

(2) the applicability of the program would result in an increase in electricity or gasoline prices.

**SA 2553.** Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 2513 submitted by Mr. SCHUMER and intended to be proposed to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 6 of the amendment, strike "shall use" and insert "may use up to".

**SA 2554.** Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2511 proposed by Mr. COBURN to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

**SEC. \_\_\_\_ . PROHIBITION ON USE OF FUNDS FOR NO-BID CONTRACTS AND GRANTS.**

(a) IN GENERAL.—Notwithstanding any other provision of this Act and subject to subsection (b), none of the funds appropriated or otherwise made available by this Act may be—

(1) used to make any payment in connection with a contract not awarded using competitive procedures in accordance with the requirements of section 303 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253), section 2304 of title 10, United States Code, and the Federal Acquisition Regulation; or

(2) awarded by a grant not subject to merit-based competitive procedures, needs-based criteria, and other procedures specifically authorized by law to select the grantee or award recipient.

(b) LIMITATIONS.—The prohibition under subsection (a), shall not apply to the awarding of contracts or grants with respect to which—

(1) not more than 1 applicant submits a bid for a contract or grant;

(2) Federal law specifically otherwise authorizes a grant or contract to be entered into without regard for the laws, regulations, or requirements described in subsection (a)(1), including formula grants for States; or

(3) Federal laws otherwise authorize grants, contracts, or compacts to federally recognized Indian tribes or tribally owned businesses.

**SA 2555.** Mr. JOHANNIS submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . (a) HIGH PRIORITY NATIONAL GUARD COUNTERDRUG PROGRAMS.**—Of the amount appropriated or otherwise made available by title VI under the heading "DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE", up to \$30,000,000 may be available for the purpose of High Priority National Guard Counterdrug Programs.

(b) SUPPLEMENT NOT SUPPLANT.—The amount made available by subsection (a) for the purpose specified in that subsection is in addition to any other amounts made available by this Act for that purpose.

**NOTICE OF HEARING**

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Public Lands and Forests.

The hearing will be held on Thursday, October 8, 2009, at 2:30 p.m. in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the following bills:

S. 522, to resolve the claims of the Bering Straits Native Corporation and the State of Alaska to land adjacent to Salmon Lake in the State of Alaska and to provide for the conveyance to the Bering Straits Native Corporation of certain other public land in partial satisfaction of the land entitlement of the Corporation under the Alaska Native Claims Settlement Act;

S. 865 and H.R. 1442, to provide for the sale of the Federal Government's reversionary interest in approximately 60 acres of land in Salt Lake City, Utah, originally conveyed to the Mount Olivet Cemetery Association under the Act of January 23, 1909;

S. 881, to provide for the settlement of certain claims under the Alaska Native Claims Settlement Act, and for other purposes;

S. 940, to direct the Secretary of the Interior to convey to the Nevada System of Higher Education certain Federal land located in Clark and Nye counties, Nevada, and for other purposes;

S. 1272, to provide for the designation of the Devil's Staircase Wilderness Area in the State of Oregon, to designate segments of Wasson and Franklin Creeks in the State of Oregon as wild or recreation rivers, and for other purposes; and

S. 1689, to designate certain land as components of the National Wilderness Preservation System and the National Landscape Conservation System in the State of New Mexico, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to allison.seyferth@energy.senate.gov.

For further information, please contact David Brooks at (202) 224-9863 or Allison Seyferth at (202) 224-4905.

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON ARMED SERVICES**

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that Committee on Armed Services be authorized to meet during the session of the Senate on September 24, 2009, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS**

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Com-

mittee Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on September 24, 2009, at 9:30 a.m., to conduct a hearing entitled "Emergency Economic Stabilization Act: One year later."

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON FINANCE**

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on September 24, 2009, at 9:30 a.m., in room 216 of the Hart Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON THE JUDICIARY**

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on September 24, 2009, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

**SELECT COMMITTEE ON INTELLIGENCE**

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on September 24, 2009, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

**SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY**

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on September 24, 2009, at 10:30 a.m. to conduct a hearing entitled, "Getting to Better Government: Focusing on Performance".

The PRESIDING OFFICER. Without objection, it is so ordered.

**SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA**

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs's Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on September 24, 2009, at 2:30 p.m. to conduct a hearing entitled "A Review of U.S. Diplomatic Readiness: Addressing the Staffing and Foreign Language Challenges Facing the Foreign Service."

The PRESIDING OFFICER. Without objection, it is so ordered.

#### FISCAL YEAR 2010 FEDERAL AVIATION ADMINISTRATION EXTENSION ACT

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 3607; that the bill be read the third time and passed; that the motion to reconsider be laid upon the table, and that any statements relating to the matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3607) was ordered to be read a third time, was read the third time, and passed.

#### RESERVE OFFICERS ASSOCIATION MODERNIZATION ACT OF 2009

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 158, S. 1599.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1599) to amend title 36, United States Code, to include in the federal charter of the Reserve Officers Association leadership positions newly added in its constitution and bylaws.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEAHY. Mr. President, I am pleased that today the Senate will pass the Reserve Officers Association Modernization Act of 2009. I thank Senator CHAMBLISS and Senator PRYOR, cosponsors of this legislation and chairs of the U.S. Reserve Caucus, for their hard work and support of this legislation.

This legislation makes several updates to the charter of the Reserve Officers Association, ROA, to more accurately reflect the organization's current operation. First, it adds the position of "president elect" to its constitution and bylaws. Additionally, under the legislation, the national executive committee is expanded to include three representatives from each of the seven branches of the uniformed services. This bill makes the first changes to the ROA charter since 1998 and will enable ROA to continue its good work.

Since its founding in 1922, the ROA has worked on behalf of the National Guard and Reserves and their families. For over 85 years, ROA has remained committed to its original mission, to "support and promote the development and execution of a military policy for the United States that will provide adequate National security." The Reserve Officers Association represents the Reserve components officers for the Army, Air Force, Navy, Marine Corps, Coast Guard, the Air and Army National Guard, Public Health Service, and the officers of the National Oceanic and Atmospheric Administration.

As chair of the Senate National Guard Caucus, I have worked closely

with groups like the Reserve Officers Association, ROA, to ensure that the National Guard and Reserves have access to more affordable health care, a greater influence in the military, adequate training facilities and supplies, and shorter troop deployments in Iraq and Afghanistan. The National Guard and Reserves provide an invaluable contribution to our Nation's military, our national security, and disaster relief efforts, and it is vital that we continue to support their needs.

The Reserve Officers Association has provided a voice to the men and women that serve our country in the National Guard and Reserves. I am proud that today the Senate has demonstrated its support for the brave members of the National Guard and Reserves by passing this legislation.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read the third time, passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1599) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:  
S. 1599

*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 "Reserve Officers Association Modernization Act of 2009".

#### SEC. 2. INCLUSION OF NEW LEADERSHIP POSITIONS IN THE FEDERAL CHARTER OF THE RESERVE OFFICERS ASSOCIATION.

(a) NATIONAL EXECUTIVE COMMITTEE.—Section 190104(b)(2) of title 36, United States Code, is amended—

(1) by inserting "the president elect," after "the president,";

(2) by inserting "a minimum of" before "3 national executive committee members,"; and

(3) by striking "except the executive director," and inserting "except the president elect and the executive director,".

(b) OFFICERS.—Section 190104(c) of such title is amended—

(1) in paragraph (1)—

(A) by inserting "a president elect," after "a president,";

(B) by inserting "a minimum of" before "3 national executive committee members,";

(C) by striking "a surgeon, a chaplain, a historian, a public relations officer,"; and

(D) by striking "as decided at the national convention" and inserting "specified in the constitution of the corporation"; and

(2) in paragraph (2)—

(A) by inserting "and take office" after "be elected"; and

(B) by striking "and the national public relations officer," and inserting "the judge advocate, and any other national officers specified in the constitution of the corporation,".

(c) VACANCIES.—Section 190104(d)(1) of such title is amended by striking "president and last past president," and inserting "president, president elect, and last past president,".

(d) RECORDS AND INSPECTION.—Section 190109(a)(2) of such title is amended by striking "national council," and inserting "other national entities of the corporation,".

Mrs. BOXER. Mr. President, tonight the Senate has approved a 3-month extension of the FAA Reauthorization Act.

While I understand the importance of passing a short-term extension of this law, I am disappointed that the full Senate has yet to act on the FAA reauthorization bill that was ordered reported by the Senate Commerce Committee in July. That bill, the FAA Air Transportation Modernization and Safety Improvement Act, includes long overdue legislation known as the Airline Passenger Bill of Rights.

Too often, airline passengers are trapped on airplanes without basic needs such as food, water, medicine, working restrooms or proper cabin ventilation.

Just last month, passengers on a flight from Houston to Minneapolis-St. Paul were diverted to Rochester, MN, and forced to spend the night trapped in a small commuter airplane.

Two weeks later, a flight carrying more than 100 passengers bound for Minneapolis was forced to sit on the tarmac at JFK airport in New York for 6 hours before finally departing. The passengers, including parents traveling with infants, were forced to endure overflowing bathrooms and had no real food or water to speak of.

These are not isolated examples of a few airlines with ineffective policies. USA Today recently reported that since January 2007, 200,000 domestic passengers on 3,000 flights have been stranded in airplanes on the tarmac for 3 hours or more.

This is unacceptable. We must pass the Airline Passenger Bill of Rights this year—before the 3-month extension of the FAA reauthorization bill expires. The Passenger Bill of Rights, which I have introduced with Senator OLYMPIA SNOWE, would require airlines to offer passengers the option of safely leaving a plane they have boarded once that plane has sat on the ground for 3 hours.

Americans deserve a safe and efficient aviation system. We cannot afford to wait another year to pass long overdue legislation that will make our skies safer and protect passengers from excessive tarmac delays. No American should ever be forced to spend the night in a plane on an airport tarmac. We can prevent this and we must.

I know the Senate is working to address many important challenges at this time. But, we cannot lose sight of the aviation challenges facing our country. It is time for Congress to meet its responsibility to the flying public.

#### GRANTING A FEDERAL CHARTER TO THE MILITARY OFFICERS ASSOCIATION OF AMERICA

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 832, and that the Senate proceed to its immediate consideration.