

By Mrs. FEINSTEIN (for herself, Mr. WARNER, Mr. BURNS, Mr. ROBB, Mrs. MURRAY, and Mrs. BOXER):

S. Res. 51. A resolution to express the sense of the Senate regarding the outstanding achievements of NetDay; to the Committee on Labor and Human Resources.

By Mr. DODD:

S. Con. Res. 6. A concurrent resolution expressing concern for the continued deterioration of human rights in Afghanistan and emphasizing the need for a peaceful political settlement in that country; to the Committee on Foreign Relations.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. AKAKA (for himself, Mr. FRIST, and Mr. INOUE):

S. 291. A bill to provide for the management of the airspace over units of the National Park System, and for other purposes; to the Committee on Commerce, Science, and Transportation.

##### THE NATIONAL PARKS AIRSPACE MANAGEMENT ACT OF 1997

Mr. AKAKA. Mr. President, in behalf of myself, Senator FRIST, and Senator INOUE, I am today introducing the National Parks Airspace Management Act of 1997, a bill designed to mitigate the impact of commercial air tour flights over units of the National Park System. The measure would establish a new, statutory framework for minimizing the environmental effects of air tour activity on park units. This measure is similar to legislation I offered in the last two Congresses.

Briefly, our bill would specify the respective authorities of the National Park Service and the Federal Aviation Administration [FAA] in developing and enforcing park overflight policy; establish a process for developing individualized airspace management plans at parks experiencing significant commercial air tour activity; provide for the designation of those parks which did not experience commercial air tour activity as of January 1, 1997, as flight-free parks; establish a new, single standard governing the certification and operation of all commercial air tour operators that conduct flights over national parks; require a variety of safety measures, such as improved aircraft markings, maintenance of accurate aeronautical charts, installation of flight monitoring equipment, and an air tour data base; and, establish a National Park Overflight Advisory Council.

Mr. President, aircraft overflights of noise-sensitive areas such as national parks have been increasing in scope and intensity for a number of years, sparking significant public debate and controversy about the safety and environmental impact of such activity. The focus of much of the debate, and much of the controversy, has been the commercial air tour sightseeing industry, which has experienced explosive growth in some areas, notably at the Grand Canyon and in my own State of Hawaii. But significant commercial air

tour activity has also been developing in such widely dispersed locations as Glacier National Park in Montana, the Utah national parks, Mount Rushmore in South Dakota, and the Statue of Liberty and Niagara Falls in New York. In fact, at Great Smoky Mountains National Park, commercial air tour overflights have fostered such opposition that the State of Tennessee has passed legislation to restrict such flights.

In 1987, precipitated by a midair collision at the Grand Canyon, Congress adopted the National Parks Overflights Act, Public Law 100-91. The act permanently banned below-the-rim flights at the Grand Canyon and led to a Special Federal Aviation Regulation—SFAR 50-2—establishing flight-free zones and air corridors at the park. The act also established temporary altitude restrictions for Yosemite National Park in California and Haleakala National Park in Hawaii. Finally, Public Law 100-91 mandated that the Park Service conduct a study on the impact of low-level flights on units of the National Park System.

Since passage of the National Parks Overflights Act, a number of important developments have occurred. First, in 1993 a Department of Transportation and Department of the Interior inter-agency working group was established to address park overflight issues of mutual concern, an acknowledgment by the executive branch that the issue required extensive interagency cooperation, but also a reflection of the deep differences in approach and attitude that existed between the National Park Service and the FAA on this contentious matter.

In 1994, the overflights report mandated by Public Law 100-91 was completed, identifying and documenting low-altitude flights as threats to park resources and recommending a variety of means to address these threats, such as incentives to encourage use of quite aircraft technology, flight-free zones and flight corridors, altitude restrictions, noise budgets, and limits on times of air tour operations. Also in 1994, in response to a pair of helicopter crashes in the Pacific, the FAA issued an emergency flight rule—SFAR 71—imposing certain altitude and other operating restrictions on air tour operators in Hawaii.

More recently, last spring, the President issued an executive memorandum directing agency heads to participate in the effort to protect natural quite in National Park System units. The memorandum led to the final rule for the Grand Canyon, issued in December 1996, providing for additional, delineated restrictions on air tour activity at the park. The memorandum also led to a new rule promulgated earlier this year to ban preemptively, for 2 years or until a national rule is developed, flights at Rocky Mountain National Park. Finally, as a result of the President's memorandum, the FAA and the Park Service were required to develop

a comprehensive, national rule governing air tour flights at all national parks. Work on the national rule is in the preliminary stages.

While these developments have been welcome, it is fair to say that overall progress on the overflights issue has been desultory. For every Grand Canyon or Rocky Mountain, there are dozens of parks whose overflights problems remain completely unaddressed. In this regard, problems and delays associated with the development of a national rule have been particularly disappointing. Reportedly, the FAA and Park Service continue to squabble over matters of jurisdiction, and air tour operators and environmental organizations continue to prefer confrontation to accommodation. In the meantime, air tour-generated problems continue to accrete, exacerbating the environmental and safety consequences of park overflights. This experience has shown us that only Congress, through legislation, can produce lasting, effective policy on this matter.

Mr. President, when all is said and done, the simple truth is that the complex problems associated with park overflights cannot be fully resolved administratively. In my opinion, this state of affairs is largely due to the fact that the FAA and the Park Service, the two agencies with the heaviest responsibility for addressing park overflights, are governed by vastly different statutory mandates. On the one hand, the FAA is responsible for the safety and efficiency of air commerce; on the other, the Park Service is charged with protecting and preserving park resources. These mutually exclusive missions have bred different approaches, attitudes, and institutional cultures that have hindered inter-agency cooperation and development of a consistent, effective park overflights policy. Only by modifying or clarifying their statutory responsibilities with respect to the management of park airspace can the two Federal agencies be expected to work together consistently and systematically to address the overflight problem.

Mr. President, the legislation we are proposing today would address this and other barriers to the development of a comprehensive park overflights policy. Our bill deals with the commercial air tour overflights issue in a national context, since the safety and environmental concerns which are being debated so vociferously at the Grand Canyon and in Hawaii are being echoed at park units scattered throughout the National Park System.

At the outset, our bill establishes a finding that National Park Service policy recognizes the importance of natural quiet as a resource to be conserved and protected in certain park units. Toward that end, our legislation creates a new statutory framework for minimizing the environmental effects of air tour activity on units throughout the National Park System.

The bill articulates a regulatory scheme under which the Park Service

and the FAA are required to work in tandem to develop operational policies with respect to the overflights problem. It provides for joint administration in many areas while clearly denoting the FAA's primary on matters related to safety and air efficiency and the Park Service's lead role in identifying the resources to be protected and the best means of protecting them.

The bill requires the development, with public involvement, of individually tailored park airspace management plans for units significantly affected by overflight activity, as determined by the Director of the Park Service. It calls for good faith negotiations between commercial air tour operators and both the Park Service and the FAA to reach agreement on flights over park areas.

It provides for the Park Service to recommend to the FAA the designation of individual units as "flight-free parks" for those units which, as of January 1, 1997, experienced no overflights by commercial air tour operators and where air tour flights would be incompatible with or injurious to the purposes or values of those parks.

It also mandates the development by the FAA of a generic operational rule for commercial air tour operations at all units of the National Park System, subject to modification at individual park units based on negotiations among air tour operators, the FAA, and the Park Service.

Our legislation requires the FAA to implement a single standard, through a new subpart of part 135, title 14, Code of Federal Regulations, for certifying commercial air tour operators. Such a uniform standard, which has been recommended by the National Transportation Safety Board [NTSB], will substantially enhance safety by providing essential consistency in such areas as pilot qualifications, training, and flight and duty time limitations.

It mandates commercial air tour safety initiatives recommended by the NTSB and others, including the installation of a flight monitoring system and the use of identification markings unique to a commercial air tour operator, the development of aeronautical charts which reflect airspace management provisions with respect to individual park units, and the development of a national database on air tour operations.

Last, but by no means least, the bill establishes a National Park Overflight Advisory Council which would provide advice and recommendations to the Park Service and the FAA on all issues related to commercial air tour flights over park units and serve as a national forum for interest groups, including representatives of the air tour industry and the environmental community, to exchange views constructively.

It is significant to note that our bill will not affect emergency flight operations, general aviation, military aviation, or scheduled commercial passenger flights that transit National

Park System units. Furthermore, recognizing the special needs for air travel in Alaska, this bill will not affect the management of park units or aircraft operations over or within park units in the State of Alaska.

Mr. President, I believe that the legislation we are offering today will give us the tools to minimize the adverse effects of commercial air tour flights on park resources as well as on the ground visitor experience, while at the same time enhancing the safety of such flights. I believe it is a balanced measure that, through extensive opportunity for public involvement, attempts to accommodate the legitimate concerns of all park users, including air tour operators and passengers. Indeed, I strongly believe that under certain well-regulated conditions, air tourism provides an important service to many elderly, disabled, or other visitors who might otherwise never enjoy the wonders of our national parks.

Nevertheless, our bill's central premise is that the 369 park units of the National Park System were created because of their exceptional natural or cultural significance to the American people. All of the provisions of the National Parks Airspace Management Act are therefore designed with the protection of park resources as their essential, if not exclusive, goal. For it is self-evident that a park whose values have been corrupted is a park ultimately not worth visiting, by air or land.

Mr. President, in closing, I would like to acknowledge the fact that the senior Senator from Arizona [Mr. MCCAIN] earlier this week introduced related legislation on park overflights. While his bill differs from ours in some details, the intent of both measures is the same—to mitigate the adverse effects of air tours flights on our national parks. Given our common goal, I hope that we can work together in crafting an effective, bipartisan approach to this troubling and divisive issue.

Thank you, Mr. President. I urge my colleagues to support the National Parks Airspace Management Act of 1997. I ask unanimous consent that a copy of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 291

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "National Parks Airspace Management Act of 1997".

**SEC. 2. FINDINGS.**

Congress makes the following findings:

(1) Commercial air tour flights over units of the National Park System (referred to in this Act as "units") may have adverse effects on the units.

(2) The flights may degrade the experiences of visitors to the affected areas and may have adverse effects on wildlife and cultural resources in those areas.

(3) A significant number of complaints about commercial air tour flights over certain areas under the jurisdiction of the National Park Service have been registered.

(4) Although resource preservation is the primary responsibility of the National Park Service, the agency continues to struggle to develop a policy that would achieve an acceptable balance between flights over units by commercial air tour operators and the protection of resources in the units and the experiences of visitors to the units.

(5) Although the mission of the Federal Aviation Administration is to develop and maintain a safe and efficient system of air transportation while considering the impact of aircraft noise, the agency continues to have difficulty adequately controlling commercial air tour flights over units.

(6) Significant and continuing concerns exist regarding the safety of commercial air tour flights over some units, including concerns for the safety of occupants of the flights, visitors to those units, Federal employees at those units, and the general public.

(7) The concern of the Congress over the effects of low-level flights on units led to the enactment, on August 18, 1987, of the Act entitled "An Act to require the Secretary of the Interior to conduct a study to determine the appropriate minimum altitude for aircraft flying over national park system units" (Public Law 100-91; 101 Stat. 674; 16 U.S.C. 1a-1 note).

(8) The Act referred to in paragraph (7) requires the Director of the National Park Service to identify problems associated with flights by aircraft in the airspace over units.

(9) Pursuant to the Act referred to in paragraph (7), on September 12, 1994, the Director submitted a report to Congress entitled "Report On Effects Of Aircraft Overflights On The National Park System".

(10) The National Park Service report concluded that, because the details of national park overflights problems are park-specific, no single altitude can be identified for the entire National Park System.

(11) The National Park Service report presented a number of recommendations for resolution of the problem of national park overflights, including—

(A) the development of airspace and park use resolution processes;

(B) the development of a single operational rule to regulate air tour operations;

(C) seeking continued improvements in safety and interagency planning related to airspace management; and

(D) the development of a Federal Aviation Administration rule to facilitate preservation of natural quiet.

(12) The policy of the National Park Service recognizes the importance of natural quiet as a resource to be conserved and protected in certain units.

(13) The National Park Service—

(A) defines natural quiet as "the natural ambient sound conditions found in certain units of the National Park Service"; and

(B) recognizes that visitors to certain units may reasonably expect quiet during their visits to those units established with the specific goal of providing visitors with an opportunity for solitude.

(14) The number of flights by aircraft over units has increased rapidly since the date of enactment of the Act referred to in paragraph (7) and, due to the high degree of satisfaction expressed by air tour passengers, as well as the economic impact of air tour operations on the tourist industry, the number of flights will likely continue to increase.

(15) A progression of aesthetic and safety concerns about low altitude flights have been associated with growth in commercial air tour traffic.

(16) As the number of flights over units continues to increase, the likelihood exists that there will be a concomitant increase in the number of conflicts regarding management of the airspace over the units.

(17) A need exists for a Federal policy to address the conflicts and problems associated with flights by commercial air tour aircraft in the airspace over units.

(18) A statutory process should be established to require the Secretary of Transportation and the Secretary of the Interior, acting through the Director, to work together to mitigate the impact of commercial air tour operations on units, or specific areas within units that are adversely affected by commercial air tour operations.

### SEC. 3. DEFINITIONS.

In this Act:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Federal Aviation Administration.

(2) **AGREEMENT.**—The term “agreement” means an agreement entered into by a commercial air tour operator, the Director, and the Administrator under section 4(h) that provides for the application of relevant provisions of an airspace management plan for the unit concerned to the commercial air tour operator.

(3) **AIR TOUR AIRCRAFT.**—The term “air tour aircraft” means an aircraft (including a fixed-wing aircraft or a rotorcraft) that makes air tour flights.

(4) **AIR TOUR FLIGHT.**—The term “air tour flight” means a passenger flight conducted by air tour aircraft for the purpose of permitting a passenger to the flight to view an area over which the flight occurs.

(5) **COMMERCIAL AIR TOUR AIRCRAFT.**—The term “commercial air tour aircraft” means any air tour aircraft used by a commercial air tour operator in providing air tour flights for hire to the public.

(6) **COMMERCIAL AIR TOUR OPERATOR.**—The term “commercial air tour operator” means a company, corporation, partnership, individual, or other entity that provides air tour flights for hire to the public.

(7) **COUNCIL.**—The term “Council” means the National Park Overflight Advisory Council established under section 9.

(8) **DIRECTOR.**—The term “Director” means the Director of the National Park Service.

(9) **FLIGHT-FREE PARK.**—The term “flight-free park” means a unit over which commercial air tour operations are prohibited.

(10) **UNIT.**—The term “unit” means a unit of the National Park System.

### SEC. 4. NATIONAL PARK AIRSPACE MANAGEMENT PLANS.

(a) **IN GENERAL.**—The Director and the Administrator shall, in accordance with this section, develop and establish a plan for the management of the airspace above each unit that is affected by commercial air tour flights to the extent that the Director considers the unit to be a unit requiring an airspace management plan.

(b) **PURPOSE OF PLANS.**—The purpose of each plan developed under subsection (a) is to minimize the adverse effects of commercial air tour flights on the resources of a unit.

(c) **DEVELOPMENT OF AIRSPACE MANAGEMENT PLANS.**—

(1) **TREATMENT OF RELEVANT EXPERTISE.**—In developing plans under subsection (a)—

(A) the Administrator shall defer to the Director in matters relating to the identification and protection of park resources; and

(B) the Director shall defer to the Administrator in matters relating to the safe and efficient management of airspace.

(2) **NEGOTIATED RULEMAKING.**—In developing a plan for a unit, the Director and the Administrator shall consider utilizing nego-

tiated rulemaking procedures as specified under subchapter III of chapter 5 of title 5, United States Code, if the Director and the Administrator determine that the utilization of those procedures is in the public interest.

(d) **COMMENT ON PLANS.**—In developing a plan for a unit, the Director and the Administrator shall—

(1) ensure that there is sufficient opportunity for public comment by air tour operators, environmental organizations, and other concerned parties; and

(2) give due consideration to the comments and recommendations of the Council and the Federal Interagency Airspace/Natural Resource Coordination Group, or any successor organization to that entity.

(e) **RESOLUTION OF PLAN INADEQUACIES.**—If the Director and the Administrator disagree with respect to any portion of a proposed plan under subsection (a)—

(1) the Director and the Administrator shall refer the proposed plan to the Secretary of the Interior and the Secretary of Transportation; and

(2) the Secretary of the Interior and the Secretary of Transportation shall jointly resolve the disagreement.

(f) **ASSESSMENT OF EFFECTS OF OVERFLIGHTS.**—The Director and the Administrator may jointly conduct studies to ascertain the effects of low-level flights of commercial air tour aircraft over units that the Director and the Administrator consider necessary for the development of plans under subsection (a).

(g) **PERIODIC REVIEW.**—

(1) **IN GENERAL.**—Not less frequently than every 5 years after the date of establishment of a plan under subsection (a), the Director and the Administrator shall review the plan.

(2) **PURPOSE OF REVIEW.**—The purpose of the review shall be to ensure that the plan continues to meet the purposes for the plan.

(3) **REVISION.**—The Director and the Administrator may revise a plan if they jointly determine, based on that review, that the revision is advisable.

(h) **FLIGHTS OVER UNITS COVERED BY PLANS.**—

(1) **AGREEMENT.**—A commercial air tour operator may not conduct commercial air tour flights in the airspace over a unit covered by an airspace management plan developed under subsection (a) unless the commercial air tour operator enters into an agreement with the Director and the Administrator that authorizes such flights.

(2) **CONTENTS.**—An agreement under paragraph (1) shall—

(A) provide for the application of relevant provisions of the airspace management plan for the unit concerned to the commercial air tour operator; and

(B) to the maximum extent practicable, provide for the conduct of air tour flights by the air tour operator in a manner that minimizes the adverse effects of the air tour flights on the environment of the unit.

### SEC. 5. FLIGHT-FREE PARKS.

For units that, as of January 1, 1997, experienced no overflights by commercial air tour operators, the Director, in consultation with the Administrator, shall—

(1) prescribe criteria to identify units where air tour flights by commercial air tour aircraft would be incompatible with or injurious to the purposes and values for which the units were established;

(2) identify any units that meet those criteria; and

(3) designate those units as “flight-free park” units.

### SEC. 6. SINGLE OPERATIONAL RULE FOR COMMERCIAL AIR TOUR OPERATIONS.

(a) **IN GENERAL.**—Except as provided in subsection (b), the Administrator, after no-

tice and hearing on the record, shall issue a regulation governing the operation of all air tour aircraft flights by commercial air tour operators over units.

(b) **SEPARATE OPERATIONAL RULES.**—

(1) **IN GENERAL.**—The Administrator may issue regulations that prescribe separate operational rules governing the conduct of flights by fixed-wing aircraft and by rotorcraft if the Administrator determines under subsection (a) that separate rules are warranted.

(2) **DEVELOPMENT OF OPERATIONAL RULE.**—In developing an operational rule under paragraph (1), the Administrator shall—

(A) consider whether differences in the characteristics and effects on the environment of fixed-wing aircraft and rotorcraft warrant the development of separate operational rules with respect to that craft;

(B) provide a mechanism for the Director to recommend individual units or geographically proximate groups of units to be designated as aerial sightseeing areas, as defined by section 92.01 of the Federal Aviation Administration Handbook, dated January 1992; and

(C) provide a mechanism for the Director to obtain immediate assistance from the Administrator in resolving issues relating to the use of airspace above units with respect to which the issues are of a critical, time-sensitive nature.

(c) **EFFECT ON AGREEMENTS.**—Nothing in this section is intended to preclude the Administrator, the Director, and a commercial air tour operator from entering into, under section 4(h), an agreement on the conduct of air tour flights by the air tour operator over a particular unit under different terms and conditions from those imposed by an operational rule issued under this subsection.

### SEC. 7. AIRCRAFT SAFETY.

(a) **DEVELOPMENT OF A SINGLE STANDARD FOR CERTIFYING COMMERCIAL AIR TOUR OPERATORS.**—

(1) **COMMENCEMENT OF RULEMAKING.**—The Administrator shall initiate formal rulemaking proceedings (which shall include a hearing on the record) for the purpose of revising the regulations contained in part 135 of title 14, Code of Federal Regulations (relating to air taxi operators and commercial operators), to prescribe a new subpart to specifically cover all commercial air tour operators (as that term shall be defined by the Administrator under the subpart) that conduct commercial air tour flights over units.

(2) **COVERED MATTERS.**—The regulations issued under subsection (a) shall address safety and environmental issues with respect to commercial air tour flights over units. In issuing the regulations, the Administrator shall attempt to minimize the financial and administrative burdens imposed on commercial air tour operators.

(b) **AIRCRAFT MARKINGS.**—

(1) **REQUIREMENT.**—Each operator of commercial air tour aircraft shall display on each air tour aircraft of the operator the identification marks described in paragraph (2).

(2) **IDENTIFICATION MARKS.**—The identification marks for the aircraft of a commercial air tour operator shall—

(A) be unique to the operator;

(B) be not less than 36 inches in length (or a size consistent with the natural configuration of the aircraft fuselage);

(C) appear on both sides of the air tour aircraft of the air tour operator and on the underside of the aircraft; and

(D) be applied to the air tour aircraft of the air tour operator in a highly visible color that contrasts sharply with the original base color paint scheme of the aircraft.

(c) **AERONAUTICAL CHARTS.**—The Administrator shall ensure that the boundaries of

each unit and the provisions of the airspace management plan, operational rule, or Special Federal Aviation Regulation (SFAR), if any, with respect to each unit are accurately displayed on aeronautical charts.

(d) FLIGHT MONITORING SYSTEMS.—

(1) IN GENERAL.—The Administrator shall carry out a study of the feasibility and advisability of requiring that commercial air tour aircraft operating in the airspace over units have onboard an automatic flight tracking system capable of monitoring the altitude and ground position of the commercial air tour aircraft.

(2) DETERMINATION BY ADMINISTRATOR.—If the Administrator determines under the study required under paragraph (1) that the use of flight tracking systems in commercial air tour aircraft is feasible and advisable, the Administrator and the Director shall jointly develop a plan for implementing a program to monitor the altitude and position of commercial air tour aircraft over units.

(e) NATIONAL DATA BASE FOR COMMERCIAL AIR TOUR OPERATORS.—The Administrator shall—

(1) establish and maintain a data base concerning all commercial air tour aircraft operated by commercial air tour operators that shall be designed to provide data that shall be used in making—

(A) determinations of—

(i) the scope of commercial air tour flights; and

(ii) accident rates for commercial air tour flights; and

(B) assessments of the safety of commercial air tour flights; and

(2) on the basis of the information in the data base established under paragraph (1), ensure that each flight standards district office of the Administration that serves a district in which commercial air tour operators conduct commercial air tour flights is adequately staffed to carry out the purposes of this Act.

**SEC. 8. EXCEPTIONS.**

(a) FLIGHT EMERGENCIES.—This Act does not apply to any aircraft—

(1) experiencing an in-flight emergency;

(2) participating in search and rescue, firefighting or police emergency operations;

(3) carrying out park administration or maintenance operations; or

(4) complying with air traffic control instructions.

(b) FLIGHTS BY MILITARY AIRCRAFT.—This Act does not apply to flights by military aircraft, except that the Secretary of Defense is encouraged to work jointly with the Secretary of Transportation and the Secretary of the Interior in pursuing means to mitigate the impact of military flights over units.

(c) FLIGHTS FOR COMMERCIAL AERIAL PHOTOGRAPHY.—The Director and the Administrator shall jointly develop restrictions and fee schedules for aircraft or rotorcraft engaged in commercial aerial photography over units at altitudes that the Director and the Administrator determine will impact adversely the resources and values of affected units.

**SEC. 9. NATIONAL PARK OVERFLIGHT ADVISORY COUNCIL.**

(a) ESTABLISHMENT.—There is established a commission to be known as the "National Park Overflight Advisory Council".

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Council shall be comprised of the following members:

(A) Members from each of the following groups, appointed jointly by the Director and the Administrator:

(i) Environmental or conservation organizations, citizens' groups, and other groups with similar interests.

(ii) The commercial air tour industry and organizations with similar interests.

(B) Representatives of departments or agencies of the Federal Government.

(C) Such other persons as the Administrator and the Director consider appropriate.

(c) DUTIES.—The Council shall—

(1) determine the effects of commercial air tour flights in the airspace over the units on the environment of the units;

(2) determine the economic effects of restrictions or prohibitions on the flights;

(3) solicit and receive comments from interested individuals and groups on the flights;

(4) develop recommendations for means of reducing the adverse effects of the flights on the units;

(5) explore financial and other incentives that could encourage manufacturers to advance the state-of-the-art in quiet aircraft and rotorcraft technology and encourage commercial air tour operators to implement the technology in flights over units;

(6) provide comments and recommendations to the Director and the Administrator under section 4;

(7) provide advice or recommendations to the Director, the Administrator, and other appropriate individuals and groups on matters relating to flights over units; and

(8) carry out such other activities as the Director and the Administrator jointly consider appropriate.

(d) MEETINGS.—The Council shall first meet not later than 180 days after the date of enactment of this Act, and shall meet thereafter at the call of a majority of the members of the Council.

(e) ADMINISTRATION.—

(1) COMPENSATION OF NON-FEDERAL MEMBERS.—Members of the Council who are not officers or employees of the Federal Government shall serve without compensation for their work on the Council, but shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service under section 5703(b) of title 5, United States Code, to the extent funds are available for that purpose.

(2) COMPENSATION OF FEDERAL MEMBERS.—Members of the Council who are officers or employees of the Federal Government shall serve without compensation for their work on the Council other than that compensation received in their regular public employment, but shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law, to the extent funds are available for that purpose.

(f) REPORTS.—Not later than 1 year after the initial meeting of the Council, and annually thereafter, the Council shall submit to Congress, the Administrator, and the Director a report that—

(1) describes the activities of the Council under this section during the preceding year; and

(2) sets forth the findings and recommendations of the Council on matters related to the mitigation of the effects on units of flights of commercial air tour operators over units.

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section.

**SEC. 10. EXEMPTION FOR STATE OF ALASKA.**

Nothing in this Act shall affect—

(1) the management of units in the State of Alaska; or

(2) any aircraft operations over or within units in the State of Alaska.

**ADDITIONAL COSPONSORS**

S. 11

At the request of Mr. DASCHLE, the name of the Senator from Iowa [Mr.

HARKIN] was added as a cosponsor of S. 11, a bill to reform the Federal election campaign laws applicable to Congress.

S. 268

At the request of Mr. MCCAIN, the name of the Senator from Tennessee [Mr. THOMPSON] was added as a cosponsor of S. 268, a bill to regulate flights over national parks, and for other purposes.

**SENATE CONCURRENT RESOLUTION 6—RELATIVE TO AFGHANISTAN**

Mr. DODD submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 6

Whereas Congress recognizes that the legacy of civil conflict in Afghanistan during the last 17 years has had a devastating effect on the civilian population in that country and a particularly negative impact on the rights and security of women and girls;

Whereas the longstanding civil conflict in Afghanistan among the warring political and military factions has created an environment where the rights of women and girls are routinely violated;

Whereas the Afghan forces led by Burhanuddin Rabbani and Abdul Rashid Dostum are responsible for numerous abhorrent human rights abuses, including the rape, sexual abuse, torture, abduction, and persecution of women and girls;

Whereas Congress is disturbed by the upsurge of reported human rights abuses, including extreme restrictions placed on women and girls, since the Taliban coalition seized the capital city of Kabul;

Whereas Afghanistan is a sovereign nation and must work to solve its internal disputes; and

Whereas Afghanistan and the United States recognize international human rights conventions, such as the International Covenant on Economic, Social, and Cultural Rights, which espouse respect for basic human rights of all individuals without regard to race, religion, ethnicity, or gender: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That (a) Congress hereby—*

(1) deplores the violations of international humanitarian law by the Taliban coalition in Afghanistan and raises concern over the reported cases of stoning, public executions, and street beatings;

(2) condemns the Taliban's targeted discrimination against women and girls and expresses deep concern regarding the prohibition of employment and education for women and girls; and

(3) takes note of the recent armed conflict in Kabul, affirms the need for peace negotiations and expresses hope that the Afghan parties will agree to a cease-fire throughout the country.

(b) It is the sense of Congress that the President should—

(1) continue to monitor the human rights situation in Afghanistan and should call for an end to discrimination against women and girls in Afghanistan and for adherence by all factions in Afghanistan to international humanitarian law;

(2) review United States policy with respect to Afghanistan if the Taliban coalition and others do not cease immediately the harassment and other discriminatory practices against women and girls;