

jobs if they are faced with an avalanche of new regulations? Will they be able to invest in growth if the government keeps crowding out private investment with massive borrowing and spending?

The bottom line is that there is a recipe for turning the economy around in a very strong way and providing the jobs people are going to need in order to get the work they can do and need in order to support their families. What the President has done has impeded and slowed down that growth. Of course, one can argue that he didn't create the problem, he inherited the problem, but that his policies have made it worse, not better; that we would have a stronger recovery had we not wasted that money on the stimulus program and had we not passed some of the highly regulatory and depressing legislation such as ObamaCare.

With the opportunity before us to support progrowth policies, I am convinced the private sector of this country is strong enough to rebound. We are beginning to see that in these employment numbers. If we work with businesses, understanding that they create the jobs, not the government—all we can do is to provide the best foundation for job creation—if we do that, then this eventually can be a strong economic recovery, and then we really will have something to brag about. It is my hope that in the remaining months of this year, before politics completely consumes Washington, DC, Republicans and Democrats, the House and the Senate, can work together with the President to create that kind of climate in which all Americans who want to can find economic opportunity and work.

I note the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

FAA MODERNIZATION AND REFORM ACT OF 2012—CONFERENCE REPORT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to the consideration of the conference report to accompany H.R. 658, which the clerk will report.

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 658), to amend title 49, United States Code,

to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes, having met, have agreed that the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment and the Senate agree to the same. Signed by a majority of the conferees on the part of both Houses.

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be up to 2½ hours of debate on the conference report equally divided and controlled between the two leaders or their designees.

The Senator from West Virginia.

Mr. ROCKEFELLER. I thank the Chair.

The problem we face here is that most people are in the air coming in this direction. Most will land around 5 o'clock. So Senator HUTCHISON and myself don't feel any particular pressure. We can talk for long periods of time and talk about other issues.

Today we are considering the FAA conference report which has been the subject of negotiations—I shudder when I say that—between the House and the Senate for much of the past year, and actually we have been working on it for much longer than that. We have been through 23 extensions. We are now looking at the possibility of a bill that will, in fact, last for 4 years, which will be the best news that the airline industry ever had, that the people who work for the airline industry ever had, that the people who work to improve the safety of the airline people ever had, including those who are doing a new traffic control system. So I am very happy that, as we call it, the FAA Modernization Reform Act of 2012 will extend the authorities through 2015. As the Presiding Officer is aware, we have done this for 2 months, 3 months—time after time after time—and it makes it impossible to negotiate and it is terribly destabilizing for the aviation industry as well as the Federal Aviation Administration.

This agreement is going to provide a lot of stability to the FAA—they will be happy about that—and it will make certain there is adequate funding to support the agency's mission.

The bill takes concrete steps to modernize our air traffic control system. I am excited beyond words to be able to say that sentence because it will take us into a new era that will bring much more efficiency, more planes will be able to take off and land and, in so doing, do it much more safely, being watched from space rather than from radar, which is what we do now.

This bill is going to make the air transportation system safer than ever before and make certain that small communities have access to critical air service. I will speak more about that.

It will also make sure that the U.S. aviation industry remains competitive and remains strong. We are that way in

the world. We do lead in exports on aviation and the Federal aviation industry continues to be the gold standard for safety. That is not to say we have not had problems, but we have been solving those problems.

This has been a long and sometimes arduous process. I think my colleague Senator HUTCHISON would agree with that. Many compromises were made to get us here. Compromises in the present atmosphere are not easy. Conversations are not easy. Compromises are very difficult. While no one got everything they wanted, the bill will permit us—I believe Senator HUTCHISON would agree—to achieve our shared goals.

The agreement will allow us to pass a comprehensive, again, 4-year FAA reauthorization. The legislation we have before us now will move our aviation system forward. It will not be in neutral. People who run the system, the folks who take care of airplanes and who run the companies, will be absolutely thrilled if this bill passes, which I expect it to do.

In this era of very scarce resources, we still have managed to produce a bill that provides the FAA the money it needs to carry out its mission. Without going into too much detail, we had to make a compromise on that. But, frankly, that was a compromise that was agreed to and, I believed, was reasonable in terms of the other way of looking at things. So it is stability.

The funding authorized for the Airport Improvement Program, which is very important, and the facilities and equipment accounts, which are just gobbledygook to most people, will give much needed support to aviation infrastructure projects and planning across our Nation. It is a blueprint.

Over \$3 billion a year is provided through the Airport Improvement Program to provide airport grants that will make a real difference in the Nation's airspace system and the people who use it every day. We will create and we will sustain jobs in every State, and we will continue to make substantial investments in our Nation's airports. Based on Department of Transportation estimates, the Airport Improvement Program alone supports over 100,000 jobs annually. I will say later on in these remarks that there are about 10 million people who work because of something called aviation in this country—10 million people.

For communities in West Virginia, having up-to-date airports is absolutely critical to our future. The investments we make through the Airport Improvement Program will help the country greatly—not just West Virginia but the entire country.

With this bill, as I said, nearly \$3 billion will also be provided each year for the facilities and equipment account which basically funds the new air traffic control system. I have said this 10 times from this floor: Mongolia has that; we do not. They have globally positioned—very accurate reading—not

only for weather but for aircraft on the ground and also in the air, so the spacing vertically and horizontally is extremely accurate and, therefore, much safer and much more efficient and uses much less fuel.

This effort on the air traffic control system is embarrassing, it is so needed. We are working on radar right now. We are working on radar. That is compared to a satellite-based aircraft surveillance system. I have spent, frankly, much of the last decade working to make sure the FAA has the resources and the ability to implement NextGen, the so-called new air traffic control system, the modernized, digitalized air traffic control system. It is so essential. It is so embarrassing we do not have it as a nation. It is such a burden on the air traffic control people themselves, trying to see through the fog, so to speak, of the world of radar.

This bill will move forward key aspects of the NextGen effort and make sure that modernization will proceed on schedule with clear timelines and a lot of oversight and requirements.

We push for near-term modernization benefits by requiring that precision navigation be implemented first—and this makes sense—in the 35 largest airports in the country—that does make sense—by the year 2015 and then in all airports by the year 2016. This will significantly improve airspace capacity and, by the way, the environment.

The bill also establishes a chief NextGen officer—not a bureaucracy but a person—to lead the modernization effort. It is very specific; it is a very calculated and precise instrument that has to be done correctly—and takes steps to improve coordination among relevant Federal agencies. One has to say that. It is sort of a boring statement, but it is kind of a necessary one if it happens to be true, which in this case I believe it is.

While modernization will provide the greatest safety benefits, the bill also requires the FAA to move forward on other imperative safety measures. The bill mandates stricter oversight of airlines and their compliance with airworthiness directives. It requires regular inspections of foreign repair stations—subject to controversy—and the implementation of drug and alcohol programs at those facilities—a subject, frankly, lacking in controversy.

Specific measures in the bill also focus on the safety of our air ambulance operations—that is a lot of activity in our country—and take steps to improve airport runway surveillance; that is, we have a problem now with literally airplanes running into each other on the tarmac because of fog or because of poor coordination or whatever—the kind of things that a NextGen modernized system would tend to make much less prevalent.

This bill will make significant strides for the airline industry through modernization. They crave it. They need it. Commercial aviation helps drive \$1.3 trillion in U.S. economic ac-

tivity and, as I said before, more than 10 million U.S. jobs. So I think those who would consider not voting for this would have to at least start out on that rather alarming fact.

The aviation sector is critical to our place in the global marketplace. It contributes \$75 billion to our trade balance and represents roughly 6 percent of the gross domestic product of the country. It is huge.

We must make certain all Americans reap the benefits of our national aviation system. To that end, this bill preserves and strengthens the Essential Air Service Program. I have to say that had been completely eliminated by the House—completely eliminated. That is life or death for West Virginia and for a lot of rural places. In general, almost all large States also have rural aspects, and they need this kind of help.

We provide vital access to the aviation system for small and rural communities. That gives access to the global marketplace. It means people come. CEOs do not tend to want to drive to Montana or to West Virginia to look over possible sites for building plants. It is very important for economic development.

It is interesting—and I am sure Senator HUTCHISON would agree with me—that communities thrive, particularly smaller communities, on how well their small airports are doing. They may have good runway space but not a lot of enplanements because it is not a hugely populated area. But we put very strict confinements on that in the essential air service. We disciplined it. We said there can be no new ones other than the ones currently existing.

We put other restrictions on it to make it palatable to the other body. We said, for example, communities that have per-passenger subsidies over \$1,000 are eliminated forthwith from the program. That makes sense. That much money going for a couple of passengers is just ridiculous. Communities that have fewer than 10 passengers per day—and there are in my State some very strong communities that have that situation. They just cannot work it out that they get people onto their airplanes or air service, and, as a result, obviously, the service begins to disappear. There is no reason the essential air service should allow any of that to proceed. So we say if they have fewer than 10 passengers per day—if you are an airport of that sort—and are within 175 miles of a large or medium-sized hub airport, you are to be eliminated immediately from this program. That is harsh for some. But it is what brought us a compromise for the majority of us—all of us.

The program also caps future eligibility, as I have indicated, to those communities that are currently in this program.

Now, I am sure everyone has heard me say the essential air service is the lifeblood for so many communities. I believe this bill strikes a careful bal-

ance between the need to cut government spending, which this does, and preserving small community access to our national aviation system by making some of these prudent reforms.

It is important for me to take a moment to emphasize the consequences of not passing this bill. Aside from not achieving all the benefits this bill provides, we will find ourselves in a nasty fight with the House when the current FAA extension runs out in less than 2 weeks.

This is not just a bill that is floating around. This is a bill that is on a timetable, and the extension—the 23rd extension—of this bill we made runs out in several weeks. So, then, everything goes back to zero, and you remember we laid off a lot of people earlier.

The House has no patience left for short-term extensions—I cannot disagree with that—and they have shown this past August they are perfectly willing to send over an extension with policy riders, policy riders which they full well know are totally impossible for this body to accept or for the majority of this body to accept.

They also have shown their resolve in all of this. Not too long ago they shut down the FAA. It was not a question of what this is going to do to people's lives. They just shut it down for the principle of sticking by their guns, and they furloughed 4,000 government employees and did not seem to care that hundreds of millions in aviation trust fund revenues were lost forever. If we do not pass the FAA conference report, you can be sure the House will send over an FAA extension that is just as troublesome.

We have reached a compromise position under the magnificent watchful eye of Senator KAY BAILEY HUTCHISON. Again, nobody got everything they wanted, and there are some provisions that people have great difficulty accepting. I understand that. All of this has to be seen within the context of the greater bill, which is a huge piece of legislation, a magnificent piece of legislation, and very much a job-creating piece of legislation. But this is, in my judgment, a very good deal. It is a fair deal. If we do not pass it, I think we will all certainly regret it. I strongly encourage all of my fellow Members to support this bill.

Now, finally, before I conclude my remarks I want to thank my colleagues for all of their diligent work on this bill.

Let me be clear, we would not be here today were it not for the efforts of Senate majority leader HARRY REID and for his guidance and for his leadership. He and his team negotiated the most sensitive part of the bill. I personally want to thank Senator REID for his stalwart support throughout this process.

Right after him comes Senator KAY BAILEY HUTCHISON. Over the past 4 years, she has done more than anybody to get this bill passed into law—hopefully passed into law. Although she was fully engaged in every part of the development, most notably, her work on

securing a slots agreement removed one of the biggest hurdles in getting this legislation through the Senate. In fact, it was the biggest hurdle when we got this through the Senate. It was Senator KAY BAILEY HUTCHISON who worked out those compromises and deals in a harrowingly magnificent fashion.

Her deep aviation expertise and negotiating skills are truly remarkable, and this bill is another significant part of her already very substantial legacy.

Finally, I thank Senator MARIA CANTWELL. A year ago, she assumed the chairmanship of the Aviation Subcommittee. She made substantial contributions to the entire bill but most notably on NextGen—the new air traffic control system, the modernized one, the GPS one, the digitalized one. She effectively balances very difficult issues and at the same time is incredibly committed to the interests of Washington State.

We should be proud of this compromise agreement that will enable our aviation system to move forward to meet the challenges of continuously improving safety, air traffic control modernization, airport development, and small community air service.

I thank the Acting President pro tempore.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I wish to thank the distinguished chairman of the Commerce Committee for all that he said. I really appreciate working with him. Clearly, because of 23 extensions, you know this was a hard bill to pass.

Since 2007, we have been trying to reauthorize the FAA and particularly increase aviation safety and put our NextGen air traffic control system in place. That has been the primary moving force. But, as is often the case, it is other issues that have come to the forefront and caused the delay after delay after delay process in passing this bill. We did pass it through the Senate and now have come out with a conference report between the House and Senate.

So I really first have to say thank you for the leadership of Senator ROCKEFELLER, which has been quiet and effective and letting the different Members with different interests, of which there were many on this bill, have their say—and he was very calm throughout the process—because in the end we all know that none of us are dictators, none of us are the sole arbiters of what comes out of the Senate. We are a body of 100. We have colleagues on the other side who are 435. So obviously some people are going to have to give in certain areas. But what is good about the bill before us today is that the major principles have been addressed and the people who were most affected by those have been able to see the big picture that we needed to address in this bill, that we give our airports the ability to grow, expand, and

repair with the aviation trust fund, which the passage of this bill will do. It will be in a stable environment because we have 4 years after this bill is passed.

I thank the chairman and all who have worked on this bill. As everyone knows, the repeated use of short-term extensions does not allow for the long-term planning that is needed on the big projects, such as NextGen, the air traffic control system that will be based on satellites or the airport improvements that are so important for our smooth aviation system to function.

So what we are doing today is asking the Senate to pass the conference report the House has already passed. When we pass it, which is my hope today, it will go to the President for signature, and it will provide that clear, stable way forward for our airports and the FAA to operate and make the sound fiscal investments in ensuring that we have a good and seamless system.

First, the bill does improve aviation safety, including the development of a plan to reduce runway incursions and operational errors, along with significant safety improvements for helicopter emergency medical service operators and their patients.

The bill modernizes our antiquated air traffic control system and moves us one step closer to a more efficient and effective use of our national air space. Specifically, it focuses on advancing the next-generation air transportation system that we call NextGen, and it improves the management practices and oversight of the agency in the modernization effort.

When fully implemented, NextGen will fundamentally transform air traffic control from a ground-based radar system to a satellite-based system that uses global positioning navigation and surveillance digital communications and more accurate weather services. It is our belief that most of the other countries in the world have NextGen already, but America has the biggest aviation transportation system in the world, and therefore, when we come up to speed, it will make the seamless air traffic control system globally better.

Some people will say: Well, NextGen—what does it mean? Well, it is going to open more airspace for our airplanes' use, both scheduled and general aviation. It will reduce delays because we are going to have better scheduling. We are going to have more accurate capabilities to schedule, and therefore it will open more airspace for use by our general aviation as well as our scheduled carriers. As we know, our scheduled carriers will be growing in the future. They are restructuring and trying to accommodate us. But more and more people and bigger populations are going to produce more need for aviation traffic.

Special attention is given to the acceleration certification planning and implementation of critical NextGen technologies. We have established in the bill clear deadlines for the adoption

of technology and navigational procedures which will allow for a more precise and fuel-efficient use of our national airspace.

This conference report also moves forward initiatives associated with the integration of the unmanned aircraft system—the UAS—into the national airspace. We are seeing now more and more applications of unmanned aircraft, and it is going to increase.

We are looking at border security using UAV research, law enforcement, firefighting, just to name a few. There are going to be more and more uses for unmanned aerial vehicles to be able to do the surveillance and photographing that have taken helicopter pilots and small general aviation and even large aircraft to do in the past. So our bill begins to have a process for our air traffic control system to accommodate these UAVs.

Finally, the bill finds compromise in several difficult areas. Chairman ROCKEFELLER has mentioned several of those. The Ronald Reagan Washington National Perimeter Rule, the air carriage of lithium batteries, and small community air service are among the compromises that were reached in this bill.

It is time that we finally create some stability in the aviation sector. This bill will do that. I encourage my colleagues to support its passage.

I would like to go ahead, since we do have time—actually, I do see someone waiting to speak. Since we will be on the floor until the vote, I will yield the floor at this time and finish the rest of my statement later.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

Mr. BEGICH. Mr. President, I am down here to speak in favor of the FAA reauthorization conference report that the Senate will vote on shortly. I thank Chairman ROCKEFELLER and Senator HUTCHISON for their great work on this piece of legislation—a long time coming. It has not been reauthorized since 2007, so it has been a long time coming. So I am very excited about this opportunity.

I think it is maybe a new trend for the year. Last week we passed the STOCK Act, and today hopefully we will pass the FAA bill. There has been a lot of work, a lot of compromise on these two pieces of legislation and this one particularly today.

The last time Congress actually passed a comprehensive FAA bill was in 2003. The bill expired in 2007. Since then, the FAA has been operating on 23 short-term extensions. These temporary extensions have been detrimental. They have prevented progress on modernizing our air traffic control. I speak as someone who just literally flew in a couple of hours ago overnight from Alaska. We clearly understand air traffic. They did not give airports funding certainty for planning, runway, and safety improvements, and they resulted in a brief shutdown in which

4,000 FAA employees were furloughed for almost 2 weeks last summer. It is far past time that Congress pass a comprehensive FAA reauthorization bill.

While this bill is significant for the entire country, it is particularly important for my residents, the residents of aviation in Alaska, and residents overall. It is truly a lifeblood. When you think of aviation, it is our highway in the sky. Alaska has 6 times more pilots and 16 times more aircraft per capita than the rest of the United States. More than 80 percent of our communities are not on the road system. So aviation is the only reliable year-round means of transportation.

This conference report invests over \$13 billion in our airport infrastructure over the next 4 years. Let me underline that—\$13 billion in the next 4 years. This is about jobs. It is about improving airport safety. In an economy that is slowly recovering and on the right track, this will add to the needed jobs in the construction industry but also make sure that we put them to work in areas such as aviation which are critically needed. It will improve our runways, create more safety projects in our airports and our runway areas, yet safely accommodate the higher traffic levels while putting tens of thousands of Americans to work.

This bill invests in and accelerates the deployment of the NextGen modernization of our air traffic control system, as you have heard described already. We have been using a World War II-era radar technology for our air traffic control. Transition to more accurate satellite-based tracking will allow for more direct routes between destinations, reducing fuel use and saving airlines money.

The backbone of this technology, called ADS-B, was proven in Alaska as part of the capstone project. So we are excited that we were the incubator for such an important element of our aviation, and now to see it accelerated and moved throughout the whole industry will be a huge benefit to the consumer.

For Alaskans, it contains an amendment which I offered and was cosponsored by Senator MURKOWSKI, providing relief for a one-size-fits-all rulemaking. That rule inadvertently prevented the shipment of compressed oxygen needed for medical and construction purposes in rural Alaska.

This legislation also contains a special provision that Senator COBURN from Oklahoma and I sponsored called the orphan earmarks provision. It repeals earmarks for aviation projects if less than 10 percent of the earmark has not been used after 9 years. It saves millions of dollars on stalled projects so that we can direct those limited resources where they can have the greatest bang for the dollar.

This conference report makes significant investments in the Essential Air Service Program—otherwise known as EAS—which serves rural and isolated areas. Forty-four communities in Alaska will continue to receive a minimal

level of scheduled passenger service. There are sensible reforms that will exclude communities in the lower 48 with fewer than 10 passengers per day.

The House FAA bill proposed to make truly Draconian cuts to the EAS Program. I wish to thank Chair ROCKEFELLER particularly for his effort to make sure that rural communities throughout America and Alaska continue to receive the access they need to airspace and travel from their small communities. For the general aviation community, this bill contains no new user fees. Let me repeat that—no new user fees for general aviation.

There is aviation community funding for research into an unleaded fuel substitute which one day may replace avgas. There are incentives for ADS-B equipment.

I will continue to work with my copartner on the general aviation caucus, Senator JOHANNIS, to make sure that aviation policies are mindful of the significant role general aviation plays not only in my State of Alaska but throughout this country.

For our airline passengers, this conference report includes a passengers' bill of rights championed by Senators BOXER and SNOWE. It codifies common-sense approaches and changes, such as making sure passengers have adequate food and water and lavatory access if delayed on the tarmac and options to deplane if the flight has been excessively delayed.

It is not a perfect bill. I was disappointed that the conference report contains language pertaining to the National Mediation Board and the rules governing union organizing. It is not relevant to the underlying bill. It was not included in the bill the Senate passed last year. We understand this was a necessary compromise for the House leadership to allow this long-stalled bill to move forward. Again, it is not an appropriate element to this bill, but recognizing that the overall bill is critical to the long-term health of our aviation industry and the passengers of this country, we can take comfort from the fact that we added over 30 provisions in this conference report that will improve conditions for aviation workers.

I firmly believe the controversial NMB language has no place in this bill. I also recognize it is time to move forward.

I wish to recognize again the leadership of Senator ROCKEFELLER and Senator HUTCHISON of the Senate Commerce Committee and their tireless work. They never gave up. Their staffs continued to work and to push forward, to push everyone when it looked as if the differences between the House and Senate were impossible to resolve. The conference report before us is a testament to their tenacity and their bipartisanship.

This bill is a shining example of what Congress can accomplish when we put our differences aside and sit down to do the daily work of legislating. This is a

very strong bill, a bipartisan bill. It is just unfortunate it has taken this long to get here.

I urge my colleagues to vote yes on this monumental conference report which will put Americans back to work, enhance our airport infrastructure, and will make the safest aviation system in the world even safer.

I yield the remainder of my time, and I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. HUTCHISON. Mr. President, we will be voting in an hour and a half, but I would like to take this opportunity to thank so many of the people who brought this bill together, which we hope will come to a good conclusion in about an hour and a half.

Obviously, I have talked about Chairman ROCKEFELLER. This has been a long process, clearly—23 extensions and it has been since 2007 that we had the last authorization. I think the fact we are now going to have a 4-year authorization is one of the more important elements. Now our airports are going to be able to start their building projects. They are going to be able to increase their runway space or do repairs or whatever the priorities are that are decided by the FAA are the most important priorities for our Nation because the funding source from the highway trust fund will now be known for 4 years. I think that is a very important step in the right direction.

I wish to thank the House managers of this bill as well, the House Transportation and Infrastructure Chairman MICA and Ranking Member RAHALL and the respective Aviation Subcommittee chairs in the House, Representatives PETRI and COSTELLO. Their work and input on their bill was certainly critical, and the ability to come to conference and hammer it out was critical as well.

In the Senate, I wish to thank all our conferees, Senators HATCH, ISAKSON, and DEMINT on our side and, additionally, Senators CANTWELL and THUNE, the respective chair and ranking member of the Commerce Committee's Aviation Subcommittee, for their work on the bill.

The staff, of course, are the ones who work long hours, and though we never see them, they are there. Senator ROCKEFELLER and I were having telephone calls at 10 o'clock at night, then we would call our staffs and then call back to determine what was happening and what needed to be happening. So I thank the person who runs the Commerce Committee on the majority side, Ellen Doneski, who is wonderful to work with, James Reid, Gael Sullivan,

Rich Swayze, and Adam Duffy, who worked on this bill and the negotiations for all these years that we have been trying to pass this; on Representative MICA's staff, Jim Coon, Holly Woodruff Lyons, Bailey Edwards, and Simone Perez; on Representative RAHALL's staff, Jim Zoia, Ward McCarragher, Giles Giovinazzi, and Alex Burkett; and on my staff, the Commerce Committee minority side, Todd Bertson, Richard Russell, and Jarrod Thompson.

I wish to especially mention Jarrod Thompson, who is the one I know the best, because he is the Aviation Subcommittee ranking member's staff leader. He knows the history of the aviation bills. He knows the subject matter. There was never a time when I would ask a specific or technical question that Jarrod didn't know the answer, and I so appreciate his being on our staff and helping us through this very important time.

With that, I yield the floor, and I thank all my colleagues and our House colleagues and staff for their work on this bill that I hope we will be able to pass when the vote comes at 5:30 this afternoon.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, I am in the happy position of mimicking a lot of what my colleague Senator HUTCHISON has said but for a very good reason. Until one goes through an experience such as the one Senator HUTCHISON and I have been through for the last year, plus, plus, one has no understanding of how hard staff works.

That staff routinely work over the weekends is just a given. They work through the night. They will stay up all night frequently. They have to reach out in so many directions. There are not that many of them as compared to those who have requests of them, and so their work never stops.

Let me start, obviously, with Senator HUTCHISON. She did mention Todd Bertson and Richard Russell, then Jarrod Thompson, the lead negotiator. That is a tough position. It is a very tough position because people and interest groups figure out whom to go to and whom to pester and whom to follow up with. I have that same situation, and Ellen Doneski is incredible. I called her at 11 last night and she was fine and well and then she got sick and now she is already back at work. Does that mean she is not sick any longer? I don't know. But they are driven to excel. They are driven to drive the product home in ways that are expiring.

To my left sits James Reid, who is the No. 2 person on that committee who, as far as I can tell, knows everything about everything and certainly about any discussion that comes up in terms of the Commerce Committee. He is tireless. He has young children with the tension that creates, not in principle but just the idea that you have to

occasionally show up at home and be a good father.

Gael Sullivan is our lead negotiator, and that is a very special position on a bill such as this. Rich Swayze and Adam Duffy; Rich Swayze and Gael worked so many things together, and Gael Sullivan and Adam Duffy.

Let me go to Representative JOE RAHALL. Obviously, he is a colleague of mine. I think he has been in the House for 36 years, and he represents the coal fields, in many ways the most volatile part of our State as its economics change rapidly. His chief negotiator is Giles Giovinazzi, and to him goes the same praise. House Members and the subcommittees and committees have so many fewer staff than in the Senate, so we have to praise them very much. Jim Zoia, who is his chief of staff—and has been, I swear, for all 36 years. If it is not the case, it doesn't matter—is a remarkable person; Ward McGarragher and Alex Burkett.

With JOHN MICA, I need to mention Jim Coon, Holly Woodruff Lyons, who was his lead negotiator, and Bailey Edwards and Simone Perez.

Let me end simply by saying Senator REID and his people were so heavily involved, particularly in this one aspect of the bill. But he has been driving this bill in our caucuses, as the Presiding Officer well knows, for over a year: Where is my FAA bill? Where is my FAA bill? He has been driving, pushing, pushing, pushing, pushing. His chief of staff is David Krone, who so many people don't know and it is their loss; Darrel Thompson, Bob Herbert, Bill Dauster, who keeps in touch with everybody and everything.

To the floor staff of the majority and the minority leaders, just simply to be grateful to them and to make sure we say that to them personally, we say it publicly, and we say it frequently.

I ask unanimous consent that, from this point forward, any time spent in quorum calls be equally divided.

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

Mr. ROCKEFELLER. I thank the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Delaware.

Mr. COONS. Mr. President, I rise and ask unanimous consent to speak as if in morning business.

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

STARTUP AMERICA LEGISLATIVE AGENDA

Mr. COONS. Last week, President Obama unveiled his Startup America Legislative Agenda.

It marked the 1-year anniversary of his Startup America initiative, an ambitious, impressive, national energetic effort led by, among others, legendary innovator and entrepreneur Steve Case, the founder of AOL. It was a strategy that focused on how the Federal Government can best help young companies and, in particular, entrepreneurs all over this country get into the game

of starting and growing businesses. It is smart and it is important.

Entrepreneurs are driving our economic recovery and will drive our economic recovery into the future. They are taking the risk personally to turn their ideas into startup companies in fields from biotech and clean energy to manufacturing. Among these innovators could be the next American giant, a General Electric or DuPont. But in order for these startup companies to grow, we have to support them in their critical early stages. Today, I take that as our challenge.

Whenever I visit a factory in Delaware or meet with the young owner of a company that he or she has just started, I ask the same question: How can we best help you to grow?

Small business, it is often said, is the engine of job creation in this country. In the 1990s and the early 2000s, small firms created more than 65 percent of the new jobs in this country. But I want us to particularly focus on those small businesses that have enormous potential, so-called gazelle startups, those that grow not from 5 to 10 or 5 to 20 employees but from 5 to 50 to 500 to 5,000, whether it is Facebook or other startups that have gone from literally bench top or dorm room to being employers of thousands or tens of thousands.

Our economy has grown dramatically because of these rapidly growing innovative startups. Typically, they are startups that focus on a disruptive technology or product, something that fundamentally changes a whole sector of our marketplace, and they have the most promising potential for job creation.

Between 1980 and 2005, most of the net new jobs in America were created by firms that were 5 years old or less. That is about 40 million jobs over those 25 years.

This summer, I hosted in Delaware a series of roundtables with business owners. The focus of these conversations was on how we can help their businesses to grow and grow quickly. A lot of these businesses were young and innovative companies. They have a great idea and a good start on their research. But I often found, particularly in this economy, they are struggling to capitalize on their innovations.

Innovation is the spark that drives and sustains entrepreneurship, particularly entrepreneurship in disruptive technologies. But it is research and development that drives that innovation, and government only has so many tools we can use to help promote innovation. Today, I wish to talk about a piece of the Tax Code that is one of the most powerful tools in our toolbox.

Thirty years ago, Congress created the Research and Development Tax Credit, the R&D Tax Credit, to help incentivize companies to invest in innovation, to invest in the people who are doing the research and the development that drives innovation. In fact, 70 percent of R&D-qualified expenses

today are for wages. In many ways, it is an innovative jobs credit. It has helped tens of thousands of companies and has been extremely successful at getting companies to invest in innovation. But it has one key weakness: It expires. It expires all too often. It has, in fact, expired 8 times and been extended 13 times and it has most recently expired in December of last year.

The first bill I introduced as a Senator last April was entitled the "Job Creation Through Innovation Act." It did two things. First, and most important, it made the R&D tax credit permanent—important, in my view, to sustain and extend this successful program. But there is another issue we still need to address to make the tax credit relevant to these early stage, innovative, high-growth companies. Right now, the tax benefits of the R&D tax credit are available only to more established companies that are already turning a profit. We have to have a tax liability on their profits for that credit to be of any value to them. That is a roadblock in the way of success for startups and small businesses in Delaware and around the country and a place where I think we can and should come together across the aisle to address this gap in the R&D tax credit program because, in my view, it is the small early startups that most need a cash infusion to support their confidence, their stability, and their innovation. We can, and should, take this tax credit and retool it in a way that makes it more relevant and more effective. If entrepreneurs are the ones taking risks in this economy and creating jobs, they should be the ones we support in this tough economy through our Tax Code. As I said before, history shows it is those young companies that are creating the most jobs the most quickly and that have the best return on tax expenditures.

Here is what I have been working on. As I have met with innovative young businesses in Delaware, one of the ideas that has come to me more than once is to change the R&D tax credit so it is accessible not just by being permanent to big and profitable companies but by being tradable so smaller or startup companies that have no tax liability can take advantage of it.

How would that work? It allows startups to sell their tax credit to a larger company, giving them a much needed infusion of cash. Let me give an example.

Elcriton is a small but high promise, high potential Delaware company. It has patented strains of bacteria that are designed to consume duckweed—also called pond scum—and produce biobutanol, a promising drop-in alternative fuel. It has tremendous potential. Elcriton today is run by two Ph.D.s who have put together all the money they can raise, from family and friends and angel investors and early funds into research and development. But for them to grow, and grow quick-

ly, they need access to more capital to fund more innovation.

Evozym Biologics also is a 2-year-old Delaware company trying to bring to market cutting-edge innovations in computing and in the development of proteins from the University of Delaware and the Desert Research Institute. They are doing incredible things there.

Both these companies need more funding to invest in R&D and to capitalize on their potential to grow rapidly and grow high-quality jobs. If they were already bigger, well-established, successful companies, they might well qualify for the existing R&D tax credit. But because they are so small and just getting started, our current tax credit doesn't help them at all.

Fortunately, Delaware is also home to a few great well-established companies. Since those companies turn a profit and pay taxes, they could actually utilize a tax credit. In this case, Elcriton or Evozym would sell their innovation credit to one of the larger established companies. The bigger company gets the tax credit. The newer company gets the infusion of cash it needs to sustain its innovation. It would be a win-win.

This is just one idea of a number that I have introduced, that I have proposed, and that I have discussed with Senator BAUCUS and others on Finance. I hope that in discussing it today, some of my colleagues on both sides of the aisle and leaders in the business and innovation communities will work with me to further refine it, focus it, and make it part of our greater conversation about tax reform and the economic recovery.

We can and should put our heads together to find commonsense solutions to the problems, challenges, and opportunities of innovation and competitiveness. We have to give American business the support they need to compete in an increasingly competitive global economy because, in my view, we are falling behind in the race for innovation.

In the 1980s, the United States was routinely ranked as having the best R&D tax incentives and overall support for innovation in the world, but today some studies have us ranked 17th in the world in supporting and sustaining innovation. I refuse to let American companies, American inventors, and American workers fall behind. With the right resources, American ingenuity will continue to outcompete any country on Earth every time. I know it is possible. I have seen it week in and week out as I have visited small and medium startup companies in Delaware.

Just a few weeks ago in Bridgeville, DE, a town many from here have traveled as they have gone to the Delaware beaches, I stopped to visit a small company, Miller Metal, that is proving day in and day out that with investment, with innovation, with continuous improvement, they can go head to head

with Chinese metal fabricators and win: manufactured in Delaware, competitive in the global marketplace.

Although we need a full overhaul of our corporate tax structure, making this one small tweak to the R&D tax credit to make it accessible to early stage innovative companies will, in my view, give us a running start into the headwinds of the global economy, and I think we have no more time to waste. It is small businesses and innovative strategies that will create the jobs we need to put our neighbors back to work and turn this economy around more quickly. Let's work together, let's help them, and let's make progress on this most important proposal to change the R&D tax credit, make it permanent, and make it accessible for early stage companies.

I am eager to hear what people think about this idea, and I hope they will connect with me and my office and let me know how to improve on it, how to execute on it, and how to deliver this as a new tool in the toolkit of American innovation.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

Mr. ROBERTS. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COONS). Without objection, it is so ordered.

Mr. ROBERTS. Mr. President, I rise today, as many of my colleagues have done, to speak in favor of the final passage of the conference report to accompany the FAA Air Transportation Modernization and Improvement Act. I don't know what the acronym to that is. It is a long name but it is a very comprehensive bill, and a very good bill.

I especially want to thank Senator HUTCHISON and my good friend from West Virginia Senator ROCKEFELLER and their dedicated staff for the countless hours they have dedicated over the past 5 years to produce legislation that will provide the Federal Aviation Administration with the tools necessary to begin finally to support the 21st century national airspace system. It is not often you have a staff and two Members dedicated for 5 years to finally come up with a good bill. It has been tough sledding, but they have gotten it done.

The aviation industry remains one of the most important economic sectors in my home State of Kansas. Passage of this 4-year reauthorization is absolutely necessary for giving aviation companies necessary funding and the regulatory certainty to move forward with a number of important initiatives. It is not very often in today's world you talk about regulatory certainty. This bill will do that.

Specifically, the FAA Air Transportation Modernization and Safety Improvement Act includes provisions to

implement a state-of-the-art satellite-based navigation system to provide operators and users of our national airspace the ability to seamlessly guide and locate traffic throughout our Nation and around the world.

It also authorizes critical funding for the Essential Air Service Program which provides Kansas and other rural States the ability to provide air service to smaller communities and the citizens and businesses whose livelihoods rely on the ability to travel longer distances in a short amount of time.

As a Member of the House—as a matter of fact, even prior to that as a staffer to a Member of the House—I was part of the effort that established the first Essential Air Service, so I have a long-time interest in this. I again thank Senators for doing their very best to preserve this program.

More important, this legislation reflects a bipartisan effort to ensure the continued health of the general aviation industry. This industry contributes over \$150 billion to the national economy each year. It has created over 1.3 million jobs—if anybody wants to hear about job creation, this is the outfit that does it—across a broad range of disciplines, and allows companies the ability to access facilities all across the globe.

This is where I want to particularly thank Chairman ROCKEFELLER and Senator HUTCHISON as well as my colleagues on the Finance Committee who were tasked with finding the necessary funding streams to pay for the annual \$15.9 billion tag this legislation does authorize.

Notably, this legislation does not include language imposing disproportionate and onerous user fees on the general aviation industry. This is contrary to what has happened in the past. This has been a general agreement now. Rather, this legislation preserves the current fuel tax levels, an efficient and effective funding mechanism that accurately reflects general aviation's use of the system.

If anybody down at 1600 Pennsylvania Avenue is listening, I hope they would adopt the same attitude as we have been able to reach in a bipartisan way, and not pick on any particular industry—or use their name or acronym for their name about six or seven times in three paragraphs of recent speeches.

Last, this legislation would not undermine steps taken at the Department of Transportation to protect private citizens from having their movements tracked by anyone with easily accessible flight tracking technology.

I look forward to joining my colleagues later this afternoon in passing this important measure, a great, comprehensive bill that will support more than a million jobs and help spur further economic growth and development in our Nation's aviation sector.

I yield the floor.

Mr. ISAKSON. Mr. President, I rise for a moment to echo, first of all, the words of the distinguished Senator

from Kansas. He was right on target in every point he made. But I also rise to pay tribute to the chairman, Senator ROCKEFELLER, and ranking member KAY BAILEY HUTCHISON, Mr. Ray LaHood, and Chairman MICA in the House, all of whom did an outstanding job bringing this together.

I was thinking in the airplane coming up here—it was an appropriate place to think about it; we are all on airplanes quite a lot—I was thinking about the many bills I have been involved in here in my 13, almost 14 years in the Congress of the United States. I don't know if I ever remember a conference committee that was so far apart and so divided that finally came together in the best interests of the American people than this one. I want to pay tribute to Majority Leader HARRY REID, who played an instrumental role in finding common ground and coming to agreement. Speaker BOEHNER in the House of Representatives did the same. This was a team effort. The National Mediation Board decisions that were made in the final agreements were good and they were fair. As Senator ROBERTS has said, the treatment of general aviation and commercial aviation is fair and equitable. We now have a 4-year plan for the next generation. Everything that happened, happened for the best and it happened because of good leadership on the part of Chairman ROCKEFELLER and Congressman MICA and Speaker BOEHNER, the Speaker of the House, and Senator REID. I thank all for the work they did, and I am very proud to have been a part of the solution that led to the reauthorization of the Federal Aviation Administration.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. ROCKEFELLER. Mr. President, I thank Senator ROBERTS from Kansas and Senator ISAKSON from the State of Georgia—State of Atlanta—for their very kind remarks. I really mean that. These are two good people with a lot of business experience, with aviation—is Hartsfield still the world's busiest airport?

Mr. ISAKSON. Busiest in the world.

Mr. ROCKEFELLER. And tremendous general aviation industry the Senator has in his State. That they come down and praise this bill means a lot to this Senator and I thank both of them.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. HARKIN. Mr. President, I rise today to express my concern about provisions of this bill that amend an unrelated labor law statute—the Railway Labor Act. As the chairman of the Committee on Health, Education, Labor, and Pensions, which has jurisdiction over this law and the agency that enforces it, the National Mediation Board, I am troubled by the inclusion of this language and the implication that it creates; namely, that this independent Federal agency and the hard-working Americans it protects are being punished for recent regulatory changes that protect workers' rights.

The National Mediation Board—or NMB as it is known—established in 1934, is an independent agency that administers labor relations in the air and rail industries. In 2009 this small, 51-person agency went through a careful process to change the voting rules governing the elections that it administers. Under the old antiquated election system, all nonvoters were automatically and arbitrarily treated as a “no” vote, or a vote against the union, regardless of whether they actually opposed forming a union. These rules were contrary to the election rules used in National Labor Relations Board-supervised elections and different from the rules governing elections held throughout the entire United States, from school boards to U.S. Senators. Think about it—if you don't vote, you are counted as a “no” vote. What kind of sense does that make? It made no sense. Just as it would be unfair to arbitrarily assign an individual American a position, let's say, in the Presidential race because he or she chose not to vote, it was unjust to capriciously impose a position on rail and aviation workers who, for one reason or another, didn't vote in a representation election. That is why the National Mediation Board adopted the commonsense rule, the same rule that applies to industries all over America that are governed by the National Labor Relations Board. The rule was that in the future elections, a voter's decision not to vote would have no impact on the election's outcome. Only those voters who actually participate will determine the outcome of the election. A majority of those who vote determines who wins.

This basic system, as I said, of conducting elections works for school boards and for Congress. It works for all the businesses in America that are governed by the National Labor Relations Act, and it will work and has worked for rail and aviation workers. The only entity this new system apparently doesn't work for is the management of a few powerful airlines. These powerful companies don't want workers to have representation. They don't want to engage in collective bargaining with their workers. I guess they are deeply concerned about the remote

chance that at some point in the future they just might have to put a few additional dollars into middle-class workers' pockets, so they waged an unprecedented attack campaign to kill this rule, the rule that says: If you don't vote, your vote is not counted as yes or no. The only votes that count are those that vote yes and those that vote no. In the past, if you didn't vote, it was counted automatically as a "no" vote. Finally, people said: This doesn't make sense. No other business in America has any kind of rule like that governed by the National Labor Relations Board.

These few powerful airlines waged an unprecedented attack campaign to kill the rule. First they found some friends in Congress and tried challenging the rule under the Congressional Review Act, a law that allows Congress to overturn a rule through a resolution of disapproval. They lost that fight on the Senate floor. Next, they went to court to challenge the legality of the rule-making. They lost that fight in the district court, and then they appealed to the court of appeals and they lost there too. So then they waged a last-ditch effort to kill the rule on this FAA reauthorization bill, which has nothing to do with it. Again, it was not in the Senate bill. The House put it on a totally unrelated provision dealing with the National Mediation Board that isn't even a part of the FAA and which isn't in the jurisdiction of the Senate Commerce committee.

The FAA reauthorization has historically been a bipartisan bill that is essential to the operation of our aviation system. As a pilot myself—I have been all my life—I can see why this bill was needed, believe me. The current bill not only extends a wide variety of provisions impacting aviation, it helps to create tens of thousands of jobs and to bring our aviation system into the 21st century. This important legislation has absolutely nothing to do with the National Mediation Board, whose sole job is to oversee labor relations. But last year House Republicans tried to turn this FAA reauthorization bill into a vehicle to attack workers' rights.

They added a provision to their bill repealing the National Mediation Board's election rule—the rule which said if a person does not vote, it is not counted. It is not counted as a "no" vote or "yes" vote; it is just not counted—a commonsense rule. Then, when the House and Senate bills were in conference last year, they refused to pass a clean extension of the FAA laws as had been done on more than 20 occasions prior. Since they didn't do that, they stopped the conference negotiations. Instead, the House forced a partial shutdown of the FAA.

That shutdown last summer left 4,000 FAA workers furloughed. It put many thousands more people out of work in airport construction. It cut off FAA reimbursement payments to small businesses across the country. It cost the government about \$25 million in tax revenues every single day just because

the House was attacking workers' rights and they wanted to add this onerous provision to the FAA bill.

While frustrating, it has long been the norm here to keep agencies operating with short-term extensions while bills whose terms have not been worked out are negotiated. The House action was a rare break from that norm, and it caused real damage to thousands of real people.

Fortunately, there was a substantial public backlash against the House Republicans, and they had to back down. They let a short-term FAA extension pass, then they backed off on their demand to kill the rule. But the powerful corporations behind this effort still couldn't let the issue go. Despite the fact that the new rule had been in place for more than a year and has had absolutely no negative impact on any carrier—the union success rate in elections has remained roughly the same before and after the rule's implementation—these corporations were still bound and determined to attack the National Mediation Board and to attack America's rail and airline workers to punish them for having the audacity to stand up for what is fair and to have the audacity to stand up and say a vote that is not taken shouldn't be counted as a "no" vote or a "yes" vote; it shouldn't be counted at all, which I think most Americans would think makes sense.

So these corporations got their friends in the House Republican leadership to demand the addition of burdensome new changes to the Railway Labor Act in this unrelated FAA bill. The dramatic changes they initially demanded to this statute were absurd and would have been irresponsible to slip into a nonamendable conference report without any consideration by the committee of jurisdiction which happens to be the jurisdiction of the committee I chair in the Senate.

Fortunately, Senator ROCKEFELLER, the chairman of the Commerce Committee, and Senator REID, through months of negotiations, were able to stave off the worst of the House Republican proposals and ultimately settle on a package of less detrimental changes. Under this new language, the agency retains discretion to determine when a union should be properly certified as a bargaining representative, and we have no intention of changing that process. I also think we have left a lot of room for the agency to make rules that govern special situations such as mergers.

But to be clear, I don't think any of us on this side of the aisle wanted to make these changes at all. We were forced to do this by a few powerful people who were willing to hold many thousands of American jobs hostage and hold hostage improvements to our airway system just to get this.

Some people might call this process a compromise, but I call it an abuse of our legislative process, and we shouldn't let it happen. To be clear, as

I have indicated, there is progress in this bill for the people of my State and the people of this great Nation. It will create jobs. It will move our country's aviation system into the 21st century. It shifts our air traffic control system to a GPS system where planes can fly far more efficiently, saving fuel and time. It provides a compromise that continues the Essential Air Service Program.

So, again, I thank Chairman ROCKEFELLER for his diligence and his hard work for over 4 years trying to lead the House and others into moving our air transportation system, both for general aviation and for air transport and for the airlines, to be more efficient and to use less fuel so it is more benign to our environment. Believe me, there is a lot in here that is going to help general aviation also. So I thank Senator ROCKEFELLER for his diligence and his hard work.

So my "no" vote today on this bill is not to suggest that there aren't many good things in this bill. Instead, my vote is to stand up against the notion that a Federal agency and the American workers it is charged to protect should be punished for doing what is right and what is fair, what is in their jurisdiction, and to stand up against a process that allows the few and the powerful to hijack this body and change the rules of the game in their favor. The American people deserve better than that.

RAILWAY LABOR ACT

Mr. HARKIN. Mr. President, I would like to ask a few questions of my friend the majority Leader and my friend Senator ROCKEFELLER, Chairman of the Senate Commerce, Science, Transportation about the changes to the Railway Labor Act in the this bill. Because my committee has jurisdiction over this important act, I want to make sure that I fully understand the scope and impact of these changes.

Mr. ROCKEFELLER. I think a little context is helpful to understand the situation we were in. Republicans sought to use the FAA reauthorization bill to overturn a recent administrative rule by the National Mediation Board granting certification if a union won a majority of actual voters in a representation election. The Senate correctly rejected that provision of the House bill. The rule was fair and reasonable and I strongly support it.

Mr. REID. I agree, and reaffirm our strong support for National Mediation Board's decision in this matter. The Senate bill would, however, modify the Railway Labor Act in a few minor ways. One of these changes would modify the agency rules governing the showing of interest that is a precursor to a representation election for either a new certification or a change in certification. We modified that standard to require a 50 percent showing of interest for all elections. This percent was chosen to recognize the long-standing primary statutory goal of the Railway Labor Act, which is stability

in labor relations through peaceful collective bargaining. A 50 percent showing of interest will ensure that elections only occur when there is a sufficient and substantial indication of employee support.

Mr. HARKIN. My understanding is that there has been longstanding deference to the National Mediation Board regarding the findings it makes in the representation context. As the Supreme Court stated in *Switchmen's Union v. NMB*, after a NMB's decision on whether a showing of interest has been made "the dispute [is] to reach its last terminal point when the administrative finding [is] made. There [is] to be no dragging out the controversy into other tribunals of law." Would these changes alter that longstanding deference in any way?

Mr. REID. Absolutely not. In considering the amendments, we relied on and had no intention of disrupting the Supreme Court's decision in the *Switchmen* case. Codifying the standard in statute was not intended to alter the longstanding deference that must be accorded to the National Mediation Board as it makes factual findings in the representation context. In fact, the language was included in a new section of the Act, rather than incorporated into the existing Section 9, based on a consensus among all parties involved in the conference negotiations that the new showing of interest should not enable an employer to manipulate the election process by demanding court review of the showing of interest.

Mr. HARKIN. I would ask my friend, Senator ROCKEFELLER, if this was his understanding as well?

Mr. ROCKEFELLER. Certainly. We had no intention of changing the level of deference that is accorded to the agency in representation matters. The NMB's certification authority remains conclusive.

Mr. HARKIN. I thank my colleagues and am reassured by their response. I can think of a number of dangers that would arise if the sufficiency of a showing of interest were litigated in court. The sad reality is that employees are regularly retaliated against for supporting unionization—in ways that are legal and illegal. It would be very dangerous if employers could gain access to union authorization cards through litigation discovery. It is reassuring to hear that the sponsor of this bill does not intend that result by codifying the showing of interest.

Mr. REID. The purpose of the amendments was very limited. It was not intended to alter judicial review; in fact, there was agreement among Democrats and Republicans negotiating the agreement that there would be no expansion of judicial review. And I would also like to explain that it is not intended to apply to the unique situation in mergers. The text of the amendments apply to all applications for representation elections, but not to the entirely different circumstance where a labor organization or employees peti-

tion the National Mediation Board for a determination as to whether a merger or other transaction has altered an existing representational structure as a result of a creation of a single transportation system. In those cases, it is our intent that the National Mediation Board's existing merger procedures, as modified from time to time by the National Mediation Board, shall determine the percent of the craft or class to establish a showing of interest. Otherwise, employees could lose their representation simply by merging with a slightly larger unit without even having the opportunity to vote, which is unacceptable.

Mr. HARKIN. I thank the majority leader for that helpful clarification. I would like to raise two additional questions if I may, both related to whether usual rules of statutory interpretation are intended to apply here. First, am I correct that the showing of interest requirement set forth in this legislation should only apply prospectively and should not apply to any application for representation pending at the time of the effective date of the legislation?

Mr. ROCKEFELLER. Yes.

Mr. HARKIN. I thank the Senator. And second, in the amendments, Congress directed the Government Accountability Office to review certain NMB activities periodically, and in conducting these reviews, to consider whether the agency's actions are consistent with Congressional intent. I would presume that the relevant question for the GAO to consider is whether the agency's actions are consistent with the intent of the Congress that passed the provisions of the Act in question, the joint labor-management agreements which led to its adoption, and the subsequent judicial interpretation thereof?

Mr. ROCKEFELLER. That is correct, yes.

Mr. HARKIN. I thank my colleagues for joining me in this conversation.

Mr. LEVIN. Mr. President, I will vote in support of the conference report to accompany the FAA Reauthorization and Reform Act, H.R. 658. The last reauthorization bill expired at the end of fiscal year 2007 and since then we have passed 23 short-term extensions. We are long overdue to enact a long-term reauthorization of FAA's programs in order to provide important funding and program improvements that will enhance the safety and efficiency of our Nation's aviation system. I am pleased we are finally doing that today and in so doing we make key investments in our Nation's aviation infrastructure as well as create good jobs in the process.

One of the main issues holding up the bill for so long was a provision contained in the House bill, but not the Senate bill, to repeal the National Mediation Board—NMB—rule that ensures that only those votes cast in a union election are counted. I am glad to see that controversial provision has been removed, although I am disappointed language has been added to change

Railway Labor Act rules and regulations governing union elections by raising the showing of interest threshold for holding an election from 35 percent to 50 percent of the employees in the craft or class. I do not believe the FAA reauthorization bill is the appropriate vehicle for this sort of change and I do not support its inclusion in this bill.

Providing a long-term 4-year reauthorization of our aviation programs is vitally important. Our global economy depends on the smooth and efficient movement of goods, services and people from city to city and across international borders. A safe and efficient aviation system goes hand in hand with a strong economy. We are fortunate to have one of the best aviation systems in the world and I am pleased that under this bill we continue to make the necessary investments and upgrades to retain that high standard. This FAA reauthorization bill addresses problems of capacity, congestion and delays to help ensure our aviation system can handle the projected growth in airlines passengers.

The FAA reauthorization bill will also create much needed jobs by providing the funding and directives for safety improvements at our airports and in the aviation industry. In Michigan alone the FAA is building two new air traffic control towers, at Kalamazoo and Traverse City. The FAA is also repaving numerous runways and taxiways, including at Detroit Metropolitan Wayne County Airport, Alpena County Regional Airport, Bishop International Airport, Sawyer International Airport and at other airports around the state. The FAA is also constructing new terminal buildings at Kalamazoo/Battle Creek International Airport and at MBS International Airport in Freeport, MI. And FAA funds are paying for the design of a new building for aircraft rescue and firefighting and snow removal equipment at Pellston Regional Airport in Emmet County. These are important upgrades to Michigan airports and funding of many more needed improvements will make flying into and around Michigan safer and easier.

H.R. 658 will move us closer toward modernizing our air traffic control system by building the Next Generation Air Transportation System—NextGen—of satellite-based navigation. The NextGen system will be more accurate and more efficient than the current radar-based air traffic control system. It will also result in significant fuel efficiencies and time savings by allowing aircraft to fly more direct routes. This is good for the environment, good for air carriers and good for the flying public.

I am very pleased the conference report adopted the Senate approach to the Essential Air Service Program—EAS—and preserves this important program rather than terminate it as the House bill would have done. The EAS provides rural communities with

access to the national air transportation system and is very important to Michigan. We have 8 communities that rely on EAS subsidies to help provide them with daily commercial air service. This conference report maintains the EAS program at current funding levels with some minor modifications. I very strongly opposed attempts to deprive Michiganians living in the less populated areas of our State of commercial air service. For businesses in the affected communities, this service is an economic lifeline that connects them to the web of both national and international commerce. At a time when we are doing everything we can to compete globally and to increase the number of jobs, cutting off that access makes no sense and I am glad this conference report recognizes this.

Mr. LEAHY. Today, nearly a year after the Senate passed the FAA Modernization and Reform Act, the Senate is being asked to adopt the conference report to accompany it.

I am pleased that the conference report does retain bipartisan language that I worked on to protect the public's right to know under the Freedom of Information Act. The Freedom of Information Act is one of our Nation's premier open government laws. The language included is intended to allow the Government to protect sensitive aviation information while still ensuring that the American public has access to aviation-related health and safety information.

I am very disappointed that the conference report does not contain the amendment that Senator INHOFE and I worked hard to pass when the bill was considered and passed by the Senate. Following passage of our amendment in the Senate, which contained important improvements to the Public Safety Officers Benefits Act—PSOB—and the Volunteer Protection Act, I worked with House Judiciary Committee Chairman LAMAR SMITH to revise the Senate language into a bipartisan set of PSOB reforms.

Among these reforms, and the basis of my Senate amendment, was the Dale Long Emergency Medical Service Providers Protection Act. This measure was prompted by the tragic death of Dale Long, a decorated emergency medical technician from Bennington, VT, who spent his career helping his fellow Vermonters. Following Mr. Long's death, I became aware of a gap in PSOB coverage for emergency medical responders, and this amendment was designed to close that gap so that Mr. Long, and others who serve as medical responders for private, non-profit ambulance services, have the protection of the PSOB program.

In addition to the Dale Long measure, the agreement that Chairman SMITH and I drafted included provisions to improve the administration and efficiency of the PSOB program. These reforms would have made the claims process faster, easier, and fairer for those disabled in the line of duty, and

for the surviving family members of those who lose their lives during service. I regret very much that the Conference Committee decided to remove these improvements from the final version of the bill.

Mr. President, I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. ROCKEFELLER. Mr. President, I note that the time is just before 5 o'clock. My distinguished Republican colleague, Senator HUTCHISON, is not on the floor at the moment, but I do not know of nor have I heard of any other Members wanting to speak. I don't know that we need to do much except go ahead and vote. I don't have the power to command that. I see a whole lot of people up here who do, but I would just say if there is anybody at the last moment who wants to speak, that is fine.

We have set up the vote for 5:30. I think there are a lot of our colleagues who aren't going to get here until 5:30 because they are on airplanes that land at 5:00. So we have to take that into consideration.

So I stand here to say that I think this is a very good bill, and I think, as has been mentioned often, it is a 4-year product with hard work and with an unbelievable consultation with all of the stakeholders, which includes all of the Members of the Senate and their staffs and all of the people out in the world of aviation. We have spent endless hours with them, and rightly so and happily so.

I think there is general support in the aviation community for this bill. I could read a list of all of the people who do support it, the associations that support it, but it would take me a long time. I hope very much my colleagues will vote for this bill.

As I indicated, nobody got all they wanted, but that is the nature of compromise. Compromise in and of itself was particularly difficult in this negotiation, but we have done what we have done. It is well regarded. I urge my colleagues, when they do come, to vote for the bill.

I thank the Presiding Officer, and I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. CARPER. Mr. President, the Presiding Officer, my colleague from Delaware, has heard me say more than a

few times that when I meet people who have been married a long time, I like to ask them: What is the secret to being married 50 or 60 or 70 years or more? I get some funny answers. I also get some very poignant answers. Sometimes I get very instructive answers. One of the best answers I have ever heard—in fact, I have heard it more than a few times over the years—is the key to a long marriage, a successful marriage is the two Cs—not COONS and CARPER, not COONS and CARNEY, not COONS and CASTLE but communicate and compromise.

The folks from Delaware who elect us—and people from the other 49 States—are wondering: why don't we do the two Cs more here? Because those two qualities—communicating and compromising—are actually not only needed for a successful marriage but also for democracy to succeed.

Today, as we prepare to vote on the conference report—a compromise—it is a product of a whole lot of communication from people all over the country: from businesses, from air traffic controllers, from labor unions, from people who use airlines, to folks who are involved in sometimes direct or indirect ways with this legislation, but they have been communicating with us what they think we should do.

As we work to bring our air traffic control system into the 21st century and as we seek to fund the modernization of our airports and our airways, we have had to raise some money. I was privileged to serve on the Commerce Committee for a while with our chairman Senator ROCKEFELLER, and forever we were trying to work out a compromise between the airlines and the general aviation community on how do we pay for this tab so we do not run the deficit up even more. I take my hat off to the chairman and the others who worked on this with the key stakeholders to say: They are going to raise some revenues, they are actually going to pay some additional tax monies to come up with the money we need to provide for better airports and, frankly, better air traffic control systems—safer air traffic control systems, more efficient air traffic control systems. Better results? Maybe not for less money but better results for a little bit more money. But it has been an ongoing communication for several years and an ongoing dialog that has actually led us today to a very good compromise.

We are often told in these jobs we talk with consultants who talk to us about messaging and how do we message or talk about certain things? One of the things they tell us is never use the word “infrastructure.” Do not use it. Don't tell your constituents we are working on infrastructure. They do not know what you mean. Instead, we should talk about roads, highways, and bridges. We should talk about railroads. We should talk about canals or ports. We should talk about water or wastewater treatment systems. We

should talk in our State about the dune system that protects our coastal beaches. We should talk about dredging a channel in a place such as the Delaware Bay or the Delaware River in an environmentally safe way. We should talk about levees. We should talk about the deployment of broadband across our country. That is all infrastructure.

Do you know what else is infrastructure? Our airports, the airways, the air traffic control system that is used to dispatch planes and make sure they go where they are supposed to go and land where they are supposed to land and fly safely throughout the day and throughout the night.

In the State of Delaware, I say to the chairman—as our Presiding Officer knows—we have three counties. The largest county in Delaware is called Sussex County. It is the third largest county in America. The county seat of Sussex County is a place called Georgetown. Just on the outskirts of Georgetown—a town of several thousand people—we have an airport, an air park as we call it. There is an effort to try to expand the length of one of the runways. One of the runways is about 3,000 feet. The other is about 5,000 feet. The county, which sort of manages the air park in Georgetown, would like to expand the longest runway from 5,000 to 5,500 feet or 6,000 feet.

Why? Because by doing that, we provide a nurturing environment by improving that infrastructure—in this case, the length of the runway—and the navigational system, the lighting system that is associated with the airport. We make it an easier place, a safer place to fly in and out of, and we increase the likelihood it is going to be used.

By whom? It is going to be used by, among other things, not just 737 aircraft but 757s. There is a company there called PATS that works on airplanes, some very expensive executive jets, 737s and cargo planes and passenger planes. They help make sure they have larger fuel tanks so they can fly further safer. In some cases, they work on the insides of these very exclusive executive jets and tony them up and make some money doing that, and they fly all over the country, all over the world. That takes place right in Sussex County, DE, at the Georgetown Air Park.

They need to increase the length of the runways. This legislation will help make that possible over about a two-stage period over the next maybe 18 months or so. They need, at Georgetown, to be able to take out some hindrances to the safe travel of airplanes, including maybe trees in some parts of the runway—the approach or the take-off, departure side of the runway. They need to be able to put in some better navigational systems, better lighting to make sure the big planes can get in and out safely. If more work can be done by PATS, they can hire more people.

There is a guy from West Virginia whom the chairman knows well. We are both from West Virginia. I am a native West Virginian, and he has lived there and governed there and served as their Senator for a lot longer than I lived there as a kid. But there is a guy there named John Chambers, whom Senator ROCKEFELLER knows well, whose parents are, I think, still there. I think they taught maybe college, so I do not know if they taught at West Virginia Wesleyan when the Senator was their president. But John Chambers' parents, I think, both have been teachers, maybe professors.

John Chambers runs Cisco. He started Cisco, a big technology company. John Chambers is fond of saying the jobs in the 21st century are going to go to the States or the nations that do two things well: No. 1, create a world-class productive workforce. People can come to work, do a job, and do it in an efficient way using technology. The second thing he says is, the jobs of the 21st century will go to places where the infrastructure is world class.

With this legislation, we are going to make sure the Nation that started all this aviation with the Wright Brothers and actually got us not off on the right foot but off on the right wing all those years ago, that we are going to be in a position to reclaim that mantle and to again show the rest of the world how to do it right: to strengthen our infrastructure, bring our infrastructure into the 21st century, be able to fly planes safer out of airports that are better configured, better constructed, more wisely invested in communications, in navigational systems, in the right length and width of our runways, and to make sure the folks who are controlling our aircraft are doing a better job, using all the tools in the toolbox.

I had a chance to fly as a naval flight officer for about 23 years—5 years in a hot war and another 18 years in a cold war, until the end of the Cold War with the Soviets—and I have flown in and out of a lot of airports, naval bases, and other military bases with my crews on Active Duty and Reserve Duty, and I spent a little bit of time, as the chairman did, as Governor of my State and as the commander and chief of the Delaware National Guard. So these are issues I have actually thought about a whole lot, as somebody who has been in airplanes, a whole lot of airplanes, over the years.

I feel better about the men and women who are flying airplanes in uniform, in flight suits going forward. I feel better with this investment in this legislation about the folks who will be flying in commercial airlines, whether they are from the United States or some other country because of this legislation, this compromise, and I feel better about people flying in what I call those “teeny-weenies,” whether they happen to be little Pipers or Cherokees or whatever or whether they happen to be some of these real exclusive executive jets we see zipping

around West Virginia and Delaware and other places.

So it will be a safer way to travel, and it is going to be an investment that is going to help create jobs, including in Georgetown, DE, including in West Virginia.

To everybody who has been a big part of bringing us to this point, to our friends over in the House who were able to communicate and compromise with us, to the chairman of the committee, and to our ranking Republican on the committee who is not on the floor right now, I take my hat off to you for getting us to this day. This is a good day. This is a happy day for us in this body. I think this is a happy day for the United States of America. We have shown we can actually get something done that has a good and positive impact on our States and on our Nation.

With that, I yield the floor. I do not know if there is anybody else who seeks recognition. If not, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ISAKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. ISAKSON. On behalf of the minority side, I yield back the remainder of our time.

The PRESIDING OFFICER. All time has expired.

Under the previous order, the question is on agreeing to the conference report to accompany H.R. 658.

Mr. ROCKEFELLER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Dakota (Mr. CONRAD), is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Utah (Mr. HATCH), the Senator from Wyoming (Mr. BARRASSO), the Senator from Illinois (Mr. KIRK), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Utah (Mr. HATCH) would have voted “nay.”

The PRESIDING OFFICER (Mrs. HAGAN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 75, nays 20, as follows:

[Rollcall Vote No. 15 Leg.]

YEAS—75

Alexander	Boozman	Coats
Ayotte	Boxer	Coburn
Baucus	Brown (MA)	Cochran
Begich	Burr	Collins
Bennet	Cantwell	Coons
Bingaman	Carper	Corker
Blunt	Chambliss	Cornyn

Durbin	Landrieu	Roberts
Enzi	Lautenberg	Rockefeller
Feinstein	Levin	Rubio
Graham	Lieberman	Schumer
Grassley	Lugar	Sessions
Hagan	Manchin	Shaheen
Heller	McCain	Shelby
Hoeven	McConnell	Snowe
Hutchinson	Menendez	Tester
Inhofe	Moran	Thune
Inouye	Murkowski	Toomey
Isakson	Murray	Udall (CO)
Johanns	Nelson (NE)	Udall (NM)
Johnson (SD)	Nelson (FL)	Warner
Johnson (WI)	Portman	Webb
Kerry	Pryor	Whitehouse
Kohl	Reed	Wicker
Kyl	Reid	Wyden

NAYS—20

Akaka	Franken	Merkley
Blumenthal	Gillibrand	Mikulski
Brown (OH)	Harkin	Paul
Cardin	Klobuchar	Risch
Casey	Leahy	Sanders
Crapo	Lee	Stabenow
DeMint	McCaskill	

NOT VOTING—5

Barrasso	Hatch	Vitter
Conrad	Kirk	

The conference report was agreed to. The PRESIDING OFFICER. The majority leader is recognized.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that we now proceed to a period for morning business, with Senators permitted to speak therein for up to 10 minutes each. There will be no more votes tonight.

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

The Senator from Ohio.

COMMEMORATING JOHN GLENN'S "FRIENDSHIP 7" SPACE FLIGHT

Mr. PORTMAN. Madam President, I would like to take the opportunity today to recognize the remarkable achievements of a former Senator from Ohio. The State of Ohio is known as the birthplace of aviation, it is the home of the Wright Brothers and the home to 24 astronauts. I have the privilege of calling two of these astronauts, Neil Armstrong and John Glenn, my friends. Today, I would like to take a few minutes to commemorate the tremendous achievement of one of these heroes by celebrating the upcoming 50th anniversary of the historic 1962 flight of NASA's Mercury Spacecraft, nicknamed *Friendship 7*.

Fifty years ago on February 20, 1962, *Friendship 7*, piloted by John Glenn, performed 3 successful orbits of the Earth at 17,400 miles per hour, and made John Glenn the first American to orbit the earth. While in orbit, John Glenn performed a series of breakthrough experiments to test human ability to function in the weightlessness of space. He then successfully piloted the spacecraft manually after a malfunction in the automatic flight controls, overcoming severe oscillation and a dwindling fuel supply during reentry, and completing the mission by landing the spacecraft safely in the Atlantic Ocean 4 hours, 55

minutes and 23 seconds after initial launch. He returned a national hero.

His historic flight inspired scientific curiosity and national enthusiasm for further space exploration, paving the way for America's continued dominance in space operations.

In 1998 Senator Glenn again demonstrated his tremendous courage and reentered space at the age of 77, aboard the Space Shuttle *Discovery*, to examine the effect of space flight on the elderly.

Space exploration is not, however, Senator Glenn's only remarkable achievement. He set the transcontinental speed record in 1957 for the first flight to average supersonic speed, flying at an average speed of 723 miles per hour, from Los Angeles to New York. Then in 1996 Senator Glenn set a new record, along with co-pilot Phillip Woodruff, of an average speed of 229 miles per hour in a 367-mile flight from Dayton, Ohio to Washington, DC.

In addition to these contributions to scientific exploration and NASA, John Glenn gave 23 years of service to the U.S. Marine Corps; is a veteran of two foreign wars; flew 149 combat missions; was awarded the Distinguished Flying Cross five times; and retired a colonel in 1965.

Ten years later he began a career in the U.S. Senate, contributing 24 years of service as a U.S. Senator from the State of Ohio from 1975 to 1999.

In 1998 the John Glenn Institute for Public Service and Public Policy at The Ohio State University was created and Senator Glenn became an adjunct professor in OSU's School of Public Policy and Management in the Department of Political Science.

Then, in 2006 the John Glenn Institute for Public Service and Public Policy merged with the School of Public Policy and Management to form the John Glenn School of Public Affairs at The Ohio State University, which prepares future generations of public servants. I myself have had the privilege of co-teaching four classes at the Glenn School and have the honor of serving on its board of advisors along with Senator Glenn and his incredible wife Annie. She has been a tremendous partner for Senator Glenn through all of these experiments we have been talking about tonight.

Senator Glenn's tremendous achievements have paved the way for future generations to follow in his footsteps by continuing to make the United States a global leader in science, technology, education, military service and public service. I once again commend Senator John Glenn on the success of his historic 1962 flight aboard NASA Spacecraft *Friendship 7*.

Madam President, I yield the floor.

REMEMBERING KENNY BAKER

Mr. MCCONNELL. Madam President, today I rise to mourn the loss of a great American veteran and a musical legend in Kentucky's own signature genre, bluegrass.

Mr. Kenny Baker of Letcher County passed away in July of 2011. He was 85 years old. Although Mr. Baker is no longer with us, his monumental contribution to the musical world will remain for many years to come.

Mr. Baker was most widely known for his innovative style of fiddle playing that many have referred to as "long bow fiddling." He would use every inch of the bow, from tip to tip, to produce a sound unlike any other in the world of bluegrass music. Mr. Baker picked up the fiddle at the young age of 5 years old and went on to write an astonishing 92 musical numbers throughout his lifetime.

He enlisted in the U.S. Navy during World War II and was assigned to a destroyer escort ship in the Pacific theater. But once the Navy learned of his musical ability, he was quickly transferred from his station to entertain troops in the South Pacific. After honorable service to his country in the Armed Forces, Mr. Baker returned to Letcher County and found work in the coal industry of eastern Kentucky but his musical journey was far from over.

Kenny Baker started playing the fiddle professionally in 1953 and played in the company of musical greats such as Don Gibson, Bobby Osborne, Josh Graves, and famous bluegrass innovator Bill Monroe. After taking a few years to get acquainted with the world of the music industry, he finally settled down and found a permanent home in the band Monroe's Blue Grass Boys.

On Mr. Baker's extensive musical journey, he regularly played at the Grand Ole Opry, recorded hit albums, played numerous concerts, and even had the distinct honor to play the fiddle for President Jimmy Carter at the White House. However, his greatest achievement came when he was named to the International Bluegrass Music Hall of Honor in 1999.

Mr. Baker spent his final years teaching children the value and importance of music in their lives. His generosity and love for music and music education will be greatly missed, not only by his wife Audrey Baker; his sons, Johnny Lee and Kenneth Junior; and many other beloved family members and friends, but also by generations of fans and fans to come of bluegrass music, as well as the residents of the great Commonwealth of Kentucky.

So, Mr. President, I would like to ask that my Senate colleagues join me in honoring Mr. Kenny Baker not only for his service to our country but also for his great contributions to the creative field of music. The Lexington Herald-Leader recently published an article recognizing Mr. Baker's incredible life. I ask unanimous consent that the full article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows: