include projects required to be identified under—

(1) section 401 of the Water Resources Development Act of 1990 (33 U.S.C. 1268 note; Public Law 101–640);

(2) section 312 of the Water Resources Development Act of 1990 (33 U.S.C. 1272);

(3) section 311(b) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9660(b)); and

(4) other appropriate authorities.

SEC. ___09. PILOT PROGRAM ON PREVENTION.

(a) FINDINGS.—Congress finds that—

(1) the costs of dredging for navigational purposes are increased by contamination, including contamination from ongoing activities;

(2) sediment quality problems are not solely the legacy of past discharges;

(3) the ''polluter pays'' principle has not been consistently applied to contamination of sediments, because parties contributing to the contamination have not necessarily been held responsible for their share of the increased costs of dredging or remediation attributable to the contamination;

(4) prevention measures that control the volume or toxicity of sedimentation should lower the costs of dredging that eventually becomes necessary;

(5) it may be easier and less expensive to prevent contamination of sediment than to remedy it;

(6) the relationship between prevention measures and remediation needs to be better understood;

(7) an improved understanding of the sources of contamination and an improved ability to link sedimentation and contamination to their sources are needed; and

(8) there should be a closer linkage between actions to prevent sediment contamination and the cost savings that can be attained when future remediation becomes unnecessary.

(b) PILOT PROGRAM.—The Task Force shall establish a pilot program to—

(1) improve the understanding of the relationship between upstream prevention and control measures; and

(2) provide incentives for upstream measures that can lower the costs of dredging, disposal, or treatment or reuse of dredged materials.

(c) COMPETITIVE GRANTS.—

(1) IN GENERAL.—The pilot program shall provide for competitive grants to be administered by agencies represented on the Task Force with experience in developing and managing programs that address upstream concerns.

(2) PURPOSES.—The grants shall provide assistance for—

(A) development of plans for reduction in sediment contamination;

(B) technical support for implementing those plans;

(C) measurement of impacts of implementation measures, in comparison to baselines; and

(D) coordinating the use of available authorities to reduce further contamination of sediments.

(3) ELIGIBILITY.—The grants shall be awarded to States or substate organizations that can develop and implement the plans described in paragraph (2) on a watershed basis.

(4) CRITERIA.—The Secretary and the Administrator shall develop criteria for evaluating grant proposals under this subsection.

(d) TECHNICAL ASSISTANCE.—Using the data gathered under section 516(e) of the Water Resources Development Act of 1996 (33 U.S.C. 2326b(e)), after entering into an interagency agreement with the Administrator, the Secretary of Agriculture, and the Secretary of the Interior, the Secretary may provide technical assistance to communities in reducing contamination of sediments.

SEC. ___10. AUTHORIZATION OF APPROPRIATIONS.

(a) TASK FORCE AND PRIORITY SETTING.—There are authorized to be appropriated such sums as are necessary to carry out section ___04.

(b) TECHNOLOGY DEMONSTRATION.—There is authorized to be appropriated to carry out section ___08 $50,000,000.

(c) PILOT PROGRAM.—There is authorized to be appropriated to carry out section ___09 $5,000,000.

● Mr. LEVIN. Mr. President, I am submitting for the RECORD and my colleagues' consideration an amendment to S. 2131, the Water Resources Development Act (WRDA) of 1998, which I hope will be included in that legislation. It is a relatively simple measure. Contaminated sediments are a serious problem in our nation's waterways and ports and a potential threat to human and environmental health. S. 2131 presents a long overdue and perfectly appropriate opportunity to begin addressing this problem.

The EPA submitted a report to Congress this year on the quality of sediments across the nation, pursuant to WRDA of 1992. The report shows that we have cause to worry. Ninety-six areas of probable concern are identified where public and environmental health may be threatened by contaminated sediments. Yet, we have at least six different Federal statutes with implementation responsibilities spread over seven Federal agencies, including a great many specific provisions regarding the Army Corps of Engineers' duties in recent WRDAs, two major programs—Superfund and Clean Water—within EPA, and numerous state and local governments coming at the problem of contaminated sediments in a variety of ways. The inefficiency of this setup and the lack of information exchange and data availability reduces the chances of an expeditious solution. My amendment is intended to improve communication and cooperation among agencies, affected parties and all levels of government, and motivate them to address the problem sooner rather than later.

My amendment requires the National Contaminated Sediment Task Force, as authorized in section 502 of WRDA of 1992 but never funded, to actually meet and make recommendations on how to improve contaminated sediment management practices. Also, this Task Force would have to report on the status of remedial actions on contaminated sediment sites across the nation, including Superfund sites, within one year. This report would also have to identify remediation status, programs and funding for cleanup, the nature and sources, etc. of contaminated sediments.

EPA and the Army Corps would jointly publish a recurring report on ways to assess the threat of contaminated sediment, on the status of any guidelines issued designed to protect human and environmental health or to reduce deposition of toxics into sediment, and on guidelines issued intended to encourage the beneficial use of dredged material.

Finally, the amendment makes modifications to cost-share provisions for environmental dredging, remediation technology assistance, and establishes a pilot program to give grants to communities that try to reduce contamination of downstream sediments.

Mr. President, there have been years of inaction on contaminated sediments. My amendment is primarily intended to gather information and stimulate the agencies with jurisdiction to take this matter seriously and begin working together. If the information I am seeking is prepared in a timely way, the reauthorizations of Superfund and the Clean Water Act will be greatly enhanced from an environmental perspective, insofar as my colleagues would like to truly address the multi-media threat posed by contaminated sediments.●

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

FAIRCLOTH (AND OTHERS) AMENDMENT NO. 3631

Mr. MCCAIN (for Mr. FAIRCLOTH for himself, Mr. HOLLINGS, and Mr. HELMS) proposed an amendment 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) 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).

(3) CHARLOTTE-LONDON (GATWICK) ROUTE.—The term ''Charlotte-London (Gatwick) route'' means the route between Charlotte, North Carolina, and the Gatwick Airport in London, England.

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

(5) SECRETARY.—The term ''Secretary'' means the Secretary of 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 Charlotte-London (Gatwick) route;

(2) the Secretary awarded the Charlotte-London (Gatwick) route to US Airways on September 12, 1997, and on May 7, 1998, US Airways announced plans to launch nonstop service in competition with the monopoly held by British Airways on the route and to provide convenient single-carrier one-stop service to the United Kingdom from dozens of cities in North Carolina and South Carolina and the surrounding region;

(3) US Airways was forced to cancel service for the Charlotte-London (Gatwick) route for the summer of 1998 and the following winter because the Government of the United Kingdom refused to provide commercially viable access to Gatwick Airport;

(4) British Airways continues to operate monopoly service on the Charlotte-London (Gatwick) route and recently upgraded the aircraft for that route to B–777 aircraft;

(5) British Airways had been awarded an additional monopoly route between London England and Denver, Colorado, resulting in a total of 10 monopoly routes operated by British Airways between the United Kingdom and points in the United States;

(6) monopoly service results in higher fares to passengers; and

(7) US Airways is prepared, and officials of the air carrier are eager, to initiate competitive air service on the Charlotte-London (Gatwick) route as soon as 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 Charlotte-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.

DEWINE AMENDMENT NO. 3632

Mr. MCCAIN (for Mr. DEWINE) proposed an amendment 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 takeoff 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 tentatively 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 initiate 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.

THOMPSON AMENDMENT NO. 3633

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

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

SEC. 3___. CRIMINAL PENALTY FOR PILOTS OPERATING IN AIR TRANSPORTATION WITHOUT AN AIRMAN'S CERTIFICATE.

(a) IN GENERAL.—Chapter 463 of title 49, United States Code, is amended by adding at the end the following:

''§ 46317. Criminal penalty for pilots operating in air transportation without an airman's certificate

''(a) APPLICATION.—This section applies only to aircraft used to provide air transportation.

''(b) GENERAL CRIMINAL PENALTY.—An individual shall be fined under title 18, imprisoned for not more than 3 years, or both, if that individual—

''(1) knowingly and willfully serves or attempts to serve in any capacity as an airman without an airman's certificate authorizing the individual to serve in that capacity; or

''(2) knowingly and willfully employs for service or uses in any capacity as an airman an individual who does not have an airman's certificate authorizing the individual to serve in that capacity.

''(c) CONTROLLED SUBSTANCE CRIMINAL PENALTY.—(1) In this subsection, the term 'controlled substance' has the same meaning given that term in section 102 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 802).

''(2) An individual violating subsection (b) shall be fined under title 18, imprisoned for not more than 5 years, or both, if the violation is related to transporting a controlled substance by aircraft or aiding or facilitating a controlled substance violation and that transporting, aiding, or facilitating—

''(A) is punishable by death or imprisonment of more than 1 year under a Federal or State law; or

''(B) is related to an act punishable by death or imprisonment for more than 1 year under a Federal or State law related to a controlled substance (except a law related to simple possession (as that term is used in section 46306(c)) of a controlled substance).

''(3) A term of imprisonment imposed under paragraph (2) shall be served in addition to, and not concurrently with, any other term of imprisonment imposed on the individual subject to the imprisonment.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 463 of title 49, United States Code, is amended by adding at the end the following:

''46317. Criminal penalty for pilots operating in air transportation without an airman's certificate.''.

ROBB (AND OTHERS) AMENDMENT NO. 3634

Mr. ROBB (for himself, Ms. COLLINS, Mr. GREGG, Mr. SMITH of New Hampshire, and Mr. GRAHAM) proposed an amendment to the bill, S. 2279, supra; as follows:

On page 41, line 22, strike the ''and''.

On page 41, line 23, strike the period and insert '';''.

On page 41, line 24, insert the following:

''(3) not reduce travel options for communities served by small hub airports and medium hub airports within the perimeter described in section 49109 of title 49, United States Code; and

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

MOYNIHAN (AND OTHERS) AMENDMENT NO. 3635

Mr. MOYNIHAN (for himself, Mr. CHAFEE, Mr. KENNEDY, Mr. D'AMATO, Mr. KERRY, and Mr. LAUTENBERG) proposed an amendment to the bill, S. 2279, supra; as follows:

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

SEC. 5___. ALLOCATION OF TRUST FUND FUNDING.

(a) DEFINITIONS.—In this section:

(1) AIRPORT AND AIRWAY TRUST FUND.—The term ''Airport and Airway Trust Fund'' means the trust fund established under section 9502 of the Internal Revenue Code of 1986.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

(3) STATE.—The term ''State'' means each of the States, the District of Columbia, and the Commonwealth of Puerto Rico.

(4) STATE DOLLAR CONTRIBUTION TO THE AIRPORT AND AIRWAY TRUST FUND.—The term ''State dollar contribution to the Airport and Airway Trust Fund'', with respect to a State and fiscal year, means the amount of

funds equal to the amounts transferred to the Airport and Airway Trust Fund under section 9502 of the Internal Revenue Code of 1986 that are equivalent to the taxes described in section 9502(b) of the Internal Revenue Code of 1986 that are collected in that State.

(b) REPORTING.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, and annually thereafter, the Secretary of the Treasury shall report to the Secretary the amount equal to the amount of taxes collected in each State during the preceding fiscal year that were transferred to the Airport and Airway Trust Fund.

(2) REPORT BY SECRETARY.—Not later than 90 days after the date of enactment of this Act, and annually thereafter, the Secretary shall prepare and submit to Congress a report that provides, for each State, for the preceding fiscal year—

(A) the State dollar contribution to the Airport and Airway Trust Fund; and

(B) the amount of funds (from funds made available under section 48103 of title 49, United States Code) that were made available to the State (including any political subdivision thereof) under chapter 471 of title 49, United States Code.

DORGAN (AND OTHERS) AMENDMENT NO. 3636

Mr. DORGAN (for himself, Ms. SNOWE, and Mr. WELLSTONE) proposed an amendment to the bill, S. 2279, supra; as follows:

At the appropriate place insert the following new section—

SEC. . NON-DISCRIMINATORY INTERLINE INTERCONNECTION REQUIREMENTS.

(a) IN GENERAL.—Subchapter I of chapter 417 of title 49, United States Code, is amended by adding at the end thereof the following:

''(a) NON-DISCRIMINATORY REQUIREMENTS.—If a major air carrier that provides air service to an essential airport facility has any agreement involving ticketing, baggage and ground handling, and terminal and gate access with another carrier, it shall provide the same services to any requesting air carrier that offers service to a community selected for participation in the program under section 41743 under similar terms and conditions and on a non-discriminatory basis with 30 days after receiving the request, as long as the requesting air carrier meets such safety, service, financial, and maintenance requirements, if any, as the Secretary may by regulation establish consistent with public convenience and necessity. The Secretary must review any proposed agreement to determine if the requesting carrier meets operational requirements consistent with the rules, procedures, and policies of the major carrier. This agreement may be terminated by either party in the event of failure to meet the standards and conditions outlined in the agreement.

(b) DEFINITINS—In this section:

''(1) ESSENTIAL AIRPORT FACILITY.—The term 'essential airport facility' means a large hub airport (as defined in section 41731(a)(3)) in the contiguous 48 states in which one carrier has more than 50 percent of such airport's total annual enplanements.''

(c) CLERICAL AMENDMENT.—The chapter analysis for chapter 417 of title 49, United States Code, is amended by inserting after the item relating to section 41715 the following:

''41716. Interline agreements for domestic transportation.''.

Between lines 13 and 14 on page 151, insert the following—

''(d) ADDITIONAL ACTION.—Under the pilot program established pursuant to subsection (a), the Secretary shall work with air carriers providing service to participating communities and major air carriers serving large hub airports (as defined in section 41731(a)(3)) to facilitate joint fare arrangements consistent with normal industry practice.''

SARBANES (AND OTHERS) AMENDMENTS NOS. 3637–3639

Mr. SARBANES (for himself, Ms. MIKULSKI, Mr. WARNER, and Mr. ROBB) proposed three amendments to the bill, S. 2279, supra; as follows:

AMENDMENT NO. 3637

Strike section 607(c), as included in the manager's amendment, and insert the following:

(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 the Metropolitan Washington Airports Authority is in full compliance with applicable airport noise compatibility planning and program requirements under part 150 of title 14, Code of Federal Regulations.

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

AMENDMENT NO. 3638

In section 607(a)(2), as included the manager's amendment, in section 41716(c) of title 49, United States Code, as added by that section, strike paragraph (2) and insert the following:

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

AMENDMENT NO. 3639

Strike the first subsection designated as subsection (d) in section 607, as included in the manager's amendment, and insert the following:

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

''(3) Subject to section 47114(c), to promote the timely development of the forecast of cumulative noise exposure and to ensure a coordinated approach to noise monitoring and mitigation in the region of Washington, D.C., and Baltimore, Maryland, the Secretary shall give priority to any grant application made by the Metropolitan Washington Airports Authority or the State of Maryland for financial assistance from funds made available for noise compatibility planning and programs.''.

MCCAIN AMENDMENT NO. 3640

Mr. MCCAIN proposed an amendment to amendment No. 3639 proposed by Mr. SARBANES to the bill, S. 2279, supra; as follows:

On page 2, strike through line 10 and insert the following:

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

BINGAMAN (AND DOMENICI) AMENDMENT NO. 3641

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

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

SEC. 5 . TAOS PUEBLO AND BLUE LAKES WILDERNESS AREA DEMONSTRATION PROJECT.

(a) IN GENERAL.—Within 18 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall work with the Taos Pueblo to study the feasibility of conducting a demonstration project to require all aircraft that fly over Taos Pueblo and the Blue Lake Wilderness Area of Taos Pueblo, New Mexico, to maintain a mandatory minimum altitude of at least 5,000 feet above ground level.

REED AMENDMENT NO. 3642

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

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

SEC. 5 . AIRLINE MARKETING DISCLOSURE.

(a) DEFINITIONS.—In this section:

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

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

(b) FINAL REGULATIONS.—Not later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall promulgate final regulations to provide for improved oral and written disclosure to each consumer of air transportation concerning the corporate name of the air carrier that provides the air transportation purchased by that consumer in issuing the regulations issued under this subsection the Secretary shall take into account the proposed regulations issued by the Secretary on January 17, 1995, published at 60 Red. Reg. 3359.

WARNER (AND OTHERS) AMENDMENT NO. 3643

Mr. WARNER (for himself, Mr. SARBANES, Mr. ROBB, and Ms. MIKULSKI) proposed an amendment to the bill, S. 2279, supra; as follows:

On page 47 of the manager's amendment, between lines 6 and 7, insert the following:

SEC. 607. (g) PROHIBITION.—Notwithstanding any other provisions of this Act, unless all of the members of the Board of the Metropolitan Washington Airports Authority established under section 49106 of title 49, United States Code, have been appointed to the Board under subsection (c) of that section and this is no vacancy on the Board, the Secretary may not grant exemptions provided under section 41716 of title 49, United States Code.

WARNER (AND OTHERS) AMENDMENT NO. 3644

Mr. WARNER (for himself, Mr. SARBANES, Ms. MIKULSKI, and Mr. ROBB) proposed an amendment to the bill, S. 2279, supra; as follows:

On page 43 of the manager's amendment beginning with line 21, strike through line 5 on page 44 and insert the following:

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

SPECTER (AND OTHERS) AMENDMENT NO. 3645

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

SEC. . COMPENSATION UNDER THE DEATH ON THE HIGH SEAS ACT.

(a) IN GENERAL.—Section 2 of the Death on the High Seas Act (46 U.S.C. App. 762) is amended by—

(1) inserting ''(a) IN GENERAL.—'' before ''The recovery''; and

(2) adding at the end thereof the following:

''(b) COMMERCIAL AVIATION.—

''(1) IN GENERAL.—If the death was caused during commercial aviation, additional compensation for non-pecuniary damages for wrongful death of a decedent is recoverable in a total amount, for all beneficiaries of that decedent, that shall not exceed the greater of the pecuniary loss sustained or a sum total of $750,000 from all defendants for all claims. Punitive damages are not recoverable.

''(2) INFLATION ADJUSTMENT.—The $750,000 amount shall be adjusted, beginning in calendar year 2000 by the increase, if any, in the Consumer Price Index for all urban consumers for the prior year over the Consumer Price Index for all urban consumers for the calendar year 1998.

''(3) NON-PECUNIARY DAMAGES.—For purposes of this subsection, the term 'non-pecuniary damages' means damages for loss of care, comfort, and companionship.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies to any death caused during commercial aviation occurring after July 16, 1996.

MCCAIN (AND FORD) AMENDMENT NO. 3646

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

On page 18 of the managers' amendment, line 17, strike ''11(4)'' and insert ''(4)''.

On page 34 of the managers' amendment, line 6, insert ''directly'' after ''person''.

On page 34, beginning in line 10, strike ''aircraft registration numbers of any aircraft; and'' and insert ''the display of any aircraft-situation-display-to-industry derived data related to any identified aircraft registration number; and''.

On page 34 of the managers' amendment, beginning in line 14, strike ''that owner or operator's request within 30 days after receiving the request.'' and insert ''the Administration's request.''

On page 34 of the managers' amendment, strike lines 16 through 21.

On page 34 of the managers' amendment, line 22, strike ''(c)'' and insert ''(b)''.

On page 36 of the managers' amendment, strike lines 16 and 17 and insert the following:

''(1) An airport with fewer than 2,000,000 annual enplanements; and

On page 39 of the managers' amendment, beginning in line 4, strike ''shall, in conjunction with subsection (f),'' and insert ''shall''.

On page 40 of the managers' amendment, strike lines 1 through 8 and insert the following:

''(i) REGIONAL JET DEFINED.—In this section, the term 'regional jet' means a passenger, turbofan-powered aircraft carrying not fewer than 30 and not more than 50 passengers.''.

On page 41 of the managers' amendment, beginning in line 9, strike ''In addition to any exemption granted under section 41714(d), the'' and insert ''The''.

On page 41 of the managers' amendment, beginning in line 24, strike ''In addition to any exemption granted under section 41714(d) or subsection (a) of this section, the'' and insert ''The''.

On page 42 of the managers' amendment, beginning in line 5, strike ''smaller than large hub airports (as defined in section 47134(d)(2))'' and insert ''with fewer than 2,000,000 annual enplanements''.

On page 42 of the managers' amendment, line 10, strike ''airports other than large hubs'' and insert ''such airports''.

On page 46, line 18, strike ''(d)'' and insert ''(f)''.

On page 46, line 24, after ''and the'' insert ''metropolitan planning organization for''.

On page 47, line 1, strike ''Council of Governments''.

On page 35 of the managers' amendment, between lines 2 and 3, insert the following:

SEC. 529. CERTAIN ATC TOWERS.

Notwithstanding any other provision of law, regulation, intergovernmental circular advisories or other process, or any judicial proceeding or ruling to the contrary, the Federal Aviation Administration shall use such funds as necessary to contract for the operation of air traffic control towers, located in Salisbury, Maryland; Bozeman, Montana; and Boca Raton, Florida, provided that the Federal Aviation Administration has made a prior determination of eligibility for such towers to be included in the contract tower program.

On page 114, insert:

SEC. 530. COMPENSATION UNDER THE DEATH ON THE HIGH SEAS ACT

(a) IN GENERAL.—Section 2 of the Death on the High Seas Act (46 U.S.C. App. 762) is amended by—

(1) inserting ''(a) IN GENERAL.—'' before ''The recovery''; and

(2) adding at the end thereof the following:

''(b) COMMERCIAL AVIATION.—

''(1) IN GENERAL.—If the death was caused during commercial aviation, additional compensation for non-pecuniary damages for wrongful death of a decedent is recoverable in a total amount, for all beneficiaries of that decedent, that shall not exceed the greater of the pecuniary loss sustained or a sum total of $750,000 from all defendants for all claims. Punitive damages are not recoverable.

''(2) INFLATION ADJUSTMENT.—The $750,000 amount shall be adjusted, beginning in calendar year 2000 by the increase, if any, in the Consumer Price Index for all urban consumers for the prior year over the Consumer Price Index for all urban consumers for the calendar year 1998.

''(3) NON-PECUNIARY DAMAGES.—For purposes of this subsection, the term 'non-pecuniary damages' means damages for loss of care, comfort, and companionship.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies to any death caused during commercial aviation occurring after July 16, 1996.

CONGRESSIONAL GOLD MEDAL TO GERALD R. AND BETTY FORD

D'AMATO AMENDMENT NO. 3647

Mr. MCCAIN (for Mr. D'AMATO) proposed an amendment to bill (H.R. 3506) to award a congressional gold medal to Gerald R. and Betty Ford; as follows:

At the end of the bill, add the following new sections:

SEC. 4. CONGRESSIONAL GOLD MEDALS FOR THE "LITTLE ROCK NINE".

(a) FINDINGS.—The Congress finds that—

(1) Jean Brown Trickey, Carlotta Walls LaNier, Melba Patillo Beals, Terrence Roberts, Gloria Ray Karlmark, Thelma Mothershed Wair, Ernest Green, Elizabeth Eckford, and Jefferson Thomas, hereafter in this section referred to as the ''Little Rock Nine'', voluntarily subjected themselves to the bitter stinging pains of racial bigotry;

(2) the Little Rock Nine are civil rights pioneers whose selfless acts considerably advanced the civil rights debate in this country;

(3) the Little Rock Nine risked their lives to integrate Central High School in Little Rock, Arkansas, and subsequently the Nation;

(4) the Little Rock Nine sacrificed their innocence to protect the American principle that we are all ''one nation, under God, indivisible'';

(5) the Little Rock Nine have indelibly left their mark on the history of this Nation; and

(6) the Little Rock Nine have continued to work toward equality for all Americans.

(b) PRESENTATION AUTHORIZED.—The President is authorized to present, on behalf of Congress, to Jean Brown Trickey, Carlotta Walls LaNier, Melba Patillo Beals, Terrence Roberts, Gloria Ray Karlmark, Thelma Mothershed Wair, Ernest Green, Elizabeth Eckford, and Jefferson Thomas, commonly referred to the ''Little Rock Nine'', gold medals of appropriate design, in recognition of the selfless heroism that such individuals exhibited and the pain they suffered in the cause of civil rights by integrating Central High School in Little Rock, Arkansas.

(c) DESIGN AND STRIKING.—For purposes of the presentation referred to in subsection (b) the Secretary of the Treasury shall strike a gold medal with suitable emblems, devices, and inscriptions to be determined by the Secretary for each recipient.