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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Father of life, we praise You and honor Your Holy Name. Awaken in us the joy of living this day, all new, in challenge and in hope. Lift our hearts amid the fathomless beauty of creation above all malice and indifference.

Use our Senators today to do Your bidding. May they fill these precious hours with redeeming radiance and substantive labor that will make a stronger nation and a better world. Turn their sorrow into joy and their sadness into singing. Give them courage that banishes fear and a gratitude worthy of Your grace.

We pray in Your worthy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BENJAMIN L. CARDIN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will read a please communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 30, 2008.

To the Senate:

Under the provisions of rule 1, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BENJAMIN L. CARDIN,

a Senator from the State of Maryland, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. CARDIN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of Mr. MCCONNELL, if he decides to make such remarks, the Senate will resume consideration of H.R. 2881, the Federal Aviation Administration Reauthorization Act. Senator DURBIN will be recognized to offer an amendment on his behalf and that of Senator KAY BAILEY HUTCHISON.

As a reminder, the joint meeting of Congress with the Prime Minister of Ireland, Bertie Ahern, is today at 11 a.m. Senators attending the meeting will gather in the Senate at 10:30 a.m. and proceed as a body to the Hall of the House at 10:40 a.m. In order to accommodate the joint meeting, the Senate will then be in recess from 10:40 until 12 noon.

Mr. President, the first amendment is a bipartisan amendment that will be offered, as I have indicated, by Senator DURBIN and Senator HUTCHISON. I am going to have another conversation with the distinguished Republican leader as soon as he completes his statement here today, to see if we can figure out an orderly way to proceed on this very important piece of legislation. I think the managers have a good feel of this legislation. They think it is something we can complete fairly quickly. We just have to make sure we legislate on the FAA aspect of what is going on in the world today and not

other things that have no bearing on this issue. We will see what we can work out. Hopefully, we can have a good day today and, with a little bit of good fortune, finish this bill this week.

RECOGNITION OF THE REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, I apologize in advance for my pollen-ridden voice this morning. It makes it a bit of a challenge to speak.

TRIBUTE TO BILL KEIGHTLEY

Mr. MCCONNELL. Mr. President, I rise today to pay tribute to a man who was a fixture of Kentucky basketball, with a fervent passion for competition and a fast loyalty to his country, his State, and his beloved University of Kentucky Wildcats.

Bill Keightley, affectionately known as "Mr. Wildcat," passed away recently at the age of 81. He embodied the spirit and tradition that is Kentucky basketball. Born William Bond Keightley in 1926, Mr. Keightley was an All-State center for the Kavanaugh High School basketball team in his hometown of Lawrenceburg, KY.

He later enlisted in the U.S. Marine Corps and bravely served his country during World War II. After the war, Mr. Keightley spent much of his young adulthood working as a mail carrier.

Then in 1962, his friend and fellow postman George Hukle asked him to help out washing jerseys and towels for the University of Kentucky men's basketball team. Over the next 4½ decades, he proved himself indispensable as the school's top cheerleader, ambassador of goodwill and confidante to players and coaches alike.

"Mr. Bill," as he was called by friends and family, witnessed three national championships, befriended six

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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head coaches, and cared for hundreds of players over his long career.

Loved by fans and respected by opponents, he earned a permanent seat on the Kentucky bench at every game. In fact, Mr. Keightley attended more than 1,400 UK basketball games, nearly 60 percent of all games ever recorded. And former UK basketball coach Orlando "Tubby" Smith points out that "it has been . . . us [coaches] sitting next to him, not him sitting next to us."

Mr. Keightley often served as a father-like figure to the players, and many recall his talks with "his boys" on anything from Kentucky sports to lessons of integrity and pride. "Players, coaches, and athletic directors come and go, but Bill Keightley was constant," says Kenny Walker, a friend and former UK player.

John Pelphrey, member of the "Unforgettable" 1992 Wildcats team and now head coach at Arkansas University, says:

For 48 years, Mr. Bill looked over coaches and student-athletes with love and care that only a father could give . . . every time we had an encounter, there was a hearty hello, a hug, and a laugh, every single time, just like the first time.

In 1997, Mr. Bill's jersey was elevated into the rafters of Rupp Arena, making him one of only two people to receive this honor without having taken to the court to play the game.

In 2005, he was entered with the charter class into the UK Athletics Hall of Fame. The equipment room in Lexington's Memorial Coliseum was named in his honor, and he humbly presided over it until his unfortunate passing this past March 31.

Noted Lexington sportscaster and friend Dave Baker says of Mr. Keightley:

He knew just when to lend a hand to the young man from Appalachia who was adjusting to the big city, or a young man who had been recruited from out-of-state and was getting accustomed to a brand new life in Kentucky. Mr. Keightley lived his life as a celebration.

Perhaps the most lasting tribute to Bill began in 2002, when the University of Kentucky athletic department presented its first Bill Keightley Award to the individual "who exemplifies the pride, respect, and positive attributes" associated with the University of Kentucky basketball program. They still present this award annually, to honor Mr. Bill.

UK followers and basketball lovers across the Commonwealth have lost the sport's No. 1 fan. And I know I speak for all of them when I say our prayers and best wishes of support go out to his family, including his wife, Hazel; and his daughter and son-in-law, Karen and Alden Marlowe.

UK President Lee Todd, Jr., best expressed what many Kentuckians are feeling when he said that we have "lost someone who was not only the face of Kentucky Wildcat basketball, but the University itself." I second his words, and add to them my own: We will not soon forget the loyalty, passion, and

dedication to excellence that Bill Keightley exemplified.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

FAA REAUTHORIZATION ACT OF 2007

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 2881 which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2881) to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes.

Pending:

Rockefeller amendment No. 4585 in the nature of a substitute.

The ACTING PRESIDENT pro tempore. The assistant majority leader is recognized.

Mr. DURBIN. Mr. President, it is my understanding under the agreement that I can proffer an amendment at this time to the bill?

The ACTING PRESIDENT pro tempore. The Senator is correct.

AMENDMENT NO. 4587 TO AMENDMENT NO. 4585

Mr. DURBIN. I send an amendment to the desk and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN], for himself and Mrs. HUTCHISON, Mr. BROWN, Mr. INHOFE, Mr. LAUTENBERG, Mr. VOINOVICH, Mr. NELSON of Florida, Mr. CORNYN, Mr. MENENDEZ, Mr. HARKIN, and Mr. BOND, proposes amendment numbered 4587 to amendment No. 4585.

The amendment is as follows:

(Purpose: To strike the provision relating to required funding of new accruals under air carrier pension plans)

Strike section 808.

Mr. DURBIN. Mr. President, if you sat down this morning to design a system that would offer American workers the most secure retirement possible, where would you start? If you are starting from scratch, what principles would guide you?

Here are a few I think you might begin with. First, you want to encourage companies to offer secure retirement benefits. That is obvious. Second, you want to ensure that companies keep their promises to their employees and retirees. That ought to be at the top of the list. Third, don't create circumstances under which employers decide they can't afford to keep offering decent retirement benefits without becoming uncompetitive as a business or insolvent. That is pretty sensible. Fourth, treat all the companies in an

industry equally so as not to pick the winners and losers. Don't tip the scales.

There are many other goals you might set out to achieve. Of course, we are not starting from scratch this morning, and this is not primarily a pensions bill, it is a reauthorization bill for the Federal Aviation Administration. But the substitute amendment we are now considering contains one pension provision that I think violates the principles I just laid out. That is why I am offering an amendment with Senator HUTCHISON of Texas, with a lengthy list of bipartisan cosponsors, to strike that provision of the bill.

The impact of our amendment will be to provide retirement security for over 180,000 American workers and at the same time maintain air service for all of our constituents in over 300 cities in our Nation and around the world.

Who supports this amendment dealing with the pensions of workers? The workers themselves. It is supported by the 135,000-strong Transport Workers Union of the AFL/CIO, and it is supported by a long list, a bipartisan list of cosponsors starting with Senator HUTCHISON, who will be speaking a little later on this amendment this morning, as well as Senator BROWN of Ohio, Senator INHOFE of Oklahoma, Senator LAUTENBERG of New Jersey, Senator VOINOVICH of Ohio, Senator BILL NELSON of Florida, Senator JOHN CORNYN of Texas, Senator BOB MENENDEZ of New Jersey, and Senator TOM HARKIN of Iowa. As you can tell from this list, this is a very diverse sponsorship—both sides of the aisle, all over the country. We have the support of the workers whose pensions are being affected, and we have the support of Senators from both sides of the aisle in a bipartisan fashion to strike this section of the bill.

It is a little complicated, but for the record we need to get into the background of why we are here today.

In 2006, we passed the Pension Protection Act, which established new rules for defining which companies were meeting their obligations to their employees and retirees and which companies were not. All the companies in America were, in effect, given 7 years to catch up on any underfunded pension plan, and rules were established regarding how the underfunding was to be estimated. That is only right and sensible because if we are going to offer a pension to an employee and the employee can count on that pension, they have to make sure the pension plan is adequately funded so when they call on that plan at the time of retirement, the benefits will be there, the benefits that have been promised over the lifetime of a worker.

It affected all the companies in America except for airlines. We recognized at the time that the airlines were facing unique circumstances. They owed huge amounts of money to hundreds of thousands of workers and retirees, and yet they were facing a very