

(2) by inserting after subsection (d) the following:

“(e) REMOTE SITING STANDARDS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall promulgate regulations establishing standards to promote the remote siting of liquefied natural gas pipeline facilities.”.

**SEC. 4. THERMAL AND VAPOR DISPERSION EXCLUSION ZONES.**

As soon as practicable after the date of enactment of this Act, the Commandant of the Coast Guard shall issue regulations establishing thermal and vapor dispersion exclusion zone requirements for vessels transporting liquefied natural gas that are based on sections 193.2057 and 193.2059 of title 49, Code of Federal Regulations (or any successor regulations).

By Mr. AKAKA:

S. 685. A bill to amend title IV of the Employee Retirement Income Security Act of 1974 to require the Pension Benefit Guaranty Corporation, in the case of airline pilots who are required by regulation to retire at age 60, to compute the actuarial value of monthly benefits in the form of a life annuity commencing at age 60; to the Committee on Health, Education, Labor, and Pensions.

Mr. AKAKA. Mr. President, last year, the Pension Benefit Guaranty Corporation, PBGC, announced that it was moving to assume responsibility for the pensions of more than 14,000 active and retired pilots at United Airlines. Today, the Air Line Pilots Association, which represents 6,400 active United pilots, is trying to negotiate an alternative to such a takeover.

Mr. President, one of the reasons I am here today talking about United's pilots is that they are at risk of losing a significant amount of their pension, not just because the PBGC may be taking over their pension, but because of the age that they are mandated to retire. While I believe that Congress needs to address the issue of underfunded pension plans, I believe that it is also important for us to address an inequity with airline pilots that are mandated to retire at age 60.

The bill that I introduced in the 108th Congress, and am reintroducing today, will ensure the fair treatment of commercial airline pilot retirees. The Pension Benefit Guaranty Corporation Pilots Equitable Treatment Act will lower the age requirement to receive the maximum pension benefits allowed by Pension Benefit Guaranty Corporation to age 60 for pilots, who are mandated by the Federal Aviation Administration, FAA, to retire before age 65.

Again, with the airline industry experiencing severe financial distress, we need to enact this legislation to assist pilots whose companies have been or will be unable to continue their defined benefit pension plans. My bill will slightly alter Title IV of the Employee Retirement Income Security Act of 1974 to require the Pension Benefit Guaranty Corporation to take into account the fact that pilots are required to retire at the age of 60, when calculating their benefits.

The Pension Benefit Guaranty Corporation was established to ensure that workers with defined benefit pension plans are able to receive some portion of their retirement income in cases where the employer does not have enough money to pay for all of the benefits owed. After the employer proves to the PBGC that the business is financially unable to support the plan, the PBGC takes over the plan as a trustee and ensures that the current and future retirees receive their pension benefits within the legal limits. Four of the ten largest claims in PBGC's history have been for airline pension plans. Although airline employees account for only two percent of participants historically covered by the PBGC, they have constituted approximately 17 percent of claims. For example, Eastern Airlines, Pan American, Trans World Airlines, and US Airways have terminated their pension plans and their retirees rely on the PBGC for their basic pension benefits.

The FAA requires commercial aviation pilots to retire when they reach the age of 60. Pilots are therefore denied the maximum pension benefit administered by the PBGC because they are required to retire before the age of 65. Herein lies the problem. Mr. President, if pilots want to work beyond the age 60, they have to request a waiver from the FAA. It is my understanding that the FAA does not grant many of these waivers, and I have even heard from some pilots that the FAA has never granted these waivers. Therefore, most of the pilots, if not all, do not receive the maximum pension guarantee because they are forced to retire at age 60.

The maximum guaranteed pension at the age of 65 for plans that terminate in 2003 is \$43,977.24. However, the maximum pension guarantee for a retiree is decreased to \$28,585.20 if a participant retires at the age of 60. This significant reduction in benefits puts pilots in a difficult position. With drastically reduced pensions and a prohibition on re-entering the piloting profession because of age, many pilots are subjected to undue hardship. While it is my sincere hope that existing airlines will be able to maintain their pension programs and that the change this bill makes will not be needed for any additional airline pension programs, I believe that my legislation is necessary to ensure that, at the minimum, airline pilots are not unfairly penalized for their employer's ability to maintain a pension plan. My legislation ensures that pilots can obtain the maximum PBGC benefit without being unfairly penalized for having to retire at 60, if their pension plan is terminated.

I urge my colleagues to support this bill. I ask that the text of my bill be printed in the RECORD.

Mr. President, I ask unanimous consent that the text 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. 685

*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 “Pension Benefit Guaranty Corporation Pilots Equitable Treatment Act”.

**SEC. 2. AGE REQUIREMENT FOR EMPLOYEES.**

(a) **SINGLE-EMPLOYER PLAN BENEFITS GUARANTEED.**—Section 4022(b) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1322(b)) is amended in the flush matter following paragraph (3), by adding at the end the following: “If, at the time of termination of a plan under this title, regulations prescribed by the Federal Aviation Administration require an individual to separate from service as a commercial airline pilot after attaining any age before age 65, paragraph (3) shall be applied to an individual who is a participant in the plan by reason of such service by substituting such age for age 65.”.

(b) **MULTIEMPLOYER PLAN BENEFITS GUARANTEED.**—Section 4022B(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1322b(a)) is amended by adding at the end the following: “If, at the time of termination of a plan under this title, regulations prescribed by the Federal Aviation Administration require an individual to separate from service as a commercial airline pilot after attaining any age before age 65, this subsection shall be applied to an individual who is a participant in the plan by reason of such service by substituting such age for age 65.”.

**SEC. 3. EFFECTIVE DATE.**

The amendments made by this Act shall apply to benefits payable on or after the date of enactment of this Act.

**SUBMITTED RESOLUTIONS**

**SENATE RESOLUTION 84—CONDAMNING VIOLENCE AND CRIMINALITY BY THE IRISH REPUBLICAN ARMY IN NORTHERN IRELAND**

Mr. KENNEDY (for himself, Mr. McCRAIN, Mr. DODD, Mrs. CLINTON, Mr. BIDEN, Mr. LEAHY, Mr. LAUTENBERG, Mr. SMITH, and Mr. GREGG) submitted the following resolution; which was considered and agreed to:

S. RES. 84

Whereas on January 30, 2005, a Catholic citizen of Belfast, Northern Ireland, Robert McCartney, was brutally murdered by members of the Irish Republican Army, who attempted to cover-up the crime and ordered all witnesses to be silent about the involvement of Irish Republican Army members;

Whereas the sisters of Robert McCartney, Catherine McCartney, Paula Arnold, Gemma McMacken, Claire McCartney, and Donna Mary McCartney, and his fiancée, Bridgeen Karen Hagans, refused to accept the code of silence and have bravely challenged the Irish Republican Army by demanding justice for the murder of Robert McCartney;

Whereas when outcry over the murder increased, the Irish Republican Army expelled 3 members, and 7 members of Sinn Fein, the political wing of the Irish Republican Army, were suspended from the party;

Whereas the leadership of Sinn Fein has called for justice, but has not called on those responsible for the murder or any of those who witnessed the murder to cooperate directly with the Police Service of Northern Ireland;

Whereas on March 8, 2005, the Irish Republican Army issued an outrageous statement in which it said it "was willing to shoot the killers of Robert McCartney"; and

Whereas peace and violence cannot coexist in Northern Ireland: Now, therefore, be it

*Resolved*, That—

(1) the Senate joins the people of the United States in deplored and condemning violence and criminality by the Irish Republican Army in Northern Ireland; and

(2) it is the sense of the Senate that—

(A) the sisters and fiancée of Robert McCartney deserve the full support of the United States in their pursuit of justice;

(B) the leadership of Sinn Fein should insist that those responsible for the murder and witnesses to the murder cooperate directly with the Police Service of Northern Ireland and be protected fully from any retaliation by the Irish Republican Army; and

(C) the Government of the United States should offer all appropriate assistance to law enforcement authorities in Northern Ireland to see that the murderers of Robert McCartney are brought to justice.

**SENATE RESOLUTION 85—DESIGNATING JULY 23, 2005, AND JULY 22, 2006, AS "NATIONAL DAY OF THE AMERICAN COWBOY"**

Mr. THOMAS (for himself, Mr. BURNS, Mr. INHOFE, Mr. DORGAN, Mr. CRAPO, Mr. SALAZAR, and Mr. ENZI) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 85

Whereas pioneering men and women, recognized as cowboys, helped establish the American West;

Whereas that cowboy spirit continues to infuse this country with its solid character, sound family values, and good common sense;

Whereas the cowboy embodies honesty, integrity, courage, compassion, respect, a strong work ethic, and patriotism;

Whereas the cowboy loves, lives off of, and depends on the land and its creatures, and is an excellent steward, protecting and enhancing the environment;

Whereas the cowboy continues to play a significant role in America's culture and economy;

Whereas approximately 800,000 ranchers are conducting business in all 50 of these United States and are contributing to the economic well being of nearly every county in the Nation;

Whereas rodeo is the sixth most-watched sport in America;

Whereas membership in rodeo and other organizations surrounding the livelihood of a cowboy transcends race and gender and spans every generation;

Whereas the cowboy is an American icon;

Whereas to recognize the American cowboy is to acknowledge America's ongoing commitment to an esteemed and enduring code of conduct; and

Whereas the ongoing contributions made by cowboys to their communities should be recognized and encouraged: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates July 23, 2005, and July 22, 2006, as "National Day of the American Cowboy"; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

Mr. THOMAS. Mr. President, I rise today to submit a resolution designating July 23, 2005, and July 26, 2006, as "National Day of the American Cowboy."

Although cowboys are typically characterized as young, single men, those of us who come from the West know that cowboys come in any age, race, marital status, and gender. One 19th-century definition described "cowboy" as "anybody with guts and a horse." I personally believe trying to define a cowboy is like trying to rope the wind, but you certainly recognize one when you see them.

The Cowboy played a significant role in American history, specifically in establishing the American West. After the Civil War, there was an acute shortage of beef in the northern States. Western ranchers were burdened with an abundance of cattle and no railroads on which to ship them to market. Realizing the immense profit to be made, these cattlemen looked for the nearest railheads. Thus, began the era of the long cattle drive and the Cowboy.

As a result of these drives, cow towns sprung up at cattle shipping points. These areas began to grow and thrive as western communities. Even after the cattle drive era passed, many cow towns remained solid business and farming communities. Many remain so to this day.

The Cowboy continues to impact America through our economy and culture. Currently, there are approximately 800,000 ranchers conducting business in every State. These folks contribute to the economic well being of nearly every county in the Nation. Every 1 dollar in cattle sales generates about 5 dollars in additional U.S. business activity. Outside of business, cowboys also contribute significantly to humanitarian causes. The Professional Rodeo Cowboys Association's activities alone raise millions of dollars for local and national charities each year.

Culturally, Americans have always idolized cowboys and their way of life. Most of us have fond memories of playing cowboys and outlaws, hearing stories of Buffalo Bill Cody's famous Wild West Show, or watching cowboy icons such as Roy Rogers, Dale Evans, Gene Autry and John Wayne. Western publications, music, television shows, movies and sporting events remain as abundant and popular as ever. In fact, rodeo, a sport which developed from the skills cowboys needed in their daily routine, is the sixth most watched sport in America.

Our country looks to cowboys as role models because we admire their esteemed and enduring code of conduct. Gene Autry's Cowboy Code does a nice job of illustrating the way a cowboy chooses to live. Cowboys are honest; they do not go back on their word. They have integrity and courage in the face of danger. Cowboys respect others, defend those who cannot defend themselves and hold their families dear. They are good stewards of the land and all its creatures, possess a strong work ethic, and are loyal to their country.

The Cowboy lives his or her life in a way most cannot help but admire.

In my State, you do not have to go to the movie theater or a rodeo to see a cowboy. You see them every day on the street, in the grocery store, or driving into town from their ranches. Many of the Wyoming cowboys you see today are decedents of the cowboys that braved the frontier before Wyoming was a State. Like those before them, these folks still enjoy Wyoming's open spaces, know the satisfying feeling at the end of a good, hard day at work, and appreciate a smile or tip of the hat from a friendly neighbor. These westerners feel at home in Wyoming because they know it was, is and always will be cowboy country.

I know my State would not be the same without the contributions of cowboys, past and present, and I am sure many of my colleagues feel the same way. It is time for the American Cowboy to be recognized.

**SENATE RESOLUTION 86—DESIGNATING AUGUST 16, 2005, AS "NATIONAL AIRBORNE DAY"**

Mr. HAGEL (for himself, Mr. BINGAMAN, Ms. CANTWELL, Mr. BURNS, Mr. INOUE, Mr. JOHNSON, Mrs. DOLE, Mrs. BOXER, Ms. LANDRIEU, Mr. ALEXANDER, Ms. SNOWE, Mrs. CLINTON, Mr. REID, Mr. COCHRAN, Mr. GREGG, Mr. BURR, Mr. ISAKSON, Mr. HATCH, and Mr. REED) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 86

Whereas the airborne forces of the United States Armed Forces have a long and honorable history as units of adventuresome, hardy, and fierce warriors who, for the national security of the United States and the defense of freedom and peace, project the effective ground combat power of the United States by Air Force air transport to the far reaches of the battle area and, indeed, to the far corners of the world;

Whereas August 16, 2005, marks the anniversary of the first official validation of the innovative concept of inserting United States ground combat forces behind the battle line by means of a parachute;

Whereas the United States experiment of airborne infantry attack began on June 25, 1940, when the Army Parachute Test Platoon was first authorized by the United States Department of War, and was launched when 48 volunteers began training in July of 1940;

Whereas the Parachute Test Platoon performed the first official Army parachute jump on August 16, 1940;

Whereas the success of the Parachute Test Platoon in the days immediately preceding the entry of the United States into World War II led to the formation of a formidable force of airborne units that, since then, have served with distinction and repeated success in armed hostilities;

Whereas among those units are the former 11th, 13th, and 17th Airborne Divisions, the venerable 82nd Airborne Division, the versatile 101st Airborne Division (Air Assault), and the airborne regiments and battalions (some as components of those divisions, some as separate units) that achieved distinction as the elite 75th Ranger Regiment, the 173rd Airborne Brigade, the 187th Infantry (Airborne) Regiment, the 503rd,