,000 in 1998 to \$2,250,000,000,000 in 2008;

Whereas the Social Security trust funds will be credited with interest payments on Federal debt each year, rising from \$46,000,000,000 in 1998 to \$117,000,000,000 in 2008, and these interest payments are an integral part of Social Security's long-term financial viability; and

Whereas the Congressional Budget Office's current projections indicate that there will not be a consistent surplus in the unified budget until 2005: Now, therefore, be it

Resolved, That it is the sense of the Senate that Congress and the President should—

(1) continue to work to balance the budget without counting Social Security trust fund surpluses;

(2) continue to abide by "pay as you go" budget rules requiring that legislation increasing mandatory spending or reducing revenues must contain offsets to maintain budget neutrality; and

(3) save Social Security first by reserving all surpluses attributable to the Social Security program, including interest payments.

AMENDMENTS SUBMITTED

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

TORRICELLI (AND OTHERS)
AMENDMENT NO. 3627

Mr. TORRICELLI (for himself, Mr. LAUTENBERG, Mr. D'AMATO, Mr. MOYNIHAN, Mr. WELLSTONE, and Mr. ROBB) 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:

At the end, add the following:

TITLE ____—NOISE ABATEMENT

SEC. ____01. SHORT TITLE.

This title may be cited as the "Quiet Communities Act of 1998".

SEC. ____02. FINDINGS.

Congress finds that—

(1)(A) for too many citizens of the United States, noise from aircraft, vehicular traffic, and a variety of other sources is a constant source of torment; and

(B) nearly 20,000,000 citizens of the United States are exposed to noise levels that can lead to psychological and physiological damage, and another 40,000,000 people are exposed to noise levels that cause sleep or work disruption;

(2)(A) chronic exposure to noise has been linked to increased risk of cardiovascular problems, strokes, and nervous disorders; and

(B) excessive noise causes sleep deprivation and task interruptions, which pose untold costs on society in diminished worker productivity;

(3)(A) to carry out the Clean Air Act of 1970 (42 U.S.C. 7401 et seq.), the Noise Control Act of 1972 (42 U.S.C. 4901 et seq.), and section 8 of the Quiet Communities Act of 1978 (92 Stat. 3084), the Administrator of the Environmental Protection Agency established an Office of Noise Abatement and Control;

(B) the responsibilities of the Office of Noise Abatement and Control included promulgating noise emission standards, requiring product labeling, facilitating the development of low emission products, coordinating Federal noise reduction programs, assisting State and local abatement efforts, and promoting noise education and research; and

(C) funding for the Office of Noise Abatement and Control was terminated in 1982 and no funds have been provided since;

(4) because the Administrator of the Environmental Protection Agency remains responsible for enforcing regulations issued under the Noise Control Act of 1972 (42 U.S.C. 4901 et seq.) even though funding for the Office of Noise Abatement and Control has been terminated, and because that Act prohibits State and local governments from regulating noise sources in many situations, noise abatement programs across the United States lie dormant;

(5) as the population grows and air and vehicle traffic continues to increase, noise pollution is likely to become an even greater problem in the future; and

(6) the health and welfare of the citizens of the United States demands that the Environmental Protection Agency once again assume a role in combating noise pollution.

SEC. ____03. REESTABLISHMENT OF OFFICE OF NOISE ABATEMENT AND CONTROL.

(a) REESTABLISHMENT.—

(1) IN GENERAL.—The Administrator of the Environmental Protection Agency shall reestablish an Office of Noise Abatement and Control (referred to in this title as the "Office").

(2) RESPONSIBILITIES.—The Office shall be responsible for—

(A) coordinating Federal noise abatement activities;

(B) updating or developing noise standards;

(C) providing technical assistance to local communities; and

(D) promoting research and education on the impacts of noise pollution.

(3) EMPHASIZED APPROACHES.—The Office shall emphasize noise abatement approaches

that rely on State and local activity, market incentives, and coordination with other public and private agencies.

(b) STUDY.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall submit a study on airport noise to Congress and the Federal Aviation Administration.

(2) AREAS OF STUDY.—The study shall—

(A) examine the Federal Aviation Administration's selection of noise measurement methodologies;

(B) the threshold of noise at which health impacts are felt; and

(C) the effectiveness of noise abatement programs at airports around the United States.

(3) RECOMMENDATIONS.—The study shall include specific recommendations to the Federal Aviation Administration on new measures that should be implemented to mitigate the impact of aircraft noise on surrounding communities.

SEC. ____04. AUTHORIZATION OF APPROPRIATIONS.

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

(1) \$5,000,000 for each of fiscal years 1999, 2000, and 2001; and

(2) \$8,000,000 for each of fiscal years 2002 and 2003.

DORGAN AMENDMENT NO. 3628

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

At the appropriate place, insert:

SEC. ____ TAX CREDIT FOR REGIONAL JET AIRCRAFT SERVING UNDERSERVED COMMUNITIES.

(a) ALLOWANCE OF CREDIT.—

(1) IN GENERAL.—Section 46 of the Internal Revenue Code of 1986 (relating to amount of credit) is amended by striking "and" at the end of paragraph (2), by striking the period at the end of paragraph (3) and inserting ", and", and by inserting after paragraph (3) the following new paragraph:

"(4) in the case of an eligible small air carrier, the underserved community jet access credit."

(2) UNDERSERVED COMMUNITY JET ACCESS CREDIT.—Section 48 of such Code (relating to the energy credit and the reforestation credit) is amended by adding after subsection (b) the following new subsection:

"(c) UNDERSERVED COMMUNITY JET ACCESS CREDIT.—

"(1) IN GENERAL.—For purposes of section 46, the underserved community jet access credit of an eligible small air carrier for any taxable year is an amount equal to 10 percent of the qualified investment in any qualified regional jet aircraft.

"(2) ELIGIBLE SMALL AIR CARRIER.—For purposes of this subsection and section 46—

"(A) IN GENERAL.—The term 'eligible small air carrier' means, with respect to any qualified regional jet aircraft, an air carrier—

"(i) to which part 121 of title 14, Code of Federal Regulations, applies, and

"(ii) which has less than 10,000,000,000 (10 billion) revenue passenger miles for the calendar year preceding the calendar year in which such aircraft is originally placed in service.

"(B) AIR CARRIER.—The term 'air carrier' means any air carrier holding a certificate of public convenience and necessity issued by the Secretary of Transportation under section 41102 of title 49, United States Code.

"(C) START-UP CARRIERS.—If an air carrier has not been in operation during the entire calendar year described in subparagraph

(A)(ii), the determination under such subparagraph shall be made on the basis of a reasonable estimate of revenue passenger miles for its first full calendar year of operation.

"(D) AGGREGATION.—All air carriers which are treated as 1 employer under section 52 shall be treated as 1 person for purposes of subparagraph (A)(ii).

"(3) QUALIFIED REGIONAL JET AIRCRAFT.—For purposes of this subsection, the term 'qualified regional jet aircraft' means a civil aircraft—

"(A) which is originally placed in service by the taxpayer,

"(B) which is powered by jet propulsion and is designed to have a maximum passenger seating capacity of not less than 30 passengers and not more than 100 passengers, and

"(C) at least 50 percent of the flight segments of which during any 12-month period beginning on or after the date the aircraft is originally placed in service are between a hub airport (as defined in section 41731(a)(13) of title 49, United States Code, and an underserved airport.

"(4) UNDERSERVED AIRPORT.—The term 'underserved airport' means, with respect to any qualified regional jet aircraft, an airport which for the calendar year preceding the calendar year in which such aircraft is originally placed in service had less than 600,000 enplanements.

"(5) QUALIFIED INVESTMENT.—For purposes of paragraph (1), the term 'qualified investment' means, with respect to any taxable year, the basis of any qualified regional jet aircraft placed in service by the taxpayer during such taxable year.

"(6) QUALIFIED PROGRESS EXPENDITURES.—

"(A) INCREASE IN QUALIFIED INVESTMENT.—In the case of a taxpayer who has made an election under subparagraph (E), the amount of the qualified investment of such taxpayer for the taxable year (determined under paragraph (5) without regard to this subsection) shall be increased by an amount equal to the aggregate of each qualified progress expenditure for the taxable year with respect to progress expenditure property.

"(B) PROGRESS EXPENDITURE PROPERTY DEFINED.—For purposes of this paragraph, the term 'progress expenditure property' means any property which is being constructed for the taxpayer and which it is reasonable to believe will qualify as a qualified regional jet aircraft of the taxpayer when it is placed in service.

"(C) QUALIFIED PROGRESS EXPENDITURES DEFINED.—For purposes of this paragraph, the term 'qualified progress expenditures' means the amount paid during the taxable year to another person for the construction of such property.

"(D) ONLY CONSTRUCTION OF AIRCRAFT TO BE TAKEN INTO ACCOUNT.—Construction shall be taken into account only if, for purposes of this subpart, expenditures therefor are properly chargeable to capital account with respect to the qualified regional jet aircraft.

"(E) ELECTION.—An election under this paragraph may be made at such time and in such manner as the Secretary may by regulations prescribe. Such an election shall apply to the taxable year for which made and to all subsequent taxable years. Such an election, once made, may not be revoked except with the consent of the Secretary.

"(7) COORDINATION WITH OTHER CREDITS.—This subsection shall not apply to any property with respect to which the energy credit or the rehabilitation credit is allowed unless the taxpayer elects to waive the application of such credits to such property.

"(8) SPECIAL LEASE RULES.—For purposes of section 50(d)(5), section 48(d) (as in effect on the day before the date of the enactment of

the Revenue Reconciliation Act of 1990) shall be applied for purposes of this section without regard to paragraph (4)(B) thereof (relating to short-term leases of property with class life of under 14 years).

“(9) APPLICATION.—This subsection shall apply to periods after the date of the enactment of this subsection and before January 1, 2009, under rules similar to the rules of section 48(m) (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990).”

(3) RECAPTURE.—Section 50(a) of such Code (relating to recapture in the case of dispositions, etc.) is amended by adding at the end the following new paragraph:

“(6) SPECIAL RULES FOR AIRCRAFT CREDIT.—“(A) IN GENERAL.—For purposes of determining whether a qualified regional jet aircraft ceases to be investment credit property, an airport which was an underserved airport as of the date such aircraft was originally placed in service shall continue to be treated as an underserved airport during any period this subsection applies to the aircraft.

“(B) PROPERTY CEASES TO QUALIFY FOR PROGRESS EXPENDITURES.—Rules similar to the rules of paragraph (2) shall apply in the case of qualified progress expenditures for a qualified regional jet aircraft under section 48(c).”

(4) TECHNICAL AMENDMENTS.—

(A) Subparagraph (C) of section 49(a)(1) of such Code is amended by striking “and” at the end of clause (ii), by striking the period at the end of clause (iii) and inserting “, and”, and by adding at the end the following new clause:

“(iv) the portion of the basis of any qualified regional jet aircraft attributable to any qualified investment (as defined by section 48(c)(5)).”

(B) Paragraph (4) of section 50(a) of such Code is amended by striking “and (2)” and inserting “, (2), and (6)”.

(C)(i) The section heading for section 48 of such Code is amended to read as follows:

“SEC. 48. OTHER CREDITS.”

(ii) The table of sections for subpart E of part IV of subchapter A of chapter 1 of such Code is amended by striking the item relating to section 48 and inserting the following new item:

“Sec. 48. Other credits.”

(5) EFFECTIVE DATE.—The amendments made by this subsection shall apply to periods after the date of the enactment of this Act, under rules similar to the rules of section 48(m) of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990).

(b) REDUCED PASSENGER TAX RATE ON RURAL DOMESTIC FLIGHT SEGMENTS.—Section 4261(e)(1)(C) of such Code (relating to segments to and from rural airports) is amended to read as follows:

“(C) REDUCTION IN GENERAL TAX RATE.—

“(i) IN GENERAL.—The tax imposed by subsection (a) shall apply to any domestic segment beginning or ending at an airport which is a rural airport for the calendar year in which such segment begins or ends (as the case may be) at the rate determined by the Secretary under clause (ii) for such year in lieu of the rate otherwise applicable under subsection (a).

“(ii) DETERMINATION OF RATE.—The rate determined by the Secretary under this clause for each calendar year shall equal the rate of tax otherwise applicable under subsection (a) reduced by an amount which reflects the net amount of the increase in revenues to the Treasury for such year resulting from the amendments made by subsections (a) and (c) of section ___ of the Wendell H. Ford Na-

tional Air Transportation System Improvement Act of 1998.

“(iii) TRANSPORTATION INVOLVING MULTIPLE SEGMENTS.—In the case of transportation involving more than 1 domestic segment at least 1 of which does not begin or end at a rural airport, the rate applicable by reason of clause (i) shall be applied by taking into account only an amount which bears the same ratio to the amount paid for such transportation as the number of specified miles in domestic segments which begin or end at a rural airport bears to the total number of specified miles in such transportation.”

(c) TREATMENT OF CERTAIN DEDUCTIBLE LIQUIDATING DISTRIBUTIONS OF REGULATED INVESTMENT COMPANIES AND REAL ESTATE INVESTMENT TRUSTS.—

(1) IN GENERAL.—Section 332 of the Internal Revenue Code of 1986 (relating to complete liquidations of subsidiaries) is amended by adding at the end the following new subsection:

“(c) DEDUCTIBLE LIQUIDATING DISTRIBUTIONS OF REGULATED INVESTMENT COMPANIES AND REAL ESTATE INVESTMENT TRUSTS.—If a corporation receives a distribution from a regulated investment company or a real estate investment trust which is considered under subsection (b) as being in complete liquidation of such company or trust, then, notwithstanding any other provision of this chapter, such corporation shall recognize and treat as a dividend from such company or trust an amount equal to the deduction for dividends paid allowable to such company or trust by reason of such distribution.”

(2) CONFORMING AMENDMENTS.—

(A) The material preceding paragraph (1) of section 332(b) of such Code is amended by striking “subsection (a)” and inserting “this section”.

(B) Paragraph (1) of section 334(b) of such Code is amended by striking “section 332(a)” and inserting “section 332”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to distributions after May 21, 1998.

REED AMENDMENT NO. 3629

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

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

SEC. 2. DISCRETIONARY GRANTS.

Notwithstanding any limitation on the amount of funds that may be expended for grants for noise abatement, if any funds made available under section 48103 of title 49, United States Code, remain available at the end of the fiscal year for which those funds were made available, and are not allocated under section 47115 of that title, or under any other provision relating to the awarding of discretionary grants from unobligated funds made available under section 48103 of that title, the Secretary of Transportation may use those funds to make discretionary grants for noise abatement activities.

WATER RESOURCES DEVELOPMENT ACT OF 1998

LEVIN AMENDMENT NO. 3630

(Ordered to lie on the table.)

Mr. LEVIN submitted an amendment intended to be proposed by him to the bill (S. 2131) to provide for the conservation and development of water and related resources, to authorize the

Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; as follows:

At the end, add the following:

TITLE ___—CONTAMINATED SETTLEMENTS

SEC. ___01. SHORT TITLE.

This title may be cited as the “Contaminated Sediments Management and Remediation Act of 1998”.

SEC. ___02. FINDINGS.

Congress finds that—

(1) contaminated sediments can pose a serious and demonstrable risk to human health and the environment;

(2) persistent, bioaccumulative toxic substances in contaminated sediments can poison the food chain, making fish and shellfish unsafe for humans and wildlife to eat;

(3) potential costs to society from contaminated sediments include long-term health effects such as cancer and children’s neurological and intellectual impairment;

(4) contamination of sediments can interfere with recreational uses and increase the costs of and time needed for navigational dredging and subsequent disposal of dredged material;

(5) since the enactment of the amendments to the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) made by the Great Lakes Critical Programs Act of 1990 (104 Stat. 3000) and the enactment of the National Contaminated Sediment Assessment and Management Act (33 U.S.C. 1271 note; Public Law 102-580), the Nation has gained considerable experience with and understanding of sediment contamination;

(6) a report on the incidence and severity of sediment contamination in surface waters of the United States, required under section 503 of the National Contaminated Sediment Assessment and Management Act (33 U.S.C. 1271), identified 96 areas of probable concern where contaminated sediments pose potential risks to fish and wildlife and to people who eat fish from those areas;

(7) the assessment and remediation of the contaminated sediment program under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and subsequent studies have demonstrated that there are some effective tools for—

(A) determining the extent and magnitude of sediment contamination;

(B) assessing risk and modeling the changes that would result from remedial action; and

(C) involving the public in solutions;

(8) prompt response after discovery of sediment contamination can prevent subsequent spread through storm events, thereby minimizing environmental impacts and response costs;

(9) the United States needs a better understanding of the sources of sediment contamination in order to prevent subsequent recontamination and minimize the recurrence of environmental impacts and response costs;

(10) the response to releases of contaminated sediments should reflect the risk associated with the contamination, and remedies should reflect the potential for beneficial reuse of sediments;

(11) coordination in the use of government authorities and resources for remediation has not kept pace with the growth in knowledge of effective remediation measures, and responses have not been timely or adequately funded;

(12) the resources of the Federal Government should be brought to bear on the problems referred to in paragraph (11) in a well-coordinated fashion; and