

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 456—CONGRATULATING RADFORD UNIVERSITY ON THE 100TH ANNIVERSARY OF THE UNIVERSITY

Mr. WEBB (for himself and Mr. WARNER) submitted the following resolution; which was considered and agreed to:

S. RES. 456

Whereas Radford University was chartered on March 10, 1910, by the Commonwealth of Virginia as the State Normal and Industrial School for Women at Radford;

Whereas Radford University was chartered to prepare teachers to educate the people of the United States;

Whereas Radford University has grown substantially in scope and quality since the day on which the university was chartered;

Whereas Radford University was renamed the Radford State Teachers College in 1924 and the Women's Division of Virginia Polytechnic Institute in 1944, respectively;

Whereas Radford University was renamed Radford College in 1964 when the relationship between the Virginia Polytechnic Institute and Radford University ended;

Whereas Radford College was renamed Radford University in 1979;

Whereas, since the founding of the university, Radford University has provided thousands of students with the benefits of a Radford education;

Whereas Radford University graduates have made meaningful and lasting contributions to society through service, including service in—

- (1) education;
- (2) the sciences;
- (3) business;
- (4) health and human services;
- (5) government;
- (6) the arts and humanities; and
- (7) other endeavors;

Whereas Radford University is a productive and vital academic community with thousands of students;

Whereas the students of Radford University approach university life with an enthusiasm for learning and personal development;

Whereas the brilliant faculty of Radford University is committed to the highest ideals of academic scholarship and the advancement of society;

Whereas the devoted administrators and staff members of Radford University strive to foster an environment that supports the noble work of the university;

Whereas the centennial of Radford University is an appropriate time for faculty, staff, students, alumni, and friends—

(1) to unite in recognition of the past achievements Radford University with pride; and

(2) to consider ways to create an even more successful university during the century ahead;

Whereas Radford University celebrates the culture of service of the university through a program entitled "Centennial Service Challenge" that invites every member of the campus and extended university community to engage in, and document community service in honor of, the centennial; and

Whereas Radford University will observe a Centennial Charter Day Celebration on March 24, 2010, and host numerous other academic programs and arts and cultural events throughout 2010 to commemorate the event: Now, therefore, be it

Resolved, That the Senate commends Radford University on the 100th anniversary of the university.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3524. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 3512 submitted by Ms. CANTWELL and intended to be proposed to the amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table.

SA 3525. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3526. Mr. BROWN, of Ohio submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3527. Mr. MCCAIN proposed an amendment to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra.

SA 3528. Mr. MCCAIN (for himself, Mr. REID, Mr. KYL, and Mr. ENSIGN) proposed an amendment to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra.

SA 3529. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3530. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3531. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra.

SA 3532. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3533. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3534. Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3535. Mr. BEGICH submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3536. Mr. BEGICH submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3537. Mr. BROWN, of Ohio (for himself and Mr. VOINOVICH) submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3538. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3539. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3540. Mr. WHITEHOUSE proposed an amendment to the bill S. 1782, to provide im-

provements for the operations of the Federal courts, and for other purposes.

SA 3541. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3524. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 3512 submitted by Ms. CANTWELL and intended to be proposed to the amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

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

SEC. 7. PROMOTION OF JOB CREATION AND TOURISM IN GATEWAY COMMUNITIES AND NATIONAL PARKS.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Federal Aviation Administration.

(2) GATEWAY COMMUNITY.—The term "gateway community" means a community near or within a unit of the national park system that facilitates visitation, tourism, promotion, and conservation of the park.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Director of the National Park Service.

(b) STUDY OF PROMOTION OF JOB CREATION AND TOURISM IN GATEWAY COMMUNITIES.—

(1) IN GENERAL.—The Secretary shall conduct a study of job creation and tourism promoted by the National Park Service in gateway communities, including job creation and tourism through—

- (A) hunting and shooting sports;
- (B) motorized recreation;
- (C) search and rescue operations;
- (D) security;
- (E) highways; and
- (F) aviation.

(2) TECHNICAL ASSISTANCE.—If the Secretary identifies aviation or aircraft as 1 of the sources of job creation and tourism promotion in the study, the Administrator shall provide technical assistance to the Secretary to carry out the study with respect to aviation or aircraft, respectively.

(c) STUDY OF NATIONAL PARK SERVICE METHODS OF PROMOTING JOB CREATION AND TOURISM IN GATEWAY COMMUNITIES.—The Secretary, in coordination with the Administrator, shall conduct a study of National Park Service methods of promoting job creation and tourism in gateway communities, including job creation and tourism through—

- (1) hunting and shooting sports;
- (2) motorized recreation;
- (3) search and rescue operations;
- (4) security;
- (5) highways; and
- (6) aviation.

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report that—

(1) describes the results of the studies conducted under subsections (b) and (c); and

(2) includes any recommendations that the Secretary determines to be appropriate.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

SA 3525. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

Beginning on page 71, strike line 8 and all that follows through line 8 on page 74, and insert the following:

(A) OPERATION EVALUATION PARTNERSHIP AIRPORT PROCEDURES.—

(1) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall publish a report, after consultation with representatives of appropriate Administration employee groups, airport operators, air carriers, aircraft manufacturers, and third parties that have received letters of qualification from the Federal Aviation Administration to design and validate required navigation performance flight paths for public use (in this section referred to as “qualified third parties”), that includes the following:

(A) **RNP/RNAV OPERATIONS.**—With respect to area navigation and required navigation performance operations, the following:

(i) Which of the 35 Operational Evolution Partnership airports identified by the Federal Aviation Administration would benefit from implementation of area navigation procedures alone and which would benefit from implementation of both area navigation and required navigation performance procedures.

(ii) The required navigation performance and area navigation operations, including procedures to be developed, certified, and published, necessary to maximize the efficiency and capacity of NextGen commercial operations at each of those airports.

(iii) The air traffic control operational changes, which connect the terminal environment and en route airspace, necessary to maximize the efficiency and capacity of NextGen commercial operations at each of those airports.

(iv) The number of potential required navigation performance procedures at each of those airports.

(v) Of the number of required navigation performance procedures identified under clause (iv) for an airport—

(I) the number of such procedures that would be an overlay of an existing instrument flight procedure and supporting analysis;

(II) the number of such procedures that would enable greater use of continuous descent arrivals; and

(III) an assessment of the priority for implementation of each such procedure.

(vi) The timeline for the Federal Aviation Administration to certify required navigation performance as a precision approach.

(B) COORDINATION AND IMPLEMENTATION ACTIVITIES.—With respect to the coordination and implementation of required navigation performance procedures, the following:

(i) A description of the activities and operational changes and approvals required from the Federal Aviation Administration to coordinate and utilize required navigation performance procedures at the 35 Operational Evolution Partnership airports identified by the Federal Aviation Administration.

(ii) A description of the software and database information, such as a current version of the Noise Integrated Routing System or the Integrated Noise Model, that the Administration will need to make available to qualified third parties to enable those third parties to design procedures that will meet the broad range of requirements of the Administration.

(C) IMPLEMENTATION PLAN.—A plan for implementing the required navigation performance procedures identified under subparagraph (A) that establishes—

(i) a clearly defined budget, schedule, project organization, and leadership requirements;

(ii) specific steps for implementation and transition;

(iii) coordination and communications mechanisms with qualified third parties;

(iv) specific procedures for engaging the appropriate Administration employee groups to ensure that human factors, training, and other issues surrounding the adoption of required navigation performance procedures in the en route and terminal environments are addressed;

(v) a plan for lifecycle management of required navigation performance procedures—

(I) developed by the Administration; and

(II) developed by qualified third parties;

(vi) an expedited validation process that allows an air carrier using a required navigation performance procedure validated by the Administration at an airport for a specific model of aircraft to transfer all of the information associated with the use of that procedure to another air carrier for use at the same airport for the same model of aircraft; and

(vii) baseline and performance metrics for measuring the Administration's progress in implementing the plan, including the percentage utilization of required navigation performance in the National Airspace System.

(D) INTERNAL RESOURCE ANALYSIS.—An assessment of the internal capabilities of the Federal Aviation Administration with respect to designing and validating required navigation performance procedures, including—

(i) the number of staff working either full or part time on designing required navigation performance procedures;

(ii) the number of available staff that can be trained to design required navigation performance procedures, the training required, and the length of that training; and

(iii) the number of staff designing and validating required navigation performance procedures that are full-time employees and the number employed through term appointments.

(E) COST/BENEFIT ANALYSIS FOR THIRD-PARTY USAGE.—An assessment of the costs and benefits of using third parties to assist in the development of required navigation performance procedures.

(F) ADDITIONAL PROCEDURES.—A process for the identification, certification, and publication of additional or modified required navigation performance and area navigation procedures that may be required at the 35 Operational Evolution Partnership airports identified by the Federal Aviation Administration in the future.

(2) IMPLEMENTATION SCHEDULE.—The Administrator shall certify, publish, and implement—

(A) 30 percent of the required navigation performance procedures identified under paragraph (1)(A) within 18 months after the date of the enactment of this Act;

(B) 60 percent of such procedures within 36 months after the date of the enactment of this Act; and

(C) 100 percent of such procedures before January 1, 2014.

(b) EXPANSION OF PLAN TO OTHER AIRPORTS.—

(1) **IN GENERAL.**—Not later than 2 years after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall publish a report, after consultation with representatives of appropriate Administration employee groups, air-

port operators, air carriers, and qualified third parties, that includes a plan for applying the procedures, requirements, criteria, and metrics described in subsection (a)(1) to other airports across the United States.

(2) SURVEYING OBSTACLES SURROUNDING REGIONAL AIRPORTS.—Not later than 1 year after the date of the enactment of this Act, the Administrator, in consultation with the Secretary of State and the Secretary of Transportation, shall identify options and possible funding mechanisms for surveying obstacles in the areas around regional airports that can be used as an input to future required navigation performance procedures.

(3) IMPLEMENTATION SCHEDULE.—The Administrator shall certify, publish, and implement—

(A) 25 percent of the required navigation performance procedures included in the plan required by paragraph (1) at such other airports before January 1, 2015;

(B) 50 percent of such procedures at such other airports before January 1, 2016;

(C) 75 percent of such procedures at such other airports before January 1, 2017; and

(D) 100 percent of such procedures before January 1, 2018.

SA 3526. Mr. BROWN of Ohio submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

On page 86, strike lines 4 through 8, and insert the following:

(b) TEST SITE CRITERIA.—In determining where the test sites to be established under the pilot project required by subsection (a)(1) are to be located, the Administrator shall—

(1) take into consideration geographical and climate diversity; and

(2) select one such site, subject to approval by the Secretary of the Air Force, that is located in proximity to principal Air Force research and acquisition functions to take advantage of Air Force instrumented radars and related research equipment and current defense science, research, and development activities in unmanned aerial systems.

SA 3527. Mr. MCCAIN proposed an amendment to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; as follows:

On page 84, between lines 21 and 22, insert the following:

SEC. 319. REPORT ON FUNDING FOR NEXTGEN TECHNOLOGY.

Not later than 90 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall submit to Congress a report that contains—

(1) a financing proposal that—

(A) uses innovative methods to fully fund the development and implementation of technology for the Next Generation Air Transportation System in a manner that does not increase the Federal deficit; and

(B) takes into consideration opportunities for involvement by public-private partnerships; and

(2) recommendations with respect to how the Administrator and Congress can provide operational benefits, such as benefits relating to preferred airspace, routings, or runway access, for air carriers that equip their aircraft with technology necessary for the operation of the Next Generation Air Transportation System before the date by which the Administrator requires the use of such technology.

SA 3528. Mr. MCCAIN (for himself, Mr. REID, Mr. KYL, and Mr. ENSIGN) proposed an amendment to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:
SEC. 723. OVERFLIGHTS IN GRAND CANYON NATIONAL PARK.

(a) DETERMINATIONS WITH RESPECT TO SUBSTANTIAL RESTORATION OF NATURAL QUIET AND EXPERIENCE.—

(1) IN GENERAL.—Notwithstanding any other provision of law, for purposes of section 3(b)(1) of Public Law 100-91 (16 U.S.C. 1a-1 note), the substantial restoration of the natural quiet and experience of the Grand Canyon National Park (in this subsection referred to as the “Park”) shall be considered to be achieved in the Park if, for at least 75 percent of each day, 50 percent of the Park is free of sound produced by commercial air tour operations that have an allocation to conduct commercial air tours in the Park as of the date of the enactment of this Act.

(2) CONSIDERATIONS.—

(A) IN GENERAL.—For purposes of determining whether substantial restoration of the natural quiet and experience of the Park has been achieved in accordance with paragraph (1), the Secretary of the Interior (in this section referred to as the “Secretary”) shall use—

(i) the 2-zone system for the Park in effect on the date of the enactment of this Act to assess impacts relating to subsectional restoration of natural quiet at the Park, including—

(I) the thresholds for noticeability and audibility; and

(II) the distribution of land between the 2 zones; and

(ii) noise modeling science that is—

(I) developed for use at the Park, specifically Integrated Noise Model Version 6.2;

(II) validated by reasonable standards for conducting field observations of model results; and

(III) accepted and validated by the Federal Interagency Committee on Aviation Noise.

(B) SOUND FROM OTHER SOURCES.—The Secretary shall not consider sound produced by sources other than commercial air tour operations, including sound emitted by other types of aircraft operations or other noise sources, for purposes of—

(i) making recommendations, developing a final plan, or issuing regulations relating to commercial air tour operations in the Park; or

(ii) determining under paragraph (1) whether substantial restoration of the natural quiet and experience of the Park has been achieved.

(3) CONTINUED MONITORING.—The Secretary shall continue monitoring noise from aircraft operating over the Park below 17,999 feet MSL to ensure continued compliance with the substantial restoration of natural quiet and experience in the Park.

(4) DAY DEFINED.—For purposes of this subsection, the term “day” means the hours between 7:00 a.m. and 7:00 p.m.

(b) REGULATION OF COMMERCIAL AIR TOUR OPERATIONS.—Commercial air tour operations over the Grand Canyon National Park Special Flight Rules Area shall continue to be conducted in accordance with subpart U of part 93 of title 14, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act), except as follows:

(1) CURFEWS FOR COMMERCIAL FLIGHTS.—The hours for the curfew under section 93.317

of title 14, Code of Federal Regulations, shall be revised as follows:

(A) ENTRY INTO EFFECT OF CURFEW.—The curfew shall go into effect—

(i) at 6:00 p.m. on April 16 through August 31;

(ii) at 5:30 p.m. on September 1 through September 15;

(iii) at 5:00 p.m. on September 16 through September 30;

(iv) at 4:30 p.m. on October 1 through October 31; and

(v) at 4:00 p.m. on November 1 through April 15.

(B) TERMINATION OF CURFEW.—The curfew shall terminate—

(i) at 8:00 a.m. on March 16 through October 15; and

(ii) at 9:00 a.m. on October 16 through March 15.

(2) MODIFICATIONS OF AIR TOUR ROUTES.—

(A) DRAGON CORRIDOR.—Commercial air tour routes for the Dragon Corridor (Black 1A and Green 2 routes) shall be modified to include a western “dogleg” for the lower ½ of the Corridor to reduce air tour noise for west rim visitors in the vicinity of Hermits Rest and Dripping Springs.

(B) ZUNI POINT CORRIDOR.—Commercial air tour routes for the Zuni Point Corridor (Black 1 and Green 1 routes) shall be modified—

(i) to eliminate crossing over Nankoweap Basin; and

(ii) to limit the commercial air tour routes commonly known as “Snoopy’s Nose” to extend not farther east than the Grand Canyon National Park boundary.

(C) PERMANENCE OF BLACK 2 AND GREEN 4 AIR TOUR ROUTES.—The locations of the Black 2 and Green 4 commercial air tour routes shall not be modified unless the Administrator of the Federal Aviation Administration determines that such a modification is necessary for safety reasons.

(3) SPECIAL RULES FOR MARBLE CANYON SECTION.—

(A) FLIGHT ALLOCATION.—The flight allocation cap for commercial air tour operations in Marble Canyon (Black 4 route) shall be modified to not more than 5 flights a day to preserve permanently the high level of natural quiet that has been achieved in Marble Canyon.

(B) CURFEW.—Commercial air tour operations in Marble Canyon (Black 4 route) shall be subject to a year-round curfew that enters into effect one hour before sunset and terminates one hour after sunrise.

(C) ELIMINATION OF COMMERCIAL AIR TOUR ROUTE.—The Black 5 commercial air tour route for Marble Canyon shall be eliminated.

(4) CONVERSION TO QUIET AIRCRAFT TECHNOLOGY.—

(A) IN GENERAL.—All commercial air tour aircraft operating in the Grand Canyon National Park Special Flight Rules Area shall be required to fully convert to quiet aircraft technology (as determined in accordance with appendix A to subpart U of part 93 of title 14, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act)) by not later than the date that is 15 years after the date of the enactment of this Act.

(B) INCENTIVES FOR CONVERSION.—The Secretary and the Administrator of the Federal Aviation Administration shall provide incentives for commercial air tour operators that convert to quiet aircraft technology before the date specified in subparagraph (A), such as—

(i) reducing overflight fees for those operators; and

(ii) increasing the flight allocations for those operators.

(5) HUALAPAI ECONOMIC DEVELOPMENT EXEMPTION.—The exception for commercial air

tour operators operating under contracts with the Hualapai Indian Nation under section 93.319(f) of title 14, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act) may not be terminated, unless the Administrator of the Federal Aviation Administration determines that terminating the exception is necessary for safety reasons.

(c) FLIGHT ALLOCATION CAP.—

(1) PROHIBITION ON REDUCTION OF FLIGHT ALLOCATION CAP.—Notwithstanding any other provision of law, the allocation cap for commercial air tours operating in the Grand Canyon National Park Special Flight Rules Area in effect on the day before the date of the enactment of this Act may not be reduced.

(2) RULEMAKING TO INCREASE FLIGHT ALLOCATION CAP.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a notice of proposed rulemaking that—

(A) reassesses the allocations for commercial air tours operating in the Grand Canyon National Park Special Flight Rules Area in light of gains with respect to the restoration of natural quiet and experience in the Park;

(B) makes equitable adjustments to those allocations, subject to continued monitoring under subsection (a)(3); and

(C) facilitates the use of new quieter aircraft technology by allowing commercial air tour operators using such technology to petition the Federal Aviation Administration to adjust allocations in accordance with improvements with respect to the restoration of natural quiet and experience in the Park resulting from such technology.

(3) INTERIM FLIGHT ALLOCATIONS.—

(A) IN GENERAL.—Until the Administrator issues a final rule pursuant to paragraph (2), for purposes of the allocation cap for commercial air tours operating in the Grand Canyon National Park Special Flight Rules Area—

(i) from November 1 through March 15, a flight operated by a commercial air tour operator described in subparagraph (B) shall count as ½ of 1 allocation; and

(ii) from March 16 through October 31, a flight operated by a commercial air tour operator described in subparagraph (B) shall count as ¾ of 1 allocation.

(B) COMMERCIAL AIR TOUR OPERATOR DESCRIBED.—A commercial air tour operator described in this subparagraph is a commercial air tour operator that—

(i) operated in the Grand Canyon National Park Special Flight Rules Area before the date of the enactment of this Act; and

(ii) operates aircraft that use quiet aircraft technology (as determined in accordance with appendix A to subpart U of part 93 of title 14, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act)).

(d) COMMERCIAL AIR TOUR USER FEES.—Notwithstanding section 4(n)(2)(A) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-6a(n)(1)(2)(A)), the Secretary—

(1) may establish a commercial tour use fee in excess of \$25 for each commercial air tour aircraft with a passenger capacity of 25 or less for air tours operating in the Grand Canyon National Park Special Flight Rules Area in order to offset the costs of carrying out this section; and

(2) if the Secretary establishes a commercial tour use fee under paragraph (1), shall develop a method for providing a significant discount in the amount of that fee for air tours that operate aircraft that use quiet aircraft technology (as determined in accordance with appendix A to subpart U of

part 93 of title 14, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act)).

SA 3529. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:
SEC. 723. POLLOCK MUNICIPAL AIRPORT, LOUISIANA.

(a) FINDINGS.—Congress finds that—

(1) Pollock Municipal Airport located in Pollock, Louisiana (in this section referred to as the “airport”), has never been included in the national plan of integrated airport systems established pursuant to section 47103 of title 49, United States Code, and is therefore not considered necessary to meet the current or future needs of the national aviation system; and

(2) closing the airport will not adversely affect aviation safety, aviation capacity, or air commerce.

(b) REQUEST FOR CLOSURE.—

(1) APPROVAL.—Notwithstanding any other provision of law, requirement, or agreement and subject to the requirements of this section, the Administrator of the Federal Aviation Administration shall—

(A) approve a request from the town of Pollock, Louisiana, to close the airport as a public airport; and

(B) release the town from any term, condition, reservation, or restriction contained in a surplus property conveyance or transfer document, and from any order or finding by the Department of Transportation on the use and repayment of airport revenue applicable to the airport, that would otherwise prevent the closure of the airport and redevelopment of the facilities to nonaeronautical uses.

(2) CONTINUED AIRPORT OPERATION PRIOR TO APPROVAL.—The town of Pollock shall continue to operate and maintain the airport until the Administrator grants a request from the town for closure of the airport under paragraph (1).

(3) RELOCATION OF AIRCRAFT.—Before closure of the airport, the town of Pollock shall provide adequate time for any airport-based aircraft to be relocated.

(c) REPAYMENT OF CERTAIN FEDERAL FUNDS.—Upon closing the airport pursuant to subsection (b), the town of Pollock shall return to the Federal Aviation Administration any amounts remaining from amounts provided by the Administration for airport operating expenses.

SA 3530. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

On page 279, after line 24, add the following:

SEC. 723. PROHIBITION ON FUNDING OF EAS AIRPORTS WHERE OPERATING AIR CARRIERS RECEIVE SUBSIDIES AT RATES EXCEEDING \$200 PER PASSENGER.

The Administrator of the Federal Aviation Administration may not make any amount available under subchapter I of chapter 471 of title 49, United States Code, for a project relating to an airport—

(1) that is an eligible place, as such term is defined in section 41731 of such title; and

(2) in which an air carrier operates and receives compensation under subchapter II of chapter 417 of such title at a rate that exceeds \$200 per passenger.

SA 3531. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

On page 114, strike line 8 and all that follows through page 116, line 6 and insert the following:

SEC. 414. CONVERSION OF FORMER EAS AIRPORTS.

(a) IN GENERAL.—Section 41745 is amended to read as follows:

“§ 41745. Conversion of lost eligibility airports

“(a) IN GENERAL.—The Secretary shall establish a program to provide general aviation conversion funding for airports serving eligible places that the Secretary has determined no longer qualify for a subsidy.

“(b) GRANTS.—A grant under this section—

“(1) may not exceed twice the compensation paid to provide essential air service to the airport in the fiscal year preceeding the fiscal year in which the Secretary determines that the place served by the airport is no longer an eligible place; and

“(2) may be used—

“(A) for airport development (as defined in section 47102(3)) that will enhance general aviation capacity at the airport;

“(B) to defray operating expenses, if such use is approved by the Secretary; or

“(C) to develop innovative air service options, such as on-demand or air taxi operations, if such use is approved by the Secretary.

“(c) AIP REQUIREMENTS.—An airport sponsor that uses funds provided under this section for an airport development project shall comply with the requirements of subchapter I of chapter 471 applicable to airport development projects funded under that subchapter with respect to the project funded under this section.

“(d) LIMITATION.—The sponsor of an airport receiving funding under this section is not eligible for funding under section 41736.”

(b) CLERICAL AMENDMENT.—The table of sections for chapter 417 is amended by striking the item relating to section 41745 and inserting the following:

“41745. Conversion of lost eligibility airports.”

SA 3532. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

On page 250, strike line 12 and all that follows through page 251, line 18, and insert the following:

(e) COLLECTION OF FEES FROM AIR TOUR OPERATIONS.—

(1) IN GENERAL.—The Secretary of the Interior shall assess a fee in an amount determined by the Secretary under paragraph (2) on a commercial air tour operator conducting commercial air tour operations over a national park.

(2) AMOUNT OF FEE.—In determining the amount of the fee assessed under paragraph (1), the Secretary shall collect sufficient revenue, in the aggregate, to pay for the ex-

penses incurred by the Federal Government to develop air tour management plans for national parks.

(3) EFFECT OF FAILURE TO PAY FEE.—The Administrator of the Federal Aviation Administration shall revoke the operating authority of a commercial air tour operator conducting commercial air tour operations over any national park, including the Grand Canyon National Park, that has not paid the fee assessed by the Secretary under paragraph (1) by the date that is 180 days after the date on which the Secretary determines the fee shall be paid.

(f) FUNDING FOR AIR TOUR MANAGEMENT PLANS.—The Secretary of the Interior shall use the amounts collected under subsection (e) to develop air tour management plans under section 40128(b) of title 49, United States Code, for the national parks the Secretary determines would most benefit from such a plan.

SA 3533. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

On page 10, after the matter following line 5, insert the following:

(c) INSPECTOR GENERAL AUDIT.—

(1) IN GENERAL.—The Inspector General of the Department of Transportation shall conduct an audit of every airport in the United States that reported between 10,000 and 15,000 passenger enplanements during each of the 2 most recent years for which such data is available.

(2) AUDIT OBJECTIVES.—In carrying out the audits under paragraph (1), the Inspector General shall analyze the method used by each subject airport to reach the 10,000 passenger enplanement threshold, including whether airports subsidize commercial flights to reach such threshold.

(3) REPORT.—The Inspector General shall submit a report to Congress and to the Secretary of Transportation that contains the results of the audits conducted under this subsection.

(4) RULEMAKING.—After reviewing the results of the audits under paragraph (1), the Secretary of Transportation shall promulgate regulations for measuring passenger enplanements at airports that—

(A) include the method for determining which airports qualify for Federal funding under the Airport Improvement Program (AIP);

(B) exclude artificial enplanements resulting from efforts by airports to trigger increased AIP funding; and

(C) sets forth the consequences for tampering with the number of passenger enplanements.

SA 3534. Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

On page 246, strike lines 16 through 18 and insert the following:

(D) in subsection (b)—

(i) in paragraph (1)—

(I) in subparagraph (A)—

(aa) by striking “, in cooperation with” and inserting “and”; and

(bb) by striking “The air tour” and all that follows; and

(II) by redesignating subparagraph (B) as subparagraph (C);

(III) by inserting after subparagraph (A) the following:

“(B) PROCESS AND APPROVAL.—The establishment of air tour management plans shall be a fully cooperative process between the Administrator and the Director. The Administrator shall be responsible for ensuring the safety of America’s airspace and the Director shall be responsible for protecting park resources and values. Each air tour management plan shall be—

“(i) developed through a public process that complies with paragraph (4); and

“(ii) approved by the Administrator and the Director.”; and

(IV) by adding at the end the following:

“(D) EXCEPTION.—An application to begin commercial air tour operations at any unit of the national park system that did not have air tour operations in effect, as of the date of the enactment of the FAA Air Transportation Modernization and Safety Improvement Act, may be denied, without the establishment of an air tour management plan, if—

“(i) the Administrator determines that such operations would create a safety problem for the airspace over the park; or

“(ii) the Director determines that such operations would unacceptably impact park resources or visitor experiences.”; and

(ii) in paragraph (4)(C), by striking “National Park Service” and inserting “Department of the Interior”.

SA 3535. Mr. BEGICH submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

SEC.—. FINANCIAL INCENTIVES FOR NEXTGEN EQUIPAGE.

(a) IN GENERAL.—The Secretary of Transportation may make grants or loans, execute agreements, and engage in other transactions authorized under section 106(1)(6) of title 49, United States Code, to accelerate the transition to the Next Generation Air Transportation System by mitigating the costs of equipping aircraft with communications, surveillance, navigation, and other avionics to enable NextGen air traffic control capabilities.

(b) MATCHING REQUIREMENT.—In making grants, contracts, leases, cooperative agreements, other transactions, or credit instruments available under subsection (a), the Secretary shall require that not less than 50 percent of the costs of the activity funded come from non-Federal sources.

(c) FUNDING.—In carrying out subsection (a), the Secretary may use the authority under section 106(1)(6) of title 49, United States Code, as provided by appropriations Acts, for not more than \$50,000,000 for all fiscal years combined.

(d) REPORT.—Within 180 days after the date of enactment of this Act, the Secretary shall submit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure on the potential for a program of grants, low-interest loans, and other incentives for equipping general aviation aircraft with NextGen avionics.

SA 3536. Mr. BEGICH submitted an amendment intended to be proposed to

amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

On page 233, line 12, strike “system;” and insert “system and the installation of weather radars supporting that system;”.

On page 233, line 17, after “aides” insert “and weather radars”.

On page 235, line 7, after “Security,” insert “Commerce,”.

On page 235, line 11, strike “infrastructure” and insert “infrastructure, including surveillance and weather radars,”.

On page 235, line 19, after “Services,” insert “the Senate Committee on Commerce, Science, and Transportation,”.

On page 236, line 8, after “systems,” insert “weather radars,”.

SA 3537. Mr. BROWN of Ohio (for himself and Mr. VOINOVICH) submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

Strike section 319 and insert the following:

SEC. 319. UNMANNED AERIAL SYSTEMS.

(a) IN GENERAL.—Within 1 year after the date of enactment of this Act, the Administrator shall develop a plan to accelerate the integration of unmanned aerial systems into the National Airspace System that—

(1) creates a pilot project to integrate such vehicles into the National Airspace System at 5 test sites in the National Airspace System by 2012;

(2) creates a safe, non-exclusionary airspace designation for cooperative manned and unmanned flight operations in the National Airspace System;

(3) establishes a process to develop certification, flight standards, and air traffic requirements for such vehicles at the test sites;

(4) dedicates funding for unmanned aerial systems research and development to certification, flight standards, and air traffic requirements;

(5) encourages leveraging and coordination of such research and development activities with the National Aeronautics and Space Administration and the Department of Defense;

(6) addresses both military and civilian unmanned aerial system operations;

(7) ensures the unmanned aircraft systems integration plan is incorporated in the Administration’s NextGen Air Transportation System implementation plan; and

(8) provides for verification of the safety of the vehicles and navigation procedures before their integration into the National Airspace System.

(b) TEST SITE CRITERIA.—In determining where the test sites to be established under the pilot project required by subsection (a)(1) are to be located, the Administrator shall—

(1) take into consideration geographical and climate diversity; and

(2) select one such site, subject to approval by the Secretary of the Air Force, that is located in proximity to principal Air Force research and acquisition functions to take advantage of Air Force instrumented radars and related research equipment and current defense science, research, and development activities in unmanned aerial systems.

SA 3538. Mr. COBURN submitted an amendment intended to be proposed to

amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

On page 10, after the matter following line 5, insert the following:

(c) INSPECTOR GENERAL AUDIT.—

(1) IN GENERAL.—The Inspector General of the Department of Transportation shall conduct an audit of every airport in the United States that reported between 10,000 and 15,000 passenger enplanements during each of the 2 most recent years for which such data is available.

(2) AUDIT OBJECTIVES.—In carrying out the audits under paragraph (1), the Inspector General shall analyze the method used by each subject airport to reach the 10,000 passenger enplanement threshold, including whether airports subsidize commercial flights to reach such threshold.

(3) REPORT.—The Inspector General shall submit a report to Congress and to the Secretary of Transportation that contains the results of the audits conducted under this subsection.

(4) RULEMAKING.—After reviewing the results of the audits under paragraph (1), the Secretary of Transportation shall promulgate regulations for measuring passenger enplanements at airports that—

(A) include the method for determining which airports qualify for Federal funding under the Airport Improvement Program (AIP);

(B) exclude artificial enplanements resulting from efforts by airports to trigger increased AIP funding; and

(C) sets forth the consequences for tampering with the number of passenger enplanements.

(d) PROPORTIONAL APPORTIONMENTS.—Section 47114(c)(1) is amended to read as follows:

“(1) PRIMARY AIRPORTS.—The Secretary shall apportion to the sponsor of each primary and non-primary airport for each fiscal year an amount that bears the same ratio to the amount subject to apportionment for fiscal year 2009 as the number of passenger boardings at the airport during the prior calendar year bears to the aggregate of all passenger boardings at all primary airports during that calendar year.”.

SA 3539. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

Beginning on page 34, strike line 8 and all that follows through page 36, line 4, and insert the following:

(i) PROPORTIONAL APPORTIONMENTS.—Section 47114(c) is amended by striking paragraph (1) and inserting the following:

“(1) PRIMARY AIRPORTS.—The Secretary shall apportion to the sponsor of each primary and non-primary airport for each fiscal year an amount that bears the same ratio to the amount subject to apportionment for fiscal year 2009 as the number of passenger boardings at the airport during the prior calendar year bears to the aggregate of all passenger boardings at all primary airports during that calendar year.”.

SA 3540. Mr. WHITEHOUSE proposed an amendment to the bill S. 1782, to provide improvements for the operations of the Federal courts, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Judiciary Administrative Improvements Act of 2010”.

SEC. 2. SENIOR JUDGE GOVERNANCE CORRECTION.

Section 631(a) of title 28, United States Code, is amended in the first sentence by striking “(including any judge in regular active service and any judge who has retired from regular active service under section 371(b) of this title, when designated and assigned to the court to which such judge was appointed)”.

SEC. 3. REVISION OF STATUTORY DESCRIPTION OF THE DISTRICT OF NORTH DAKOTA.

Chapter 5 of title 28, United States Code, is amended by striking section 114 and inserting the following:

“§ 114. North Dakota

“North Dakota constitutes one judicial district.

“Court shall be held at Bismarck, Fargo, Grand Forks, and Minot.”.

SEC. 4. SEPARATION OF THE JUDGMENT AND STATEMENT OF REASONS FORMS.

Section 3553(c)(2) of title 18, United States Code, is amended by striking “the written order of judgment and commitment” and inserting “a statement of reasons form issued under section 994(w)(1)(B) of title 28”.

SEC. 5. PRETRIAL SERVICES FUNCTIONS FOR JUVENILES.

Section 3154 of title 18, United States Code, is amended—

(1) by redesignating paragraph (14) as paragraph (15); and

(2) by inserting after paragraph (13) the following:

“(14) Perform, in a manner appropriate for juveniles, any of the functions identified in this section with respect to juveniles awaiting adjudication, trial, or disposition under chapter 403 of this title who are not detained.”.

SEC. 6. STATISTICAL REPORTING SCHEDULE FOR CRIMINAL WIRETAP ORDERS.

Section 2519 of title 18, United States Code, is amended—

(1) in paragraph (1), by striking “Within thirty days after the expiration of an order (or each extension thereof) entered under section 2518, or the denial of an order approving an interception, the issuing or denying judge” and inserting “In January of each year, any judge who has issued an order (or an extension thereof) under section 2518 that expired during the preceding year, or who has denied approval of an interception during that year.”;

(2) in paragraph (2), by striking “In January of each year” and inserting “In March of each year”;

(3) in paragraph (3), by striking “In April of each year” and inserting “In June of each year”.

SEC. 7. THRESHOLDS FOR ADMINISTRATIVE REVIEW OF OTHER THAN COUNSEL CASE COMPENSATION.

Section 3006A of title 18, United States Code, is amended—

(1) in subsection (e)—

(A) in paragraph (2)—

(i) in subparagraph (A), in the second sentence, by striking “\$500” and inserting “\$800”; and

(ii) in subparagraph (B), by striking “\$500” and inserting “\$800”; and

(B) in paragraph (3), in the first sentence, by striking “\$1,600” and inserting “\$2,400”; and

(2) by adding at the end the following:

“(5) The dollar amounts provided in paragraphs (2) and (3) shall be adjusted simulta-

neously by an amount, rounded to the nearest multiple of \$100, equal to the percentage of the cumulative adjustments taking effect under section 5303 of title 5 in the rates of pay under the General Schedule since the date the dollar amounts provided in paragraphs (2) and (3), respectively, were last enacted or adjusted by statute.”.

SA 3541. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

At the end of title V, insert the following:

SEC. 564. STUDY OF AIR QUALITY IN AIRCRAFT CABINS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall conduct a study of air quality in aircraft cabins to—

(1) assess bleed air quality on the full range of commercial aircraft operating in the United States;

(2) identify oil-based contaminants, hydraulic fluid toxins, and other air toxins that appear in cabin air and measure the quantity and prevalence of those toxins through a comprehensive sampling program;

(3) determine the specific amount of toxic fumes present in aircraft cabins that constitutes a health risk to passengers;

(4) develop a systematic reporting standard for smoke and fume events in aircraft cabins;

(5) evaluate the severity of symptoms among individuals exposed to toxic fumes during flight;

(6) determine the extent to which the installation of sensors and air filters on commercial aircraft would provide a public health benefit; and

(7) make recommendations for regulatory or procedural changes to reduce the adverse health effects of poor air quality in aircraft cabins, including recommendations with respect to the appropriateness and public health benefits of a requirement to install sensors and air filters on all aircraft or all new aircraft.

(b) AUTHORITY TO MONITOR AIR IN AIRCRAFT CABINS.—For purposes of conducting the study required by subsection (a), the Administrator of the Federal Aviation Administration shall require domestic air carriers to allow air quality monitoring on their aircraft.

(c) REGULATIONS.—If the Administrator makes recommendations under subsection (a)(7) for regulations to reduce the adverse health effects associated with poor air quality in commercial aircraft cabins, the Administrator shall—

(1) issue a notice of proposed rulemaking with respect to such regulations not later than 18 months after the date of the enactment of this Act; and

(2) issue final rules with respect to such regulations not later than 36 months after the date of the enactment of this Act.

NOTICE OF HEARING

COMMITTEE ON INDIAN AFFAIRS

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on March 18, 2010 at 2:15 p.m. in room 628 of the Dirksen Senate Office Building to conduct an oversight hearing to examine Bureau of Indian Affairs and tribal police recruitment, training, hiring, and retention.

Those wishing additional information may contact the Indian Affairs Committee at 202-224-2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 16, 2010, at 9:30 a.m.

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

COMMITTEE ON FOREIGN RELATIONS

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 16, 2010, at 9:30 a.m.

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

SELECT COMMITTEE ON INTELLIGENCE

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 16, 2010, at 2:30 p.m.

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

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

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' 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 March 16, 2010, at 2 p.m. to conduct a hearing entitled, “Assessing Foster Care and Family Services in the District of Columbia: Challenges and Solutions.”

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

SUBCOMMITTEE ON WATER AND POWER

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Subcommittee on Water and Power be authorized to meet during the session of the Senate on March 16, 2010, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

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

PRIVILEGES OF THE FLOOR

Mr. WARNER. Mr. President, I ask unanimous consent that Scott Glick, a member of Senator WARNER's staff, be granted the privilege of the floor during the pendency of morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF PROCEDURE—H.R. 2847

Mr. KAUFMAN. Mr. President, I ask unanimous consent that when the Senate resumes consideration of the House message with respect to H.R. 2847,