

(A) by striking “the Hope Scholarship Credit” and inserting “the eligible student credit amount determined under this subsection”, and

(B) by striking “PER STUDENT CREDIT” in the heading and inserting “IN GENERAL”.

(2) AMOUNT OF CREDIT.—Paragraph (4) of section 25A(b) of such Code (relating to applicable limit) is amended by striking “2” and inserting “3”.

(3) CREDIT REFUNDABLE.—

(A) IN GENERAL.—Section 25A of such Code is amended by redesignating subsection (i) as subsection (j) and by inserting after subsection (h) the following new subsection:

“(i) PORTION OF CREDIT REFUNDABLE.—

“(1) IN GENERAL.—The aggregate credits allowed under subpart C shall be increased by the amount of the credit which would be allowed under this section—

“(A) by reason of subsection (b), and

“(B) without regard to this subsection and the limitation under section 26(a) or subsection (j), as the case may be.

“(2) TREATMENT OF CREDIT.—The amount of the credit allowed under this subsection shall not be treated as a credit allowed under this subpart and shall reduce the amount of credit otherwise allowable under subsection (a) without regard to section 26(a) or subsection (j), as the case may be.”.

(B) TECHNICAL AMENDMENT.—Section 1324(b) of title 31, United States Code, is amended by inserting “, or enacted by the College Opportunity Tax Credit Act of 2006” before the period at the end.

(4) LIMITATIONS.—

(A) CREDIT ALLOWED FOR 4 YEARS.—Subparagraph (A) of section 25A(b)(2) of such Code is amended—

(i) by striking “2” in the text and in the heading and inserting “4”, and

(ii) by striking “the Hope Scholarship Credit” and inserting “the credit allowable”.

(B) ELIMINATION OF LIMITATION ON FIRST 2 YEARS OF POSTSECONDARY EDUCATION.—Section 25A(b)(2) of such Code is amended by striking subparagraph (C) and by redesignating subparagraph (D) as subparagraph (C).

(5) CONFORMING AMENDMENTS.—

(A) The heading of subsection (b) of section 25A of such Code is amended to read as follows:

“(b) ELIGIBLE STUDENTS.—”.

(B) Section 25A(b)(2) of such Code is amended—

(i) in subparagraph (B), by striking “the Hope Scholarship Credit” and inserting “the credit allowable”, and

(ii) in subparagraph (C), as redesignated by paragraph (4)(B), by striking “the Hope Scholarship Credit” and inserting “the credit allowable”.

(C) PART-TIME, GRADUATE, AND OTHER STUDENTS.—

(1) IN GENERAL.—Subsection (c) of section 25A of the Internal Revenue Code of 1986 is amended to read as follows:

“(C) PART-TIME, GRADUATE, AND OTHER STUDENTS.—

“(1) IN GENERAL.—In the case of any student for whom an election is in effect under this section for any taxable year, the part-time, graduate, and other student credit amount determined under this subsection for any taxable year is an amount equal to the sum of—

“(A) 40 percent of so much of the qualified tuition and related expenses paid by the taxpayer during the taxable year (for education furnished to the student during any academic period beginning in such taxable year) as does not exceed \$1,000, plus

“(B) 20 percent of such expenses so paid as exceeds \$1,000 but does not exceed the applicable limit.

“(2) APPLICABLE LIMIT.—For purposes of paragraph (1)(B), the applicable limit for any

taxable year is an amount equal to 3 times the dollar amount in effect under paragraph (1)(A) for such taxable year.

“(3) SPECIAL RULES FOR DETERMINING EXPENSES.—

“(A) COORDINATION WITH CREDIT FOR ELIGIBLE STUDENTS.—The qualified tuition and related expenses with respect to a student who is an eligible student for whom a credit is allowed under subsection (a)(1) for the taxable year shall not be taken into account under this subsection.

“(B) EXPENSES FOR JOB SKILLS COURSES ALLOWED.—For purposes of paragraph (1), qualified tuition and related expenses shall include expenses described in subsection (f)(1) with respect to any course of instruction at an eligible educational institution to acquire or improve job skills of the student.”.

(2) INFLATION ADJUSTMENT.—

(A) IN GENERAL.—Subsection (h) of section 25A of such Code (relating to inflation adjustments) is amended by adding at the end the following new paragraph:

“(3) DOLLAR LIMITATION ON AMOUNT OF CREDIT UNDER SUBSECTION (a)(2).—

“(A) IN GENERAL.—In the case of a taxable year beginning after 2007, each of the \$1,000 amounts under subsection (c)(1) shall be increased by an amount equal to—

“(i) such dollar amount, multiplied by

“(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting ‘calendar year 2006’ for ‘calendar year 1992’ in subparagraph (B) thereof.

“(B) ROUNDING.—If any amount as adjusted under subparagraph (A) is not a multiple of \$100, such amount shall be rounded to the next lowest multiple of \$100.”.

(B) CONFORMING AMENDMENT.—The heading for paragraph (1) of section 25A(h) of such code is amended by inserting “UNDER SUBSECTION (a)(1)” after “CREDIT”.

(d) CREDIT ALLOWED AGAINST ALTERNATIVE MINIMUM TAX.—

(1) IN GENERAL.—Section 25A of the Internal Revenue Code of 1986, as amended by subsection (b)(3), is amended by redesignating subsection (j) as subsection (k) and by inserting after subsection (h) the following new subsection:

“(j) LIMITATION BASED ON AMOUNT OF TAX.—In the case of a taxable year to which section 26(a)(2) does not apply, the credit allowed under subsection (a) for the taxable year shall not exceed the excess of—

“(1) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

“(2) the sum of the credits allowed under this subpart (other than this section and sections 23, 24, and 25B) and section 27 for the taxable year.”.

(2) CONFORMING AMENDMENT.—Section 25(a)(1) of such Code is amended by inserting “25A,” after “24.”.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2006.

By Mr. LAUTENBERG:

S. 4109. A bill to amend title 49, United States Code, to prohibit the operation of certain aircraft not complying with stage 3 noise levels; to the Committee on Commerce, Science, and Transportation.

Mr. President, I rise today to introduce a bill which would greatly improve the quality of life for many residents of New Jersey, and people across America, by reducing aircraft noise. The Aircraft Noise Reduction Act of 2006 would greatly reduce unnecessary

levels of noise pollution by phasing out usage of the loudest aircraft still operating.

I have long had a strong interest in this issue; indeed, I first introduced legislation calling for the phase-out of older, noisier aircraft in 1990, and since then, significant progress has been made. As we face an influx of many new aircraft to our system—some 5,000 new very light jets, VLJs, are expected to enter the U.S. aviation market and our airspace in the next decade—now is the time to rid our skies of the older, noisier planes.

For purposes of rating aircraft noise levels, aircraft have to meet U.S. Environmental Protection Agency noise standards classified as “stages”: stage 1 and stage 2 noise levels are the loudest, while stage 3 and stage 4 (standards adopted just last year are the quietest. Commercial stage 1 aircraft were phased out by 1985, and Congress mandated the retirement of commercial stage 2 aircraft by 2000. However, these regulations only applied to aircraft weighing more than 75,000 pounds; this means that there are still many loud business jets still in service. The legislation I am introducing today would finally bring closure to this issue by phasing out the use of all remaining stage 1 and stage 2 aircraft in the United States.

The benefits of this total phase-out will be abundant. On average, older, noisier stage 2 aircraft are twice as loud as newer, quieter, stage 3 planes. Unfortunately, at Teterboro Airport in my home State of New Jersey, one of the largest general aviation airports in the country, loud stage 2 planes have been common until recently. This contributed greatly to the noise pollution problems experienced in New Jersey communities, and hurt property values for many citizens. It's precisely why it is critically important to work toward a fleet devoid of stage 1 and stage 2 aircraft.

This issue has particular resonance in New Jersey, because Teterboro Airport and Morristown Airport, among others, are located in densely populated areas. Stage 1 and 2 aircraft flying into these airports constitute an unnecessary daily nuisance for, literally, hundreds of thousands of my constituents, and I believe it is time to take decisive action to correct the problem. Voluntarily banning these aircraft from one airport will only force them to use another local airport, so I believe that a nationwide ban is necessary.

Furthermore, Mr. President, this bill would not only help decrease aircraft noise; it will also promote energy conservation. On average, stage 2 aircraft use 30 percent more fuel than otherwise comparable stage 3 jets, and passage of this bill would eliminate usage of many of the most fuel-inefficient aircraft still operational in America.

My bill takes an approach which is sensitive to the economic hardship of communities who want to allow these

aircraft to continue in use. Individual airports would still be allowed to opt-out of this measure by choosing to accommodate these noisier business jets. Also, the act would not take effect until fully 3 years after enactment, allowing ample time for businesses to adapt to the new regulations.

Mr. President, I believe that this bill represents a significant step forward in the ongoing efforts to control aircraft noise, and I urge my colleagues to support the legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD following my remarks.

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

S. 4109

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 "Aircraft Noise Reduction Act of 2006".

SEC. 2. OPERATION OF AIRCRAFT NOT MEETING STAGE 3 NOISE LEVELS.

(a) IN GENERAL.—Subchapter II of chapter 475 of title 49, United States Code, is amended by adding at the end the following:

"§ 47534. Prohibition on operating certain aircraft weighing 75,000 pounds or less not complying with stage 3 noise levels

"(a) PROHIBITION.—Except as provided in subsection (b), (c), or (d), a person may not operate a civil subsonic turbojet with a maximum weight of 75,000 pounds or less to or from an airport in the United States unless the Secretary of Transportation finds that the aircraft complies with stage 3 noise levels.

"(b) EXCEPTION.—Subsection (a) shall not apply to aircraft operated only outside the 48 contiguous States.

"(c) OPT-OUT.—Subsection (a) shall not apply at an airport where the airport operator has notified the Secretary that it wants to continue to permit the operation of civil subsonic turbojets with a maximum weight of 75,000 pounds or less that do not comply with stage 3 noise levels. The Secretary shall post the notices received under this subsection on its website or in another place easily accessible to the public.

"(d) LIMITATION.—The Secretary shall permit a person to operate Stage 1 and Stage 2 aircraft with a maximum weight of 75,000 pounds or less to or from an airport in the contiguous 48 States in order—

"(1) to sell, lease, or use the aircraft outside the 48 contiguous States;

"(2) to scrap the aircraft;

"(3) to obtain modifications to the aircraft to meet stage 3 noise levels;

"(4) to perform scheduled heavy maintenance or significant modifications on the aircraft at a maintenance facility located in the contiguous 48 states;

"(5) to deliver the aircraft to an operator leasing the aircraft from the owner or return the aircraft to the lessor;

"(6) to prepare or park or store the aircraft in anticipation of any of the activities described in paragraphs (1) through (5); or

"(7) to divert the aircraft to an alternative airport in the 48 contiguous States on account of weather, mechanical, fuel air traffic control or other safety reasons while conducting a flight in order to perform any of the activities described in paragraphs (1) through (6).

"(e) STATUTORY CONSTRUCTION.—Nothing in the section may be construed as interfering

with, nullifying, or otherwise affecting determinations made by the Federal Aviation Administration, or to be made by the Administration, with respect to applications under part 161 of title 14, Code of Federal Regulations, that were pending on the date of enactment of the Aircraft Noise Reduction Act of 2006."

(b) CONFORMING AMENDMENTS.—

(1) Section 47531 of title 49, United States Code, is amended by striking "47529, or 47530" and inserting "47529, 47530, or 47534".

(2) Section 47532 of title 49, United States Code, is amended by striking "47528-47531" and inserting "47528 through 47531 or 47534".

(3) The chapter analysis for chapter 475 of title 49, United States Code, is amended by inserting after the item relating to section 47533 the following:

"47534. Prohibition on operating certain aircraft weighing 75,000 pounds or less not complying with stage 3 noise levels".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 3 years after the date of enactment of this Act.

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SUBMITTED RESOLUTIONS
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SENATE RESOLUTION 626 RELATING TO THE RETIREMENT OF LINDA E. SEBOLD

Mr. FRIST submitted the following resolution; which was considered and agreed to:

S. RES. 626

Whereas Linda E. Sebold has faithfully served the United States Senate for more than 33 years;

Whereas Linda began her service to the Senate as an assistant in the Disbursing Office in 1973;

Whereas Linda became the Committee Scheduling Coordinator for the Daily Digest in 1978 and was promoted to Editor of the Daily Digest in 1999;

Whereas Linda has been a leader in implementing technological advances in the preparation of the Daily Digest;

Whereas Linda has made a significant contribution to continuity of government planning;

Whereas, during her 33½ year tenure, she has at all times discharged the difficult duties and responsibilities of her office with extraordinary efficiency, aplomb, and devotion;

Whereas Linda's service to the Senate has been marked by her personal commitment to the highest standards of excellence; and

Whereas Linda is retiring after more than 33 years service to the United States Senate; Now, therefore, be it

Resolved, That Linda E. Sebold be and hereby is commended for her outstanding service to her country and to the United States Senate.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to Linda E. Sebold.

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SENATE RESOLUTION 627—COMMEMORATING THE ONE-YEAR ANNIVERSARY OF THE NOVEMBER 9, 2005, TERRORIST ATTACKS IN AMMAN, JORDAN

Mr. LUGAR (for himself, Mr. BIDEN, and Mr. REID) submitted the following resolution; which was considered and agreed to:

S. RES. 627

Whereas on November 9, 2005, a series of terrorist bombs exploded at the Radisson, Hyatt, and Days Inn hotels in Amman, Jordan, resulting in the deaths of scores of civilians and the injuries of hundreds of others;

Whereas Jordan has been targeted in several terrorist attacks over the past few years and likely remains a target for Islamic extremists;

Whereas Jordan provided unequivocal support to the United States after the September 11, 2001, terrorist attacks;

Whereas Jordan has arrested suspected terrorists with possible ties to Osama bin Laden's Al Qaeda organization and has provided other critical support to the global war on terrorism; and

Whereas Jordan remains a firm ally of the United States in the global war against terrorism and in helping to achieve a lasting peace in the Middle East: Now, therefore, be it

Resolved, That the Senate—

(1) notes with sorrow the one-year anniversary of the November 9, 2005, terrorist attacks in Amman, Jordan;

(2) condemns in the strongest possible terms the November 9, 2005, terrorist attacks;

(3) expresses its ongoing condolences to the families and friends of those individuals who were killed in the attacks and its sympathies to those individuals who were injured;

(4) reiterates its support of the Jordanian people and their government;

(5) values the strong and lasting friendship between Jordan and the United States and the continuing cooperation of the two nations in political, economic, and humanitarian endeavors; and

(6) expresses its readiness to support and assist the Jordanian authorities in their efforts to pursue, disrupt, undermine, and dismantle the networks that plan and carry out such terrorist attacks as the November 9, 2005, terrorist attacks in Amman, Jordan.

Mr. LUGAR. Mr. President, I rise today to introduce S. Res. 627 commemorating the 1-year anniversary of the November 9, 2005, terrorist attacks in Amman, Jordan and reaffirming the support of the United States for the Hashemite Kingdom of Jordan as an important ally in combating terrorism in the region.

The Hashemite Kingdom of Jordan has been a steadfast friend and ally of the United States in the war against terrorism. Sadly, on November 9, 2005, Jordan itself became a victim of terrorism. Terrorists attacked western hotels in its capital city, Amman, killing and injuring scores of people.

This bill condemns the terrorist attacks that took place on November 9 and reaffirms the support of the U.S. Government for the Jordanian people and their government.

—————
SENATE RESOLUTION 628—SUPPORTING THE 200TH ANNIVERSARY OF THE NATION'S NAUTICAL CHARTING AND RELATED SCIENTIFIC PROGRAMS, WHICH FORMED THE BASIS FOR WHAT IS TODAY THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Mr. STEVENS (for himself, Mr. INOUE, Ms. SNOWE, Ms. LANDRIEU, Mr. GREGG, Mr. LOTT, Mr. REED, Ms. CANTWELL, Mr. VITTER, Mr. SALAZAR, Mr.