

which it requests the concurrence of the Senate:

H.R. 2567. An act to amend the Federal Water Pollution Control Act relating to standards for constructed water conveyances.

H.R. 2657. An act to award a congressional gold medal to Ruth and Billy Graham.

H.R. 2726. An act to make certain technical corrections in law relating to Native Americans, and for other purposes.

#### MEASURES REFERRED

The following bill was read the first and second times by unanimous consent and referred as indicated:

H.R. 2567. An act to amend the Federal Water Pollution Control Act relating to standards for constructed water conveyances; to the Committee on Environment and Public Works.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. LAUTENBERG (for himself and Mr. HARKIN):

S. 1524. A bill to amend title 49, United States Code, to prohibit smoking on any scheduled airline flight segment in intrastate, interstate, or foreign air transportation; to the Committee on Commerce, Science, and Transportation.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LAUTENBERG (for himself and Mr. HARKIN):

S. 1524. A bill to amend title 49, United States Code, to prohibit smoking on any scheduled airline flight segment intrastate, interstate, or foreign air transportation.

##### THE AIRLINER CABIN AIR QUALITY ACT OF 1996

Mr. LAUTENBERG. Mr. President, I am introducing the Airliner Cabin Air Quality Act of 1996, which would prohibit smoking on international flights to and from the United States by domestic and foreign carriers.

Mr. President, more than 50,000 studies have established the scientific evidence incriminating cigarette smoking as a direct cause of death and disability. Volumes of evidence also document similar health effects as a result of exposure to environmental tobacco smoke. For example, in 1991, the National Institute for Occupational Safety and Health placed environmental tobacco smoke in its most significant category of human carcinogens.

The Environmental Protection Agency estimates that environmental tobacco smoke causes some 3,000 lung cancer deaths and 12,000 other cancer deaths each year. In addition, the EPA believes that 70 percent of the lung cancer deaths attributable to environmental tobacco smoke are due to exposures outside of the home.

Environmental tobacco smoke exposure leads to coughing, chest discom-

fort, and reduced lung function in non-smoking adults. While these symptoms may seem minor in nature, their effects on individuals can have permanent health and financial consequences. It is estimated that flight attendants lose about \$10,000 per year in salary if they are unable to work on international flights on which smoking is still allowed.

Mr. President, in September 1992, the International Civil Aviation Organization [ICAO] passed a nonbinding resolution urging governments to take the necessary steps to ban smoking on all international flights as a safety and health measure. The resolution calls for the ban to be in place no later than July 1, 1996. I am hopeful, but not confident, that the ICAO resolution will be successful.

This past summer, ICAO released a working paper on the progress being made toward the implementation of its international smoking ban resolution. While developing the working paper, ICAO asked its more than 300 members to indicate their intentions with respect to implementation of the smoking ban. Of the 67 replies, 34 countries gave either no indication of their intentions or indicated they were going to delay implementation. Another 10 countries indicated implementation plans were under study. Only 24 countries stated that they would implement the smoking ban. Based upon replies to this questionnaire, some have estimated that just 13 percent of all ICAO members will take the steps necessary to ban smoking on international flights.

Mr. President, from the perspective of the United States, the potentially low rate of participation of other countries in an international smoking ban should be unacceptable. The United States and its carriers have repeatedly demonstrated their support for an international smoking ban. As the result of an agreement between the United States, Canada, and Australia, passengers traveling between these countries need not suffer through a smoke-filled flight.

About a year ago, the Department of Transportation provided eight U.S. carriers with an antitrust waiver so they could discuss implementing a voluntary transatlantic smoking ban. Despite their unanimous resolve to move toward a smoke-free environment, the participating carriers were unable to reach an agreement. Many were unwilling to ban smoking because of perceptions about competitive pressures from foreign carriers who are unwilling to voluntarily ban smoking.

Mr. President, I have been active for many years in efforts to ensure clean cabin air for airline passengers. In 1988, I sponsored legislation that banned smoking on domestic flights of 2 hours or less. This law protected approximately 80 percent of all domestic passengers from the documented effects of environmental tobacco smoke. In 1989, based upon the success and popularity

of the 2-hour smoking ban, Congress expanded the ban to include nearly all domestic flights.

Mr. President, this legislation would extend the protection now enjoyed by domestic passengers and flight attendants to those who fly into and out of this country. I wish other countries would enter into multilateral smoking-ban agreements on their own so this bill would be unnecessary. However, that does not seem likely. Therefore, this bill is needed to demonstrate the U.S. Congress' resolve and continued leadership on this issue. The bill would create a level competitive playing field for carriers utilizing our market. And, most importantly, it would protect the health and safety of all those who fly internationally.

I urge my colleagues to support this legislation.

#### ADDITIONAL COSPONSORS

S. 877

At the request of Mrs. HUTCHISON, the name of the Senator from Alaska [Mr. STEVENS] was added as a cosponsor of S. 877, a bill to amend section 353 of the Public Health Service Act to exempt physician office laboratories from the clinical laboratories requirements of that section.

S. 1028

At the request of Mrs. KASSEBAUM, the name of the Senator from Wisconsin [Mr. KOHL] was added as a cosponsor of S. 1028, a bill to provide increased access to health care benefits, to provide increased portability of health care benefits, to provide increased security of health care benefits, to increase the purchasing power of individuals and small employers, and for other purposes.

S. 1295

At the request of Mr. HELMS, the name of the Senator from Tennessee [Mr. THOMPSON] was added as a cosponsor of S. 1295, a bill to prohibit the regulation of any tobacco products, or tobacco sponsored advertising, used or purchased by the National Association of Stock Car Automobile Racing, its agents or affiliates, or any other professional motor sports association by the Secretary of Health and Human Services or any other instrumentality of the Federal Government, and for other purposes.

S. 1418

At the request of Mr. PRESSLER, the name of the Senator from Tennessee [Mr. FRIST] was added as a cosponsor of S. 1418, a bill to provide for the more effective implementation of the prohibition against the payment to prisoners of supplemental security income benefits under title XVI of the Social Security Act or monthly benefits under title II of such Act, and to deny such supplemental security income benefits for 10 years to a person found to have fraudulently obtained such benefits while in prison.

S. 1421

At the request of Mr. SIMON, the name of the Senator from Illinois [Ms.

MOSELEY-BRAUN] was added as a cosponsor of S. 1421, A bill to amend the Internal Revenue Code of 1986 to treat as a zone business an otherwise qualified business dissected by a census tract boundary line of a designated empowerment zone or enterprise community.

S. 1519

At the request of Mr. DOLE, the names of the Senator from Idaho [Mr. CRAIG] and the Senator from North Carolina [Mr. FAIRCLOTH] were added as cosponsors of S. 1519, a bill to prohibit United States voluntary and assessed contributions to the United Nations if the United Nations imposes any tax or fee on United States persons or continues to develop or promote proposals for such taxes or fees.

S. 1520

At the request of Mr. HELMS, the names of the Senator from Kansas [Mr. DOLE], the Senator from Iowa [Mr. GRASSLEY], the Senator from Georgia [Mr. COVERDELL], and the Senator from Illinois [Mr. SIMON] were added as cosponsors of S. 1520, a bill to award a congressional gold medal to Ruth and Billy Graham.

SENATE RESOLUTION 85

At the request of Mr. CHAFEE, the name of the Senator from Wyoming [Mr. SIMPSON] was added as a cosponsor of Senate Resolution 85, a resolution to express the sense of the Senate that obstetrician-gynecologists should be included in Federal laws relating to the provision of health care.

AMENDMENTS SUBMITTED

THE HOUSING OPPORTUNITY PROGRAM EXTENSION ACT OF 1995

D'AMATO (AND OTHERS) AMENDMENT NO. 3118

Mr. LOTT (for Mr. D'AMATO, for himself, Mr. MACK, and Mr. BOND) proposed an amendment to the bill (S. 1494) to provide an extension for fiscal year 1996 for certain programs administered by the Secretary of Housing and Urban Development and the Secretary of Agriculture, and for other purposes; as follows:

On page 2, line 5, strike "During fiscal year 1996" and insert the following: "To the extent that amounts are made available in advance in any appropriations act for contract renewals under section 8 of the United States Housing Act of 1937 for fiscal year 1996".

On page 2, line 11, insert "project-based" after "for".

On page 5, between lines 7 and 8, insert the following new sections:

SEC. 7. CAPACITY BUILDING FOR COMMUNITY DEVELOPMENT AND AFFORDABLE HOUSING.

Section 4 of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note) is amended—

- (1) in subsection (a)—
- (A) by striking "Initiative to develop" and inserting the following: "Initiative—
- "(1) to develop";
- (B) by striking the period at the end and inserting "; and"; and

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

"(2) for national or regional organizations or consortia, including Habitat for Humanity International, that have experience in providing or facilitating self-help housing homeownership opportunities.";

(2) in subsection (b)—

(A) in paragraph (2), by striking "and" at the end;

(B) by redesignating paragraph (3) as paragraph (4); and

(C) by inserting after paragraph (2) the following:

"(3) innovative homeownership opportunities for the acquisition and rehabilitation of single family housing through the provision of self-help housing, under which the homeowner contributes a significant amount of sweat equity toward the construction of the new dwelling; and"; and

(3) by striking subsection (e) and inserting the following:

"(e) AUTHORIZATION.—There are authorized to be appropriated to carry out this section \$50,000,000 for fiscal year 1996, of which \$25,000,000 shall be made available to Habitat for Humanity International for activities under this section."

SEC. 8. THE NATIONAL CITIES IN SCHOOLS COMMUNITY DEVELOPMENT PROGRAM.

Section 930(c) of the Housing and Community Development Act of 1992 (Public Law 102-550, 106 Stat. 3887) is amended to read as follows:

"(c) AUTHORIZATION.—There are authorized to be appropriated to carry out this section \$10,000,000 for fiscal year 1996."

SEC. 9. AMENDMENTS TO THE UNITED STATES HOUSING ACT OF 1937 FOR SAFETY AND SECURITY IN PUBLIC AND ASSISTED HOUSING.

(a) CONTRACT PROVISIONS AND REQUIREMENTS.—Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended—

(1) in subsection (k), by striking "on or near such premises" and inserting "on or off such premises"; and

(2) in subsection (l)(5), by striking "on or near such premises" and inserting "on or off such premises".

(b) AVAILABILITY OF CRIMINAL RECORDS FOR SCREENING AND EVICTION; EVICTION FOR DRUG-RELATED ACTIVITY.—Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended by adding at the end the following new subsections:

"(q) AVAILABILITY OF RECORDS.—

"(1) IN GENERAL.—

"(A) PROVISION OF INFORMATION.—Notwithstanding any other provision of law, except as provided in subparagraph (B), the National Crime Information Center, police departments, and other law enforcement agencies shall, upon request, provide information to public housing agencies regarding the criminal conviction records of adult applicants for, or tenants of, public housing for purposes of applicant screening, lease enforcement, and eviction.

"(B) EXCEPTION.—Except as provided under any provision of State, tribal, or local law, no law enforcement agency described in subparagraph (A) shall provide information under this paragraph relating to any criminal conviction if the date of that conviction occurred 5 or more years prior to the date on which the request for the information is made.

"(2) OPPORTUNITY TO DISPUTE.—Before an adverse action is taken with regard to assistance under this title on the basis of a criminal record, the public housing agency shall provide the tenant or applicant with a copy of the criminal record and an opportunity to dispute the accuracy and relevance of that record.

"(3) FEE.—A public housing agency may be charged a reasonable fee for information provided under paragraph (1).

"(4) RECORDS MANAGEMENT.—Each public housing agency shall establish and implement a system of records management that ensures that any criminal record received by the public housing agency is—

"(A) maintained confidentially;

"(B) not misused or improperly disseminated; and

"(C) destroyed, once the purpose for which the record was requested has been accomplished.

"(5) DEFINITION.—For purposes of this subsection, the term 'adult' means a person who is 18 years of age or older, or who has been convicted of a crime as an adult under any Federal, State, or tribal law.

"(r) EVICTION FOR DRUG-RELATED ACTIVITY.—Any tenant evicted from housing assisted under this title by reason of drug-related criminal activity (as that term is defined in section 8(f)(5)) shall not be eligible for housing assistance under this title during the 3-year period beginning on the date of such eviction, unless the evicted tenant successfully completes a rehabilitation program approved by the public housing agency (which shall include a waiver of this subsection if the circumstances leading to eviction no longer exist)."

(c) LIMITATION ON OCCUPANCY IN ELDERLY AND DISABLED HOUSING.—

(1) IN GENERAL.—Section 7 of the United States Housing Act of 1937 (42 U.S.C. 1437e) is amended by adding at the end the following new subsection:

"(h) LIMITATION ON OCCUPANCY IN DESIGNATED PROJECTS.—

"(1) OCCUPANCY LIMITATION.—Notwithstanding any other provision of law, a dwelling unit in a public housing project (or portion of a project) that is designated under subsection (a) shall not be occupied by any person whose illegal use (or pattern of illegal use) of a controlled substance or abuse (or pattern of abuse) of alcohol provides reasonable cause for the public housing agency to believe that such occupancy could interfere with the health, safety, or right to peaceful enjoyment of the premises by the tenants of the public housing project.

"(2) REQUIRED STATEMENT.—A public housing agency may not make a dwelling unit in a public housing project (or portion of a project) designated under subsection (a) available for occupancy to any family, unless the application for occupancy by that family is accompanied by a signed statement that no person who will be occupying the unit illegally uses a controlled substance, or abuses alcohol, in a manner that would interfere with the health, safety, or right to peaceful enjoyment of the premises by the tenants of the public housing project."

(2) LEASE PROVISIONS.—Section 6(l) of the United States Housing Act of 1937 (42 U.S.C. 1437d(1)) is amended—

(A) in paragraph (5), by striking "and" at the end;

(B) by redesignating paragraph (6) as paragraph (7); and

(C) by inserting after paragraph (5) the following new paragraph:

"(6) provide that any occupancy in violation of section 7(h)(1) or the furnishing of any false or misleading information pursuant to section 7(h)(2) shall be cause for termination of tenancy; and"

(d) INELIGIBILITY OF ILLEGAL DRUG USERS AND ALCOHOL ABUSERS FOR ASSISTED HOUSING.—Section 16 of the United States Housing Act of 1937 (42 U.S.C. 1437n) is amended by adding at the end the following new subsection:

"(e) INELIGIBILITY OF ILLEGAL DRUG USERS AND ALCOHOL ABUSERS.—

"(1) IN GENERAL.—Notwithstanding any other provision of law, a public housing agency shall establish standards for occupancy in public housing dwelling units—