



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

Vol. 157

WASHINGTON, TUESDAY, FEBRUARY 8, 2011

No. 19

Senate

The Senate met at 10 a.m., and was called to order by the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire.

PRAYER

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

Let us pray.

O God our strength, You fulfill the desires of those who trust in You. You are great in power and infinite in understanding. Give our lawmakers today a sense of Your nearness. May they open their hearts to Your presence, their minds to Your precepts, and their willingness to Your providence. Remind them, Lord, that You are the source of their abilities and the one who opens doors of opportunity that will keep this Nation strong. Dwell with them and make them productive for Your glory. We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JEANNE SHAHEEN 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 please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 8, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mrs. SHAHEEN 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. Madam President, following leader remarks the Senate will resume consideration of the Federal Aviation Administration Authority bill. At 10:20 there will be up to 10 minutes of debate equally divided on the Nelson of Florida amendment—that is amendment No. 34—regarding NASA.

Senators should expect a rollcall vote at approximately 10:30 in relation to the Nelson of Florida amendment. Today will be only a short session in order to accommodate the Senators attending the Democratic issues conference.

FAA REAUTHORIZATION

Mr. REID. Madam President, I had a conversation last night with the Republican leader. For all Senators, we need to have amendments on this bill, the FAA bill, laid down. We all know there is a lot of feigning going on around here, a little posturing. We still have one issue left that deals with slots at airports. It is not going to be resolved. We have worked on this for years, and it will not be resolved except on the Senate floor. If it is not resolved and we do not have amendments laid down, taken care of, I will file cloture on this bill on Monday.

It is a shame. I wish I could blame the Republicans for the impasse, but it is both parties. We have people on both sides of the aisle who are trying to take advantage, as they see it, on this slot issue. This is an extremely impor-

tant piece of legislation. I know the slots to individual Senators is important. But it is not important enough to hold up this bill. We have been trying for years—years—to get this bill passed. This will create or save 280,000 jobs. It will improve the safety of our air travels. It will give rights to people who are flying who do not have those rights. We have a passengers' bill of rights. It is a shame this one issue is holding up this bill.

I repeat, if we do not have this matter resolved Monday, I am filing cloture on this bill. We have to complete this legislation. Before we leave for our President's Day recess to go back to work in our States, we also have the FISA legislation that is a must. It expires. We have to take care of that before we leave. Of course, we have many other issues, but those are the two I am concerned about today. We have to pass the FAA bill, and we have to take care of the FISA legislation again.

So I would hope everyone understands that we are not going to be playing around with this slot issue for another year. This bill has to pass, and there is one way we can solve it: people offer their amendments, and we will vote on them right down here in the well.

I heard yesterday there are meetings going on to try to resolve this issue. These meetings have been going on for months and months and months, and they have held up this legislation. That is unfair. So I tell everyone, we have to move forward on this legislation, and if we do not have this issue worked out by Monday I am going to file cloture on this bill. It is a shame.

I repeat, this is a bipartisan bill. This is not something that Republicans are trying to hold up or Democrats are trying to jam through. This is a bill that Democrats and Republicans believe is for the best interests of our country.

Mr. MCCONNELL. Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

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



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The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. I ask unanimous consent that the order for the quorum call be rescinded.

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

RECOGNITION OF THE REPUBLICAN LEADER

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

THE DEFICIT

Mr. MCCONNELL. Madam President, as the debate over spending gears up ahead of the President's budget next week, I thought it important that we just step back this morning and note one thing: and that is the fact that this debate has completely changed. Two years ago, the President and Democrats running Congress were not debating whether to cut spending. They were debating how much to spend.

You will recall that a lot of them were disappointed that the stimulus wasn't bigger than it ended up being. Some still are.

So we have seen a welcome shift. Today, the only debate is how much to cut. It is a debate that Republicans and, I think, the vast majority of Americans, are happy to have.

And it is in that context that I wanted to mention the President's pledge to freeze his already outrageous spending levels for the next 5 years, and some troubling estimates we got yesterday about what that would mean for the deficit from the people whose job it is to analyze spending and debt here in Washington.

In their monthly budget review, the Congressional Budget Office said that if the current spending levels are frozen at the same level as they are now, and Congress were to enact no other legislation affecting spending or revenues, the Federal Government would end this fiscal year with a deficit of \$1.5 trillion, or about \$200 billion more than the deficit Democrats ran last year.

In other words, even if we do not add another dime to the current spending levels, the deficit will get even worse than last year. That is what would happen under the President's best offer, which is to lock in the dramatically higher spending levels from the past 2 years and put the budget on cruise control. The deficit would not stand still, it will grow by \$200 billion, over the next several months.

So yesterday's predictions by the CBO should be a wake up call to anyone who thinks they can hide behind a spending freeze. This is a dire warning that business as usual is a recipe for disaster. If we do not immediately reduce the size and scope of the Federal Government, the deficit will be even bigger than last year's record deficit.

So we have to get real. We need to listen to our constituents. Freezes are not going to cut it.

RESERVATION OF LEADER TIME

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

FAA AIR TRANSPORTATION MOD- ERNIZATION AND SAFETY IM- PROVEMENT ACT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 223, which the clerk will report by title.

The legislative clerk read as follows:

A bill (S. 223) to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide for modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes.

Pending:

Wicker modified amendment No. 14, to exclude employees of the Transportation Security Administration from the collective bargaining rights of Federal employees and provide employment rights and an employee engagement mechanism for passenger and property screeners.

Blunt amendment No. 5, to require the Under Secretary of Transportation for Security to approve applications from airports to authorize passenger and property screening to be carried out by a qualified private screening company.

Nelson (FL) amendment No. 34, to strike section 605.

Paul amendment No. 21, to reduce the total amount authorized to be appropriated for the Federal Aviation Administration for fiscal year 2011 to the total amount authorized to be appropriated for the Administration for fiscal year 2008.

Rockefeller (for Wyden) amendment No. 27, to increase the number of test sites in the National Airspace System used for unmanned aerial vehicles and to require one of those test sites to include a significant portion of public lands.

Inhofe amendment No. 6, to provide liability protection to volunteer pilot nonprofit organizations that fly for public benefit and to the pilots and staff of such nonprofit organizations.

Inhofe amendment No. 7, to require the Administrator of the Federal Aviation Administration to initiate a new rulemaking proceeding with respect to the flight time limitations and rest requirements for supplemental operations before any of such limitations or requirements be altered.

Rockefeller (for Ensign) amendment No. 32, to improve provisions relating to certification and flight standards for military remotely piloted aerial systems in the National Airspace System.

McCain amendment No. 4, to repeal the essential air service program.

Rockefeller (for Leahy) amendment No. 50, to amend title 1 of the Omnibus Crime Control and Safe Streets Act of 1968 to include nonprofit and volunteer ground and air ambulance crew members and first responders for certain benefits, and to clarify the liability protection for volunteer pilots that fly for public benefit.

The ACTING PRESIDENT pro tempore. The majority leader.

AMENDMENTS NOS. 54 AND 55

Mr. REID. Madam President, I ask unanimous consent to set aside the pending amendment so I can call up amendments Nos. 54 and 55.

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

The clerk will report the amendments en bloc.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes en bloc amendments numbered 54 and 55.

The amendments are as follows:

AMENDMENT NO. 54

(Purpose: To allow airports that receive airport improvement grants for the purchase of land to lease the land and develop the land in a manner compatible with noise buffering purposes)

On page 27, strike line 11 and all that follows through "or transfer" on line 23, and insert the following:

(2) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (A)(i), by striking "purpose;" and inserting the following: "purpose, which includes serving as noise buffer land that may be—

"(I) undeveloped; or

"(II) developed in a way that is compatible with using the land for noise buffering purposes;" and

(ii) in subparagraph (B)(iii), by striking "paid to the Secretary for deposit in the Fund if another eligible project does not exist." and inserting "reinvested in another project at the airport or transferred to another airport as the Secretary prescribes;"

(B) by redesignating paragraph (3) as paragraph (5); and

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

"(3)(A) A lease by an airport owner or operator of land acquired for a noise compatibility purpose using a grant provided under this subchapter shall not be considered a disposal for purposes of paragraph (2).

"(B) The airport owner or operator may use revenues from a lease described in subparagraph (A) for ongoing airport operational and capital purposes.

"(C) The Administrator of the Federal Aviation Administration shall coordinate with each airport owner or operator to ensure that leases described in subparagraph (A) are consistent with noise buffering purposes.

"(D) The provisions of this paragraph apply to all land acquired before, on, or after the date of the enactment of this paragraph.

"(4) In approving the reinvestment or transfer

AMENDMENT NO. 55

(Purpose: To require the Secretary of the Interior to convey certain Federal land to the city of Mesquite, Nevada)

On page 311, between lines 11 and 12, insert the following:

SEC. 7. CONVEYANCE OF LAND TO CITY OF MESQUITE, NEVADA.

(a) DEFINITIONS.—

(1) CITY.—The term "city" means the city of Mesquite, Nevada.

(2) MAP.—The term "map" means the map entitled "Mesquite Airport Conveyance" and dated February 6, 2011.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Bureau of Land Management.

(b) CONVEYANCE OF LAND TO CITY.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, subject to valid existing rights, and notwithstanding the land use planning requirements