

(2) A method of enforcing the requirements imposed on facilities under sections 101(a)(15)(H)(i)(c) and 212(m) of the Immigration and Nationality Act (as amended by section ____ 2) that would be more effective than the process described in section 212(m)(2)(E) of such Act (as so amended).

FRIST AMENDMENT NO. 3323

Mr. GREGG (for Mr. FRIST) proposed an amendment to the bill, S. 2260, supra; as follows:

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

SEC. 3. SIGNAGE ON HIGHWAYS WITH RESPECT TO THE NATIONAL CEMETERY SYSTEM.

(a) DEFINITIONS.—In this section:

(1) FEDERAL-AID HIGHWAY.—The term "Federal aid highway" has the meaning given that term in section 101 of title 23, United States Code.

(2) NATIONAL CEMETERY SYSTEM.—The term "National Cemetery System" means the National Cemetery System, which is managed by the Secretary of Veterans Affairs.

(3) STATE.—The term "State" has the meaning given that term in section 101 of title 23, United States Code.

(b) FEDERAL-AID HIGHWAYS.—The Secretary of Transportation, acting through the Administrator of the Federal Highway Administration, shall take such action as may be necessary to ensure that, for each cemetery of the National Cemetery System that is located in the proximity of any Federal-aid highway, there is sufficient and appropriate signage along that highway to direct visitors to that cemetery.

(c) STATE HIGHWAYS.—Nothing in subsection (b) is intended to affect the provision of signage by a State along a State highway to direct visitors to a cemetery of the National Cemetery System.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

SHELBY (AND LAUTENBERG) AMENDMENT NO. 3324

Mr. SHELBY (for himself and Mr. LAUTENBERG) proposed an amendment to the bill (S. 2307) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1999, and for other purposes; as follows:

On page 19 of the bill in line 2, strike "Provided, That \$3,000,000 shall be transferred to the Appalachian Regional Commission".

On page 26 of the bill, line 15, insert the following before the period: "Provided further, That of the funds provided under this heading, \$5,000,000 shall be made available for grants authorized under title 49 United States Code section 22301".

On page 20 of the bill, in line 17, after the colon, insert: "Provided further, That within the \$20,000,000 made available for refuge roads in fiscal year 1999 by section 204 of title 23, United States Code, as amended, \$700,000 shall be made available to the U.S. Army Corps of Engineers to determine the feasibility of providing reliable access connecting King Cove and Cold Bay, Alaska and \$1,500,000 shall be made available for improvements to the Crooked Creek access road in the Charles M. Russell National Wildlife Refuge, Montana".

On page 28 of the bill, amend the figure in line 5 to read "7,500,000".

On page 44 of the bill, insert at the beginning of line 1 the following: "New York City NY Midtown west ferry terminal".

On page 51 of the bill, insert after line 19 the following: "Whittier, AK intermodal facility and pedestrian overpass".

On pages 86 and 87 of the bill, strike all of section 336 (lines 16-24 and lines 1-10).

On page 88 of the bill, in line 18, after the semicolon insert the following:

(3) in subsection (d), by inserting "(including an exemption under subsection (b)(3)(B)(i) relating to a bumper standard referred to in subsection (b)(1))" after "subsection (b)(3)(B)(i) of this section"; and.

And on page 88 of the bill, in line 19, amend the "(3)" subsection number to read "(4)".

On page 90 of the bill, in line 1, after the semicolon insert the following: "\$3,500,000 is provided for the Providence-Boston commuter rail project";.

On page 92 of the bill, after line 25, insert the following:

SEC. 351. Item 1132 in section 1602 of the Transportation Equity Act for the 21st Century (112 Stat. 298), relating to Mississippi, is amended by striking "Pirate Cove" and inserting "Pirates' Cove and 4-lane connector to Mississippi Highway 468".

On page 78 of the bill, strike lines 8-15, and insert the following:

SEC. 322. None of the funds in this or any other Act may be used to compel, direct or require agencies of the Department of Transportation in their own construction contract awards, or recipients of financial assistance for construction projects under this Act, to use a project labor agreement on any project, nor to preclude use of a project labor agreement in such circumstances.

INTERNATIONAL MONETARY FUND APPROPRIATIONS ACT OF 1998

MURKOWSKI AMENDMENT NO. 3325

Mr. MURKOWSKI proposed an amendment to the bill (S. 2334) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1999, and for other purposes; as follows:

SECTION 1. ENVIRONMENTAL POLICY AND PROCEDURES.

(a) IN GENERAL.—Section 11(a) of the Export-Import Bank Act of 1945 (12 U.S.C. 635i-5(a)) is amended—

(1) in paragraph (2), by striking the period and inserting the following: ", except that the Board of Directors may not withhold financing from a project under this subsection if the government of any other G-7 country is providing (or has indicated approval to provide) financing of the project."; and

(2) by adding at the end the following new paragraph:

"(3) G-7.—For purposes of this subsection, the term 'G-7' means the group consisting of France, Germany, Japan, the United Kingdom, the United States, Canada, and Italy, established in September, 1985, to facilitate economic cooperation among the seven major non-Communist economic powers.".

(b) DEVELOPMENT OF CONSISTENT ENVIRONMENTAL POLICY.—

(1) IN GENERAL.—It is the sense of Congress that—

(A) consistent with the objectives of section 2(b)(1)(A) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(A)), the Export-Import Bank should seek to reach an international agreement with the export financing agencies of other G-7 countries regarding environmental policies and procedures for the financing of projects; and

(B) such agreement should be subject to Congressional approval.

(2) G-7.—For purposes of this subsection, the term "G-7" means the group consisting of France, Germany, Japan, the United Kingdom, the United States, Canada, and Italy, established in September, 1985, to facilitate economic cooperation among the seven major non-Communist economic powers.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

MCCONNELL AMENDMENT NO. 3326

Mr. MCCONNELL proposed an amendment to the bill, S. 2307, supra; as follows:

On page 92, after line 25, add the following:

SEC. 3. JUDICIAL REVIEW OF CONSTITUTIONAL CLAIMS.

(a) EXPEDITED CONSIDERATION.—It shall be the duty of a district court of the United States and the Supreme Court of the United States to advance on the docket and to expedite to the maximum extent practicable the disposition of any claim challenging the constitutionality of section 1101(b) of the Transportation Equity Act for the 21st Century (23 U.S.C. 101 note; 112 Stat. 113), whether on its face or as applied.

(b) APPEAL TO SUPREME COURT.—

(1) IN GENERAL.—Notwithstanding any other provision of law, any order of a district court of the United States disposing of a claim described in subsection (a) shall be reviewable by appeal directly to the Supreme Court of the United States.

(2) DEADLINES FOR APPEAL.—

(A) NOTICE OF APPEAL.—Any appeal under paragraph (1) shall be taken by a notice of appeal filed within 10 calendar days after the date on which the order of the district court is entered.

(B) JURISDICTIONAL STATEMENT.—The jurisdictional statement shall be filed within 30 calendar days after the date on which the order of the district court is entered.

(3) STAYS.—No stay of an order described in paragraph (1) shall be issued by a single Justice of the Supreme Court.

(c) APPLICABILITY.—Subsections (a) and (b) shall apply with respect to any claim filed after June 9, 1998, but before June 10, 1999.

DEWINE (AND OTHERS) AMENDMENT NO. 3327

Mr. DEWINE (for himself, Mr. COVERDELL, Mr. GRAHAM, Mr. BOND, Mr. GRASSLEY, and Mr. FAIRCLOTH) proposed an amendment to the bill, S. 2307, supra; as follows:

Beginning on page 8 of the bill, in line 17 after the colon insert: "Provided further, That not less than \$2,000,000 shall be available to support restoration of enhanced counter-narcotics operations around the island of Hispaniola.

On page 5 of the bill, in line 4, strike "\$165,215,000" and insert "\$158,468,000".

On page 9 of the bill, in line 2, strike "\$388,693,000" and insert "\$426,173,000".

On page 9 of the bill, in line 4, strike "\$215,473,000" and insert "\$234,553,000".

On page 9 of the bill, in line 7, strike "\$46,131,000" and insert "\$55,131,000".

On page 9 of the bill, in line 9, strike "\$35,389,000" and insert "\$44,789,000".

On page 77 of the bill, in line 15, strike "\$10,500,000" and insert "\$17,247,000".

MCCAIN AMENDMENT NO. 3328

Mr. SHELBY (for Mr. MCCAIN) proposed an amendment to the bill, S. 2307, *supra*; as follows:

At the appropriate place, insert:

SEC. . The change in definition for Amtrak capital expenses shall not affect the legal characteristics of capital and operating expenditures for purposes of Amtrak's requirement to eliminate the use of appropriated funds for operating expenses according to P.L. 105-134. No funds appropriated for Amtrak in this Act shall be used to pay for any wage, salary, or benefit increases that are a result of any agreement entered into after October 1, 1997; *Provided further*, That nothing in this Act shall affect Amtrak's legal requirements to maintain its current system of accounting under Generally Accepted Accounting Principles; *Provided further*, That no later than 30 days after the end of each quarter beginning with the first quarter in fiscal year 1999, Amtrak shall submit to the Amtrak Reform Council and the Senate Committee on Appropriations, and the Senate Committee on Commerce, Science, and Transportation, a reporting of specific expenditures for preventative maintenance, labor, and other operating expenses from amounts made available under this Act, and Amtrak's estimate of the amounts expected to be expended for such expenses for the remainder of the fiscal year.

SPECTER (AND SANTORUM)
AMENDMENT NO. 3329

Mr. SHELBY (for Mr. SPECTER for himself and Mr. SANTORUM) proposed an amendment to the bill, S. 2307, *supra*; as follows:

At the appropriate place in the bill, insert the following:

SEC. . Section 3 of the Act of July 17, 1952 (66 Stat. 746, chapter 921), and section 3 of the Act of July 17, 1952 (66 Stat. 571, chapter 922), are each amended in the proviso—

(1) by striking "That" and all that follows through "the collection of" and inserting "That the commission may collect"; and

(2) by striking ", shall cease" and all that follows through the period at the end and inserting a period.

On page 22 of the bill, in line 1, strike "State of Michigan," and insert: "Oakland County, MI,".

On page 89 of the bill, in line 24, before the figure "2,700,000" insert the following "2,000,000 is provided for the Southeast Michigan commuter rail viability study; \$2,000,000 is provided for the major investment analysis of Honolulu transit alternatives;".

On page 92 of the bill, after line 25, insert the following:

SEC. . Section 1212(m) of Public Law 105-178 is amended (1) in the subsection heading by inserting ", Idaho and West Virginia" after "Minnesota"; and (2) by inserting "or the States of Idaho or West Virginia" after "Minnesota".

In amendment No. 3324, in line 10, strike "determine the feasibility or providing reliable access connecting King Cove and Cold Bay, Alaska" and insert the following: "study rural access issues in Alaska".

JOHNSON (AND OTHERS)
AMENDMENT NO. 3331

Mr. SHELBY (for Mr. JOHNSON, for himself, Mr. KOHL, and Mr. BOND) proposed an amendment to the bill, S. 2307, *supra*; as follows:

On page 30, after line 11, before the period insert the following: *Provided further*, That,

of the funds made available under Sec. 5308, up to \$10 million may be used for the projects that include payments for the incremental costs of biodiesel fuels: *Provided further*, That incremental costs shall be limited to the cost difference between the cost of alternative fuels and their petroleum-based alternatives".

DURBIN (AND LAUTENBERG)
AMENDMENT NO. 3332

Mr. SHELBY (for Mr. DURBIN for himself and Mr. LAUTENBERG) proposed an amendment to the bill, S. 2307, *supra*; as follows:

At the appropriate place, insert the following:

SEC. . PROHIBITIONS AGAINST SMOKING ON
SCHEDULED FLIGHTS.

(a) IN GENERAL.—Section 41706 of title 49, United States Code, is amended to read as follows:

"§41706. Prohibitions against smoking on
scheduled flights

"(a) SMOKING PROHIBITION IN INTRASTATE AND INTERSTATE AIR TRANSPORTATION.—An individual may not smoke in an aircraft on a scheduled airline flight segment in interstate air transportation or intrastate air transportation.

"(b) SMOKING PROHIBITION IN FOREIGN AIR TRANSPORTATION.—The Secretary of Transportation shall require all air carriers and foreign air carriers to prohibit, on and after the 120th day following the date of the enactment of this section, smoking in any aircraft on a scheduled airline flight segment within the United States or between a place in the United States and a place outside the United States.

"(c) LIMITATION ON APPLICABILITY.—With respect to an aircraft operated by a foreign air carrier, the smoking prohibitions contained in subsections (a) and (b) shall apply only to the passenger cabin and lavatory of the aircraft. If a foreign government objects to the application of subsection (b) on the basis that it is an extraterritorial application of the laws of the United States, the Secretary is authorized to waive the application of subsection (b) to a foreign air carrier licensed by that foreign government. The Secretary of Transportation shall identify and enforce an alternative smoking prohibition in lieu of subsection (b) that has been negotiated by the Secretary and the objecting foreign government through a bilateral negotiation process.

"(d) REGULATIONS.—The Secretary shall prescribe regulations necessary to carry out this section."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the 60th day following the date of the enactment of this Act.

BURNS AMENDMENT NO. 3333

Mr. SHELBY (for Mr. BURNS) proposed an amendment to the bill, S. 2307, *supra*; as follows:

At the appropriate place, insert the following:

SEC. . HAZARDOUS MATERIALS.

In the case of a state that, as of the date of enactment of this Act, has in force and effect State hazardous material transportation laws that are inconsistent with federal hazardous material transportation laws with respect to intrastate transportation of agricultural production materials for transportation from agricultural retailer to farm, farm to farm, and from farm to agricultural retailer, within a 100-mile air radius, such inconsistent laws may remain in force and effect for fiscal year 1999 only.

LAUTENBERG (AND KERRY)
AMENDMENT NO. 3334

Mr. SHELBY (for Mr. LAUTENBERG, for himself and Mr. KERRY) proposed an amendment to the bill, S. 2307, *supra*; as follows:

On page 79 of the bill, in line 21 before the period, insert: "*Provided further*, That the Secretary, acting through the Administrator of the Federal Aviation Administration, shall by January 1, 1999, take such actions as may be necessary to ensure that each air carrier (as that term is defined in section 40102 of title 49 U.S.C.) prominently displays on every passenger ticket sold by any means or mechanism a statement that reflects the national average per passenger general fund subsidy based on the fiscal year 1997 general fund appropriation from the Federal Government to the Federal Aviation Administration; *Provided further* that the Secretary of Transportation, acting through the administrator of the Federal Highway Administration, shall take such actions as may be necessary to ensure the placement of signs, on each Federal-aid highway (as that term is defined in section 101 of title 23, U.S.C.) that states that, during fiscal year 1997, the Federal Government provided a general fund appropriation at a level verified by the Department of Transportation, for the subsidy of State and local highway construction and maintenance".

D'AMATO AMENDMENT NO. 3335

Mr. SHELBY (for Mr. D'AMATO) proposed an amendment to the bill, S. 2307, *supra*; as follows:

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

SEC. 3 . REIMBURSEMENT FOR SALARIES AND
EXPENSES.

The National Transportation Safety Board shall reimburse the State of New York and local counties in New York during the period beginning on June 12, 1997, and ending on September 30, 1999, an aggregate amount equal to \$6,059,000 for costs (including salaries and expenses) incurred in connection with the crash of TWA Flight 800.

NOTICE OF HEARING

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will meet during the session of the Senate on Wednesday, July 29, 1998, at 9:30 a.m. to conduct a Business Meeting to consider the following pending business of the Committee: S. 1905, A Bill to Compensate the Cheyenne River Sioux Tribe, and for Other Purposes; S. 391, To Provide for the Distribution of Certain Judgment Funds to the Mississippi Sioux Tribe of Indians, and for Other Purposes; and S. 1770, To Elevate the Position of the Director of the Indian Health Service to Assistant Secretary for Health and Human Services. The Business Meeting will be held in room 485 of the Russell Senate Office Building.

Those wishing additional information should contact the Committee on Indian Affairs at 202/224-2251.