

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.

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

The clerk will report.

The legislative clerk read as follows:

A bill (S. 832) to amend title 36, United States Code, to grant a Federal charter to the Military Officers Association of America, and for other purposes.

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

Mr. REID. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and if there are statements, I ask that they be printed in the RECORD.

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

The bill (S. 832) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 832

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

# SECTION 1. GRANT OF FEDERAL CHARTER TO MILITARY OFFICERS ASSOCIATION OF AMERICA.

(a) GRANT OF CHARTER.—Part B of subtitle II of title 36, United States Code, is amended by inserting after chapter 1403 the following new chapter:

## “CHAPTER 1404—MILITARY OFFICERS ASSOCIATION OF AMERICA

“Sec.

“140401. Organization.

“140402. Purposes.

“140403. Membership.

“140404. Governing body.

“140405. Powers.

“140406. Restrictions.

“140407. Tax-exempt status required as condition of charter.

“140408. Records and inspection.

“140409. Service of process.

“140410. Liability for acts of officers and agents.

“140411. Annual report.

“140412. Definition.

## “§ 140401. Organization

“(a) FEDERAL CHARTER.—Military Officers Association of America (in this chapter, the ‘corporation’), a nonprofit organization that meets the requirements for a veterans service organization under section 501(c)(19) of the Internal Revenue Code of 1986 and is organized under the laws of the Commonwealth of Virginia, is a federally chartered corporation.

“(b) EXPIRATION OF CHARTER.—If the corporation does not comply with the provisions of this chapter, the charter granted by subsection (a) shall expire.

## “§ 140402. Purposes

“(a) GENERAL.—The purposes of the corporation are as provided in its bylaws and articles of incorporation and include—

“(1) to inculcate and stimulate love of the United States and the flag;

“(2) to defend the honor, integrity, and supremacy of the Constitution of the United States and the United States Government;

“(3) to advocate military forces adequate to the defense of the United States;

“(4) to foster the integrity and prestige of the Armed Forces;

“(5) to foster fraternal relations between all branches of the various Armed Forces from which members are drawn;

“(6) to further the education of children of members of the Armed Forces;

“(7) to aid members of the Armed Forces and their family members and survivors in every proper and legitimate manner;

“(8) to present and support legislative proposals that provide for the fair and equitable treatment of members of the Armed Forces, including the National Guard and Reserves, military retirees, family members, survivors, and veterans; and

“(9) to encourage recruitment and appointment in the Armed Forces.

## “§ 140403. Membership

“Eligibility for membership in the corporation, and the rights and privileges of members of the corporation, are as provided in the bylaws of the corporation.

## “§ 140404. Governing body

“(a) BOARD OF DIRECTORS.—The composition of the board of directors of the corporation, and the responsibilities of the board, are as provided in the articles of incorporation and bylaws of the corporation.

“(b) OFFICERS.—The positions of officers of the corporation, and the election of the officers, are as provided in the articles of incorporation and bylaws.

## “§ 140405. Powers

“The corporation has only those powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

## “§ 140406. Restrictions

“(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

“(b) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member of the corporation during the life of the charter granted by this chapter. This subsection does not prevent the payment of reasonable compensation to an officer or employee of the corporation or reimbursement for actual necessary expenses in amounts approved by the board of directors.

“(c) LOANS.—The corporation may not make a loan to a director, officer, employee, or member of the corporation.

“(d) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—The corporation may not claim congressional approval or the authority of the United States Government for any of its activities.

“(e) CORPORATE STATUS.—The corporation shall maintain its status as a corporation incorporated under the laws of the Commonwealth of Virginia.

## “§ 140407. Tax-exempt status required as condition of charter

“If the corporation fails to maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986, the charter granted under this chapter shall terminate.

## “§ 140408. Records and inspection

“(a) RECORDS.—The corporation shall keep—

“(1) correct and complete records of account;

“(2) minutes of the proceedings of the members, board of directors, and committees of the corporation having any of the authority of the board of directors of the corporation; and

“(3) at the principal office of the corporation, a record of the names and addresses of the members of the corporation entitled to vote on matters relating to the corporation.

“(b) INSPECTION.—A member entitled to vote on any matter relating to the corporation, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose at any reasonable time.

## “§ 140409. Service of process

“The corporation shall comply with the law on service of process of each State in

which it is incorporated and each State in which it carries on activities.

## “§ 140410. Liability for acts of officers and agents

“The corporation is liable for any act of any officer or agent of the corporation acting within the scope of the authority of the corporation.

## “§ 140411. Annual report

“The corporation shall submit to Congress an annual report on the activities of the corporation during the preceding fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101(b) of this title. The report may not be printed as a public document.

## “§ 140412. Definition

“In this chapter, the term ‘State’ includes the District of Columbia and the territories and possessions of the United States.”

(b) CLERICAL AMENDMENT.—The table of chapters at the beginning of subtitle II of title 36, United States Code, is amended by inserting after the item relating to chapter 1403 the following new item:

“1404. Military Officers Association of America ..... 140401”.

## MEASURES DISCHARGED

Mr. REID. Mr. President, I ask unanimous consent that the Environment and Public Works Committee be discharged from further consideration of the following bills, all en bloc: H.R. 2913, H.R. 1687, H.R. 2053, H.R. 2498, and H.R. 2121; that the bills be read a third time and passed, en bloc, with the motions to reconsider laid upon the table.

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

## SIDNEY M. ARONOVITZ UNITED STATES COURTHOUSE

The bill (H.R. 2913) was ordered to a third reading, was read the third time, and passed.

## RALPH REGULA FEDERAL BUILDING AND UNITED STATES COURTHOUSE

The bill (H.R. 1687) was ordered to a third reading, was read the third time, and passed.

## ALBERT ARMENDARIZ, SR., UNITED STATES COURTHOUSE

The bill (H.R. 2053) was ordered to a third reading, was read the third time, and passed.

## WILLIAM O. LIPINSKI FEDERAL BUILDING

The bill (H.R. 2498) was ordered to a third reading, was read the third time, and passed.

## CONVEYANCE OF REAL PROPERTY IN GALVESTON, TEXAS

The bill (H.R. 2121) was ordered to a third reading, was read the third time, and passed.