

(4) 9 freshmen—midfielder Reinaldo Brenes, forward Richard Diaz, Jr., forward Gabriel Genovesi, midfielder Perry Kitchen, forward Darren Mattocks, goalkeeper Andrian McAdams, midfielder Martin Ontiveros, midfielder Eric Stevenson, and forward McKauly Tulloch;

Whereas 11 members of the 2010 University of Akron men's soccer team hail from the State of Ohio; and

Whereas the University of Akron men's soccer team should be praised for its historic season of both athletic and academic accomplishments: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the University of Akron men's soccer team on winning the National Collegiate Athletic Association Division I Men's Soccer Championship;

(2) recognizes the athletic program of the University of Akron for encouraging student-athletes to achieve in both sports and academics; and

(3) requests the Secretary of the Senate to transmit an enrolled copy of this resolution for appropriate display to—

(A) the University of Akron;

(B) Dr. Luis M. Proenza, the President of the University of Akron; and

(C) Caleb Porter, the head coach of the University of Akron men's soccer team.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 22. Mr. PRYOR submitted an amendment intended to be proposed by him to the 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 modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table.

SA 23. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 17 submitted by Mr. TOOMEY and intended to be proposed to the bill S. 223, supra; which was ordered to lie on the table.

SA 24. Mr. COCHRAN (for himself, Mr. PRYOR, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 223, supra; which was ordered to lie on the table.

SA 25. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 223, supra; which was ordered to lie on the table.

SA 26. Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill S. 223, supra; which was ordered to lie on the table.

SA 27. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 223, supra; which was ordered to lie on the table.

SA 28. Mr. LEVIN (for himself, Mr. INOUE, Mr. LEAHY, Mr. SANDERS, Mr. ROCKEFELLER, Mrs. FEINSTEIN, and Mrs. SHAHEEN) proposed an amendment to the bill S. 223, supra.

SA 29. Mr. NELSON of Nebraska (for himself and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill S. 223, supra; which was ordered to lie on the table.

SA 30. Mr. BROWN of Ohio (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill S. 223, supra; which was ordered to lie on the table.

SA 31. Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 223, supra; which was ordered to lie on the table.

SA 32. Mr. ENSIGN (for himself, Mr. CONRAD, and Mr. HOEVEN) submitted an

amendment intended to be proposed by him to the bill S. 223, supra; which was ordered to lie on the table.

SA 33. Mr. COCHRAN (for himself and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 223, supra; which was ordered to lie on the table.

SA 34. Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill S. 223, supra; which was ordered to lie on the table.

SA 35. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 223, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 22. Mr. PRYOR submitted an amendment intended to be proposed by him to the 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 modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

On page 143, beginning on line 10, strike “for” and all that follows through “enplanements” on line 13 and insert “capped at 20 percent”.

SA 23. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 17 submitted by Mr. TOOMEY and intended to be proposed to the 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 modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

(c) PRIORITIZE PAYMENT OF SOCIAL SECURITY BENEFITS.—Notwithstanding subsection (b), in the event that the debt of the United States Government, as so defined, reaches the statutory limit, the authority described in subsection (b) and the authority of the Commissioner of Social Security to pay monthly old-age, survivors', and disability insurance benefits under title II of the Social Security Act shall be given equal priority over all other obligations incurred by the Government of the United States.

SA 24. Mr. COCHRAN (for himself, Mr. PRYOR, and Mr. WICKER) submitted an amendment intended to be proposed by him to the 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 modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, insert the following:

#### SEC. \_\_\_\_ . AMENDMENT RELATING TO PEST CONTROL EXPLOSIVES.

(a) SPECIFIC EXEMPTION.—Section 845(a) of title 18, United States Code, is amended—

(1) in paragraph (5), by striking “and” after the semicolon;

(2) in paragraph (6), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(7) pest control pyrotechnics manufactured, imported, used, and stored in accordance with regulations issued by the Attorney General.”.

(b) EXEMPTION AUTHORITY.—Section 845 of title 18, United States Code, is amended by inserting at the end the following:

“(d) The Attorney General may exempt from all or a part of the provisions of this chapter explosive materials or explosive devices containing such materials when a determination is made, by regulation, that the explosive materials or explosive devices—

“(1) are of a type that does not pose a threat to public safety; and

“(2) are unlikely to be used as a weapon.”.

(c) EFFECTIVE DATE.—The amendment made by this section shall take effect 180 days after the date of enactment of this Act.

SA 25. Mr. VITTER submitted an amendment intended to be proposed by him to the 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 modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:

#### SEC. 7 \_\_\_\_ . SUBSISTENCE USE OF NATURAL RESOURCES.

(a) DEFINITIONS.—Section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701) is amended by adding at the end the following:

“(45) BARTER.—The term ‘barter’ has the meaning given the term in section 100.4 of title 50, Code of Federal Regulations (or a successor regulation).

“(46) SUBSISTENCE COMMUNITY.—The term ‘subsistence community’ means an Indian tribe or other community in which there exists, as determined by the Secretary, a legitimate system of bartering natural resources taken for subsistence uses.

“(47) SUBSISTENCE USE.—The term ‘subsistence use’ has the meaning given the term in section 100.4 of title 50, Code of Federal Regulations (or a successor regulation).”.

(b) SUBSISTENCE USE.—Section 1002(b)(2) of the Oil Pollution Act of 1990 (33 U.S.C. 2702(b)(2)) is amended by striking subparagraph (C) and inserting the following:

“(C) SUBSISTENCE USE.—Damages for loss of subsistence use of natural resources, which shall be recoverable by—

“(i) any claimant who so uses natural resources that have been injured, destroyed, or lost, without regard to the ownership or management of the resources; or

“(ii) any subsistence community the bartering system of which is negatively affected by a discharge of oil.”.

(c) GULF COAST NATURAL RESOURCES.—Section 1006 of the Oil Pollution Act of 1990 (33 U.S.C. 2706) is amended by adding at the end the following:

“(h) GULF COAST NATURAL RESOURCES.—Not later than 30 days after the date of enactment of this subsection, for the purpose of making payments of damages described in section 1002(b)(2)(C), the Administrator of the Gulf Coast Claims Facility shall complete an assessment of subsistence communities (including the Vietnamese community) in the Gulf Coast region to determine the quantity and value of natural resources harvested and retained for bartering within each subsistence community.”.

SA 26. Mr. NELSON of Florida submitted an amendment intended to be

proposed by him to the 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 modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:  
**SEC. —. SENSE OF CONGRESS RELATING TO THE PATIENT PROTECTION AND AFFORDABLE CARE ACT.**

(a) FINDINGS.—Congress finds that—

(1) on March 23, 2010, President Obama signed the Patient Protection and Affordable Care Act (Public Law 111-148; 124 Stat. 119) into law, overhauling the healthcare system of the United States and guaranteeing access to medical insurance for millions of uninsured Americans;

(2) nearly two dozen lawsuits trying to block all or portions of the Patient Protection and Affordable Care Act have been filed in United States district courts since the date of enactment of that Act;

(3) the lawsuits are focused largely on the constitutionality of the so-called individual mandate, the requirement that all Americans purchase healthcare coverage or pay a fine, that is included in the Patient Protection and Affordable Care Act;

(4) the first two United States district court judges to rule on the question, one in Detroit, Michigan, and one in Lynchburg, Virginia, upheld the constitutionality of the individual mandate;

(5) two other United States district court judges, in Richmond, Virginia, and Pensacola, Florida, found that the individual mandate exceeds the regulatory authority of Congress under the Commerce Clause of the Constitution;

(6) these conflicting decisions have left the fate of the Patient Protection and Affordable Care Act uncertain;

(7) the decisions have been appealed to the United States Court of Appeals for the Fourth Circuit, the United States Court of Appeals for the Sixth Circuit, and the United States Court of Appeals for the Eleventh Circuit; and

(8) on January 19, 2011, the House of Representatives voted 245 to 189 to repeal the Patient Protection and Affordable Care Act.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the constitutionality of the Patient Protection and Affordable Care Act (Public Law 111-148; 124 Stat. 119) is of imperative public importance; and

(2) on petition, the Supreme Court of the United States should grant a writ of certiorari under rule 11 of the Rules of the Supreme Court of the United States regarding the constitutionality of that Act before judgment in the matter is entered in a United States court of appeals.

**SA 27.** Mr. WYDEN submitted an amendment intended to be proposed by him to the 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 modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

On page 96, lines 4 and 5, strike “at 4 test sites in the National Airspace System by 2012” and insert “by 2012 at 10 test sites in the National Airspace System, one of which

shall include a significant portion of public lands (as defined in section 203 of the Public Lands Corps Act of 1993 (16 U.S.C. 1722))”.

**SA 28.** Mr. LEVIN (for himself, Mr. INOUE, Mr. LEAHY, Mr. SANDERS, Mr. ROCKEFELLER, Mrs. FEINSTEIN, and Mrs. SHAHEEN) proposed an amendment to the 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 modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; as follows:

On page 335, after line 20, insert the following:

#### **TITLE XI—ADDITIONAL PROVISIONS**

##### **SEC. 1101. REPEAL OF EXPANSION OF INFORMATION REPORTING REQUIREMENTS.**

Section 9006 of the Patient Protection and Affordable Care Act, and the amendments made thereby, are hereby repealed; and the Internal Revenue Code of 1986 shall be applied as if such section, and amendments, had never been enacted.

##### **SEC. 1102. DENIAL OF DEDUCTION FOR MAJOR INTEGRATED OIL COMPANIES FOR INCOME ATTRIBUTABLE TO DOMESTIC PRODUCTION OF OIL, GAS, OR PRIMARY PRODUCTS THEREOF.**

(a) IN GENERAL.—Subparagraph (B) of section 199(c)(4) of the Internal Revenue Code of 1986 is amended by striking “or” at the end of clause (ii), by striking the period at the end of clause (iii) and inserting “, or”, and by inserting after clause (iii) the following new clause:

“(iv) in the case of a taxpayer which is a major integrated oil company (as defined in section 167(h)(5)(B)), oil related qualified production activities (within the meaning of subsection (d)(9)(B)).”

(b) CONFORMING AMENDMENT.—Section 199(d)(9)(A) of the Internal Revenue Code of 1986 is amended by inserting “(other than a major integrated oil company (as defined in section 167(h)(5)(B)))” after “taxpayer”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2010.

##### **SEC. 1103. MODIFICATIONS OF FOREIGN TAX CREDIT RULES APPLICABLE TO DUAL CAPACITY TAXPAYERS.**

(a) IN GENERAL.—Section 901 of the Internal Revenue Code of 1986 (relating to credit for taxes of foreign countries and of possessions of the United States) is amended by redesignating subsection (n) as subsection (o) and by inserting after subsection (m) the following new subsection:

“(n) SPECIAL RULES RELATING TO DUAL CAPACITY TAXPAYERS.—

“(1) GENERAL RULE.—Notwithstanding any other provision of this chapter, any amount paid or accrued by a dual capacity taxpayer to a foreign country or possession of the United States for any period with respect to combined foreign oil and gas income (as defined in section 907(b)(1)) shall not be considered a tax to the extent such amount exceeds the amount (determined in accordance with regulations) which would have been required to be paid if the taxpayer were not a dual capacity taxpayer.

“(2) DUAL CAPACITY TAXPAYER.—For purposes of this subsection, the term ‘dual capacity taxpayer’ means, with respect to any foreign country or possession of the United States, a person who—

“(A) is subject to a levy of such country or possession, and

“(B) receives (or will receive) directly or indirectly a specific economic benefit (as determined in accordance with regulations) from such country or possession.”.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxes paid or accrued in taxable years beginning after December 31, 2010.

(2) CONTRARY TREATY OBLIGATIONS UPHOLD.—The amendments made by this section shall not apply to the extent contrary to any treaty obligation of the United States.

##### **SEC. 1104. RULES RELATING TO FOREIGN OIL AND GAS INCOME.**

(a) SEPARATE BASKET FOR FOREIGN TAX CREDIT.—Paragraph (1) of section 904(d) of the Internal Revenue Code of 1986 is amended by striking “and” at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting “, and”, and by adding at the end the following:

“(C) combined foreign oil and gas income (as defined in section 907(b)(1)).”

(b) COORDINATION.—Section 904(d)(2) of the Internal Revenue Code of 1986 is amended by redesignating subparagraphs (J) and (K) as subparagraphs (K) and (L) and by inserting after subparagraph (I) the following:

“(J) COORDINATION WITH COMBINED FOREIGN OIL AND GAS INCOME.—For purposes of this section, passive category income and general category income shall not include combined foreign oil and gas income (as defined in section 907(b)(1)).”

(c) CONFORMING AMENDMENTS.—

(1) Section 907(a) of the Internal Revenue Code of 1986 is hereby repealed.

(2) Section 907(c)(4) of such Code is hereby repealed.

(3) Section 907(f) of such Code is hereby repealed.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxable years beginning after December 31, 2010.

(2) TRANSITIONAL RULES.—

(A) CARRYOVERS.—Any unused foreign oil and gas taxes which under section 907(f) of the Internal Revenue Code of 1986 (as in effect before the amendment made by subsection (c)(3)) would have been allowable as a carryover to the taxpayer's first taxable year beginning after December 31, 2010 (without regard to the limitation of paragraph (2) of such section 907(f) for first taxable year) shall be allowed as carryovers under section 904(c) of such Code in the same manner as if such taxes were unused taxes under such section 904(c) with respect to foreign oil and gas extraction income.

(B) LOSSES.—The amendment made by subsection (c)(2) shall not apply to foreign oil and gas extraction losses arising in taxable years beginning on or before the date of the enactment of this Act.

##### **SEC. 1105. REQUIRED MINIMUM 10-YEAR TERM, ETC., FOR GRANTOR RETAINED ANNUITY TRUSTS.**

(a) IN GENERAL.—Subsection (b) of section 2702 of the Internal Revenue Code of 1986 is amended—

(1) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively, and by moving such subparagraphs (as so redesignated) 2 ems to the right,

(2) by striking “For purposes of” and inserting the following:

“(1) IN GENERAL.—For purposes of”,

(3) by striking “paragraph (1) or (2)” in paragraph (1)(C) (as so redesignated) and inserting “subparagraph (A) or (B)”, and

(4) by adding at the end the following new paragraph:

“(2) ADDITIONAL REQUIREMENTS WITH RESPECT TO GRANTOR RETAINED ANNUITIES.—For purposes of subsection (a), in the case of an interest described in paragraph (1)(A) (determined without regard to this paragraph)

which is retained by the transferor, such interest shall be treated as described in such paragraph only if—

“(A) the right to receive the fixed amounts referred to in such paragraph is for a term of not less than 10 years,

“(B) such fixed amounts, when determined on an annual basis, do not decrease relative to any prior year during the first 10 years of the term referred to in subparagraph (A), and

“(C) the remainder interest has a value greater than zero determined as of the time of the transfer.”.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall apply to transfers made after the date of the enactment of this Act.

**SA 29.** Mr. NELSON of Nebraska (for himself and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the 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 modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:

**SEC. 733. CRIMINAL PENALTY FOR UNAUTHORIZED RECORDING OR DISTRIBUTION OF SECURITY SCREENING IMAGES.**

(a) **IN GENERAL.**—Part I of title 18, United States Code, is amended by adding at the end the following:

**“CHAPTER 124—UNAUTHORIZED RECORDING AND DISTRIBUTION OF SECURITY SCREENING IMAGES**

**“Sec.**

**“2731.** Criminal penalty for unauthorized recording and distribution of security screening images.

**“§ 2731. Criminal penalty for unauthorized recording and distribution of security screening images**

“(a) **IN GENERAL.**—Except as specifically provided in subsection (b), it shall be unlawful for an individual—

“(1) to photograph or otherwise record an image produced using advanced imaging technology during the screening of an individual at an airport, or upon entry into any building owned or operated by the Federal Government, without express authorization pursuant to a Federal law or regulation; or

“(2) to distribute any such image to any individual who is not authorized pursuant to a Federal law or regulation to receive the image.

“(b) **EXCEPTIONS.**—

“(1) **RECORDINGS TO BE USED IN CRIMINAL PROSECUTION.**—The prohibition under subsection (a) shall not apply to an individual who, during the course and within the scope of the individual’s employment, records or distributes an image described in subsection (a) solely to be used in a criminal investigation or prosecution.

“(2) **LIABILITY OF JOURNALISTS.**—The prohibition under subsection (a) shall not apply to a journalist that publishes an image described in that subsection if the journalist has a good faith belief that the image was not recorded or distributed in violation of that prohibition.

“(c) **PENALTY.**—An individual who violates the prohibition in subsection (a) shall be fined under this title, imprisoned for not more than 1 year, or both.

“(d) **DEFINITIONS.**—In this section:

“(1) **ADVANCED IMAGING TECHNOLOGY.**—The term ‘advanced imaging technology’—

“(A) means a device that creates a visual image of an individual showing the surface of

the skin and revealing other objects on the body; and

“(B) may include devices using backscatter x-rays or millimeter waves and devices referred to as ‘whole-body imaging technology’ or ‘body scanning’.

“(2) **JOURNALIST.**—The term ‘journalist’—

“(A) means a person who—

“(i) with the primary intent to investigate events and procure material in order to disseminate to the public news or information concerning local, national, or international events or other matters of public interest, regularly gathers, prepares, collects, photographs, records, writes, edits, reports, or publishes on such matters by—

“(I) conducting interviews;

“(II) making direct observation of events; or

“(III) collecting, reviewing, or analyzing original writings, statements, communications, reports, memoranda, records, transcripts, documents, photographs, recordings, tapes, materials, data, or other information whether in paper, electronic, or other form;

“(ii) has such intent at the inception of the process of gathering the news or information sought; and

“(iii) obtains the news or information sought in order to disseminate the news or information by means of print (including newspapers, books, wire services, news agencies, or magazines), broadcasting (including dissemination through networks, cable, satellite carriers, broadcast stations, or a channel or programming service for any such media), mechanical, photographic, electronic, or other means;

“(B) includes a supervisor, employer, parent company, subsidiary, or affiliate of a person described in subparagraph (A); and

“(C) does not include any person who is—

“(i) a foreign power or an agent of a foreign power, as those terms are defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801);

“(ii) a member or affiliate of a foreign terrorist organization designated under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a));

“(iii) any person whose property and interests in property are blocked pursuant to Executive Order 13224 (66 Fed. Reg. 49079; relating to blocking property and prohibiting transacting with persons who commit, threaten to commit, or support terrorism), Executive Order 12947 (60 Fed. Reg. 5079; prohibiting transactions with terrorists who threaten to disrupt the Middle East peace process), or any other executive order relating to terrorism;

“(iv) committing or attempting to commit the crime of terrorism, as that offense is defined in section 2331(5) or 2332b(g)(5) of title 18, United States Code;

“(v) committing or attempting to commit the crime of providing material support or resources, as that term is defined in section 2339A(b)(1) of title 18, United States Code, to a terrorist organization; or

“(vi) aiding, abetting, or conspiring in illegal activity with a person described in clause (i), (ii), (iii), (iv), or (v).”.

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 123 the following:

“124. Unauthorized recording and distribution of security screening images ..... 2731”.

**SA 30.** Mr. BROWN of Ohio (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the 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 modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

On page 335, after line 20, insert the following:

# **TITLE XI—EXTENSION OF HEALTH INSURANCE COSTS TAX CREDIT**

## **SEC. 1101. IMPROVEMENT OF THE AFFORDABILITY OF THE CREDIT.**

(a) **IN GENERAL.**—Section 35(a) of the Internal Revenue Code of 1986 is amended by striking “February 13, 2011” and inserting “July 1, 2012”.

(b) **CONFORMING AMENDMENT.**—Section 7527(b) of such Code is amended by striking “February 13, 2011” and inserting “July 1, 2012”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to coverage months beginning after February 12, 2011.

## **SEC. 1102. PAYMENT FOR THE MONTHLY PREMIUMS PAID PRIOR TO COMMENCEMENT OF THE ADVANCE PAYMENTS OF CREDIT.**

(a) **IN GENERAL.**—Section 7527(e) of the Internal Revenue Code of 1986 is amended by striking “February 13, 2011” and inserting “July 1, 2012”.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to coverage months beginning after February 12, 2011.

## **SEC. 1103. TAA RECIPIENTS NOT ENROLLED IN TRAINING PROGRAMS ELIGIBLE FOR CREDIT.**

(a) **IN GENERAL.**—Section 35(c)(2)(B) of the Internal Revenue Code of 1986 is amended by striking “February 13, 2011” and inserting “July 1, 2012”.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to coverage months beginning after February 12, 2011.

## **SEC. 1104. TAA PRE-CERTIFICATION PERIOD RULE FOR PURPOSES OF DETERMINING WHETHER THERE IS A 63-DAY LAPSE IN CREDITABLE COVERAGE.**

(a) **IRC AMENDMENT.**—Section 9801(c)(2)(D) of the Internal Revenue Code of 1986 is amended by striking “February 13, 2011” and inserting “July 1, 2012”.

(b) **ERISA AMENDMENT.**—Section 701(c)(2)(C) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1181(c)(2)(C)) is amended by striking “February 13, 2011” and inserting “July 1, 2012”.

(c) **PHSA AMENDMENT.**—Section 2701(c)(2)(C) of the Public Health Service Act (42 U.S.C. 300gg(c)(2)(C)) is amended by striking “February 13, 2011” and inserting “July 1, 2012”.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall apply to plan years beginning after February 12, 2011.

## **SEC. 1105. CONTINUED QUALIFICATION OF FAMILY MEMBERS AFTER CERTAIN EVENTS.**

(a) **IN GENERAL.**—Section 35(g)(9) of the Internal Revenue Code of 1986 is amended by striking “February 13, 2011” and inserting “July 1, 2012”.

(b) **CONFORMING AMENDMENT.**—Section 173(f)(8) of the Workforce Investment Act of 1998 (29 U.S.C. 2918(f)(8)) is amended by striking “February 13, 2011” and inserting “July 1, 2012”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to months beginning after February 12, 2011.

## **SEC. 1106. EXTENSION OF COBRA BENEFITS FOR CERTAIN TAA-ELIGIBLE INDIVIDUALS AND PBGC RECIPIENTS.**

(a) **ERISA AMENDMENTS.**—

(1) PBGC RECIPIENTS.—Section 602(2)(A)(v) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1162(2)(A)(v)) is amended by striking “February 12, 2011” and inserting “June 30, 2012”.

(2) TAA-ELIGIBLE INDIVIDUALS.—Section 602(2)(A)(vi) of such Act (29 U.S.C. 1162(2)(A)(vi)) is amended by striking “February 12, 2011” and inserting “June 30, 2012”.

(b) IRC AMENDMENTS.—

(1) PBGC RECIPIENTS.—Section 4980B(f)(2)(B)(i)(V) of the Internal Revenue Code of 1986 is amended by striking “February 12, 2011” and inserting “June 30, 2012”.

(2) TAA-ELIGIBLE INDIVIDUALS.—Section 4980B(f)(2)(B)(i)(VI) of such Code is amended by striking “February 12, 2011” and inserting “June 30, 2012”.

(c) PHSA AMENDMENTS.—Section 2202(2)(A)(iv) of the Public Health Service Act (42 U.S.C. 300bb-2(2)(A)(iv)) is amended by striking “February 12, 2011” and inserting “June 30, 2012”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to periods of coverage which would (without regard to the amendments made by this section) end on or after February 12, 2011.

**SEC. 1107. ADDITION OF COVERAGE THROUGH VOLUNTARY EMPLOYEES’ BENEFICIARY ASSOCIATIONS.**

(a) IN GENERAL.—Section 35(e)(1)(K) of the Internal Revenue Code of 1986 is amended by striking “February 13, 2011” and inserting “July 1, 2012”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to coverage months beginning after February 12, 2011.

**SEC. 1108. NOTICE REQUIREMENTS.**

(a) IN GENERAL.—Section 7527(d)(2) of the Internal Revenue Code of 1986 is amended by striking “February 13, 2011” and inserting “July 1, 2012”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to certificates issued after February 12, 2011.

**SEC. 1109. APPLICATION OF LEVY TO PAYMENTS TO FEDERAL VENDORS RELATING TO PROPERTY.**

(a) IN GENERAL.—Section 6331(h)(3) of the Internal Revenue Code of 1986 is amended by striking “of goods or services” and all that follows and inserting “of—

“(A) goods or services sold or leased to the Federal Government, or

“(B) in the case of levies issued during the 2-year period beginning after the date of the enactment of this subparagraph, property so sold or leased.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to levies issued after the date of the enactment of this Act.

**SA 31.** Mr. MORAN submitted an amendment intended to be proposed by him to the 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 modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:

**SEC. 733. CONSIDERATION OF UNFAIR COMPETITIVE ADVANTAGE IN EVALUATION OF OFFERS FOR KC-X AERIAL REFUELING AIRCRAFT PROGRAM.**

(a) REQUIREMENT TO CONSIDER UNFAIR COMPETITIVE ADVANTAGE.—In awarding a contract for the KC-X aerial refueling aircraft program (or any successor to that program), the Secretary of Defense shall, in evaluating any offers submitted to the Department of

Defense in response to a solicitation for offers for such program, consider any unfair competitive advantage that an offeror may possess.

(b) REPORT.—Not later than 60 days after submission of offers in response to any such solicitation, the Secretary of Defense shall submit to the congressional defense committees a report on any unfair competitive advantage that any offeror may possess.

(c) REQUIREMENT TO TAKE FINDINGS INTO ACCOUNT IN AWARD OF CONTRACT.—In awarding a contract for the KC-X aerial refueling aircraft program (or any successor to that program), the Secretary of Defense shall take into account the findings of the report submitted under subsection (b).

(d) DEFINITIONS.—In this section:

(1) The term “congressional defense committees” has the meaning given such term in section 101(a)(16) of title 10, United States Code.

(2) The term “unfair competitive advantage”, with respect to an offer for a contract, means a situation in which the cost of development, production, or manufacturing is not fully borne by the offeror for such contract.

**SA 32.** Mr. ENSIGN (for himself, Mr. CONRAD, and Mr. HOEVEN) submitted an amendment intended to be proposed by him to the 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 modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 96, strike line 9 and all that follows through page 97, line 8, and insert the following:

(3) establishes a process to develop—

(A) air traffic requirements for all unmanned aerial systems at the test sites; and

(B) certification and flight standards for nonmilitary unmanned aerial systems at the test sites;

(4) dedicates funding for unmanned aerial systems research and development relating to—

(A) air traffic requirements; and

(B) certification and flight standards for nonmilitary unmanned aerial systems in the National Airspace System;

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

(6) uniquely addresses the requirements of military and nonmilitary 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 integration into the National Airspace System of safety standards and navigation procedures validated—

(A) under the pilot project created pursuant to paragraph (1); or

(B) through other related research and development activities carried out pursuant to paragraph (4).

(b) TEST SITE CRITERIA.—The Administrator shall take into consideration geographical and climate diversity in determining where the test sites to be established under the pilot project required by subsection (a)(1) are to be located.

(c) CERTIFICATION AND FLIGHT STANDARDS FOR MILITARY UNMANNED AERIAL SYSTEMS.—The Secretary of Defense shall establish a process to develop certification and flight standards for military unmanned aerial sys-

tems at the test sites referred to in subsection (a)(1).

**SA 33.** Mr. COCHRAN (for himself and Mr. WICKER) submitted an amendment intended to be proposed by him to the 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 modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 320, add the following:

(c) CENTER OF EXCELLENCE FOR UNMANNED AERIAL SYSTEMS.—Within 6 months of the date of enactment of this Act, the Administrator shall designate an institution or coalition of institutions to assist with integration matters described in subsection (a) as a Center of Excellence for Unmanned Aerial Systems.

**SA 34.** Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the 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 modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

Beginning with line 1 on page 236, strike through line 14 on page 237.

**SA 35.** Mr. ENSIGN submitted an amendment intended to be proposed by him to the 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 modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:

**SEC. 733. EXTENDING THE LENGTH OF FLIGHTS FROM RONALD REAGAN WASHINGTON NATIONAL AIRPORT.**

Section 41718 is amended by adding at the end the following:

“(g) USE OF AIRPORT SLOTS FOR BEYOND PERIMETER FLIGHTS.—Notwithstanding section 49109 or any other provision of law, any air carrier that holds or operates air carrier slots at Ronald Reagan Washington National Airport as of January 1, 2011, pursuant to subparts K and S of part 93 of title 14, Code of Federal Regulations, which are being used as of that date for scheduled service between that airport and a large hub airport (as defined in section 40102(a)(29)), may use such slots for service between Ronald Reagan Washington National Airport and any airport located outside of the perimeter restriction described in section 49109.”.

**AUTHORITY FOR COMMITTEES TO MEET**

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Environment and Public