

S. RES. 45

Whereas on January 7, 2011, the Eastern Washington University football team (referred to in this preamble as the "Eagles") defeated the University of Delaware Blue Hens by a score of 20 to 19, to win the 2010 National Collegiate Athletic Association Division 1 Football Championship Subdivision title;

Whereas the Eagles were down for most of the championship game, trailing 0 to 19 until late in the third quarter;

Whereas, it was not until 1 minute and 48 seconds remained in the third quarter of the championship game that quarterback Bo Levi Mitchell threw a 22-yard touchdown pass to Brandon Kaufman;

Whereas Mitchell then threw another touchdown to Nicholas Edwards with 8 minutes and 16 seconds left in the fourth quarter;

Whereas Mitchell threw a third touchdown, again to Kaufman, with 2 minutes and 47 seconds left in the game, clinching a win in the Eagles' first trip to the National Collegiate Athletic Association Division 1 Football Championship Subdivision game;

Whereas the Eagles began the 2010 season in the newly renovated and dedicated Roos Field, named after Eastern Washington University alumnus and offensive lineman Michael Roos of the National Football League's Tennessee Titans;

Whereas Roos Field is the only Division 1 college football stadium to feature a red playing surface, leading Roos Field to be aptly nicknamed "The Inferno";

Whereas head coach Beau Baldwin was named the Coach of the Year by College Sporting News;

Whereas the 2010 Buck Buchanan Award, honoring the most outstanding defensive player in the Division I Football Championship Subdivision, was awarded to Eagles linebacker J.C. Sherritt;

Whereas Big Sky Conference honors were awarded to Eagles running back Taiwan Jones, who was named Offensive Player of the Year, and Eagles linebacker J.C. Sherritt, who was named Defensive Player of the Year;

Whereas the Eagles clinched a share of the 2010 Big Sky Conference title, with a conference record of 7-1 and an overall season record of 13-2, and finished the 2010 season with an 11-game win streak; and

Whereas the Eagles enjoyed widespread support from their dedicated and spirited fans, as well as the entire Eastern Washington University community: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the Eastern Washington University football team for winning the National Collegiate Athletic Association Division 1 Football Championship Subdivision title;

(2) recognizes the hard work and dedication of the players, head coach Beau Baldwin, and the assistant coaches and support personnel who all played critical roles in helping the Eastern Washington University Eagles win the Subdivision title; and

(3) respectfully requests the Secretary of the Senate to transmit an enrolled copy of the resolution to—

(A) the President of Eastern Washington University, Dr. Rodolfo Arévalo;

(B) the Athletic Director of Eastern Washington University, Bill Chaves; and

(C) the Head Coach of the Eastern Washington University football team, Beau Baldwin.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 36. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 223, to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table.

SA 37. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 223, supra; which was ordered to lie on the table.

SA 38. Mr. BROWN of Ohio (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 223, supra; which was ordered to lie on the table.

SA 39. Mr. CHAMBLISS (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill S. 223, supra; which was ordered to lie on the table.

SA 40. Mr. BEGICH (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 223, supra; which was ordered to lie on the table.

SA 41. Mr. BAUCUS (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 223, supra; which was ordered to lie on the table.

SA 42. Mr. MERKLEY (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 223, supra; which was ordered to lie on the table.

SA 43. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 223, supra; which was ordered to lie on the table.

SA 44. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 223, supra; which was ordered to lie on the table.

SA 45. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 223, supra; which was ordered to lie on the table.

SA 46. Ms. CANTWELL (for herself, Mr. ISAKSON, and Mr. CHAMBLISS) submitted an amendment intended to be proposed by her to the bill S. 223, supra; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

SA 36. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 223, to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

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

### SEC. 7. UPDATES TO FEDERAL BUDGET DEFICIT CALCULATIONS; OMB REPORT TO CONGRESS.

(a) UPDATES TO FEDERAL BUDGET DEFICIT CALCULATIONS.—Thirty days after the date of enactment of this Act, the Director of the Office of Management and Budget and the Director of the Congressional Budget Office shall update the Federal budget deficit calculations to take into account any loss of Federal revenue resulting from projected reductions in oil and gas production during each of the 5- and 10-year periods beginning

on the date of enactment of this Act due to the moratorium on oil and gas leasing in the Gulf of Mexico set forth on May 25, 2010, and all following notice to lessees, rules, and regulations by the Department of Interior pertaining to offshore energy production.

(b) REPORT TO CONGRESS.—As soon as practicable after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit to Congress a report that provides—

(1) an estimate of the total revenues generated by Department of the Interior due to domestic offshore oil and gas production during each of the preceding 10 fiscal years; and

(2) projections of the total revenues to be generated by the Department of the Interior due to domestic resource production for each of fiscal years 2011 through 2015.

SA 37. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 223, to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 214, and insert the following:

### SECTION 214. ALLOWABLE PROJECT COSTS FOR AIRPORT DEVELOPMENT PROGRAM.

Section 47110(b)(2)(D) is amended to read as follows:

“(D) if the cost is for airport development and is incurred before execution of the grant agreement, but in the same fiscal year as execution of the grant agreement, and if—

“(i) the cost was incurred before execution of the grant agreement due to the short construction season in the vicinity of the airport;

“(ii) the cost is in accordance with an airport layout plan approved by the Secretary and with all statutory and administrative requirements that would have been applicable to the project if the project had been carried out after execution of the grant agreement;

“(iii) the sponsor notifies the Secretary before authorizing work to commence on the project; and

“(iv) the sponsor's decision to proceed with the project in advance of execution of the grant agreement does not affect the priority assigned to the project by the Secretary for the allocation of discretionary funds;”.

SA 38. Mr. BROWN of Ohio (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 223, to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

On page 97, strike lines 4 through 8 and insert the following:

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

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

(2) consult with the Secretary of the Air Force and the Administrator of the National Aeronautics and Space Administration to determine the test sites with available research radars to most efficiently meet national defense and civilian aerospace needs.

(c) SYSTEMS AND DETECTION TECHNIQUES.—Within 6 months after date of enactment of this Act, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing and assessing the progress being made in establishing special use airspace to fill the immediate need of the Air Force to develop detection techniques for small unmanned aerial vehicles and validate sensor integration and operation of unmanned aerial systems.

**SA 39.** Mr. CHAMBLISS (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill S. 223, to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

**SEC. 224. TWO-YEAR PROHIBITION ON EXPANSION OF BULLDOG MILITARY OPERATING AREAS.**

The Administrator of the Federal Aviation Administration may not amend, expand, or modify, or approve an amendment, expansion, or modification of, the Bulldog Military Operating Area (MOA) A or Bulldog Military Operating Area (MOA) B until 2 years after the date of enactment of this Act.

**SA 40.** Mr. BEGICH (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 223, to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 307, strike line 1 and all that follows through page 310, line 10, and insert the following:

**SEC. 730. TRANSPORTATION OF COMPRESSED OXYGEN AND OXIDIZING GASES WITHIN ALASKA.**

In circumstances in which it is impracticable to transport compressed oxygen and other oxidizing gases within the State of Alaska through transportation modes other than by aircraft, the transportation of such gases within Alaska shall not be subject to the requirements under—

(1) paragraphs (3), (4), and (5) of section 173.302(f) of title 49, Code of Federal Regulations;

(2) paragraphs (3), (4), and (5) of section 173.304(f) of such title; and

(3) appendices D and E of part 178 of such title.

**SA 41.** Mr. BAUCUS (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 223, to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide modernization of the air traffic control system, reauthorize the Federal Aviation Administration,

and for other purposes; which was ordered to lie on the table; as follows:

Strike section 320, and insert the following:

**SEC. 320. UNMANNED AERIAL SYSTEMS.**

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall develop and implement a plan to accelerate the integration of unmanned aerial systems into the National Airspace System. The plan shall—

(1) create a pilot project to integrate unmanned aerial systems into the National Airspace System at 4 test sites in the National Airspace System by 2012;

(2) create a test and development center to research new applications for unmanned aerial systems in the National Airspace System through a partnership with public universities and private industry;

(3) create a safe, nonexclusionary airspace designation for cooperative manned and unmanned flight operations in the National Airspace System;

(4) establish a process to develop certification, flight standards, and air traffic requirements for such unmanned aerial systems at each of the test sites;

(5) dedicate funding for unmanned aerial systems research and development for certification, flight standards, and air traffic requirements;

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

(7) address both military and civilian unmanned aerial system operations;

(8) ensure the unmanned aircraft systems integration plan is incorporated in the Federal Aviation Administration's NextGen Air Transportation System implementation plan; and

(9) provide for verification of the safety of the unmanned aerial systems and navigation procedures before their integration into the National Airspace System.

(b) TEST SITE CRITERIA.—The Administrator of the Federal Aviation Administration shall take into consideration geographical and climate diversity in determining where the test sites authorized under subsection (a)(1) are to be located.

(c) UNMANNED AERIAL SYSTEMS TEST AND DEVELOPMENT CENTER.—

(1) IN GENERAL.—Not later than 12 months after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall designate, through partnerships with State public universities and private industry, an Unmanned Aerial Systems (UAS) Test and Development Center that focuses on the development of new commercial unmanned aircraft systems. The Center shall focus on—

(A) the use of biofuels and alternative fuels to power the unmanned aerial systems;

(B) the applied research of commercial applications of unmanned aircraft systems, including the application of such systems in forest and wildfire management;

(C) the application of such systems in agriculture and livestock management;

(D) the application of such systems in wildlife and predator management; and

(E) the application of such systems in a maritime and gulf environment.

(2) LOCATION OF CENTER.—

(A) IN GENERAL.—The Center shall be in close proximity to a test area that is suitable for unmanned aircraft systems that includes—

(i) Class G airspace with low air traffic volume located in a sparsely populated, low-density area within the continental United States;

(ii) a diversity of climate and weather conditions; and

(iii) a variety of terrain, topography, and vegetation, including forested and mountainous terrain, a diversity of crop and grazing lands, and areas inhabited by wildlife and livestock.

(B) ACCESS TO MARITIME AREAS.—The Center shall also have access to maritime and gulf areas through collaborative agreements with other universities and research institutes.

(3) CERTIFICATION PROCESS.—The Administrator of the Federal Aviation Administration shall expedite the approval process for Certificate of Authorization (COA) requests from the UAS Test and Development Center.

(d) REPORT.—Not later than 12 months after the date of the enactment of this Act, and annually thereafter, the Administrator of the Federal Aviation Administration shall report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the progress of integrating unmanned aerial systems into the National Airspace System.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Administrator of the Federal Aviation Administration for each of the fiscal years 2011 through 2013 such sums as may be necessary to carry out this section.

**SA 42.** Mr. MERKLEY (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 223, to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

On page 146, after line 23, add the following:

**SEC. 435. FLIGHT OPERATIONS AT RONALD REAGAN WASHINGTON NATIONAL AIRPORT.**

(a) BEYOND PERIMETER EXEMPTIONS.—Section 41718(a) is amended by striking “24” and inserting “40”.

(b) LIMITATIONS.—Section 41718(c)(2) is amended by striking “3 operations” and inserting “6 operations”.

(c) ALLOCATION OF BEYOND-PERIMETER EXEMPTIONS.—Section 41718(c) is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

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

“(3) SLOTS.—The Administrator of the Federal Aviation Administration shall reduce the hourly air carrier slot quota for Ronald Reagan Washington National Airport in section 93.123(a) of title 14, Code of Federal Regulations, by a total of 16 slots that are available for allocation. Such reductions shall be taken in the 6:00 a.m., 10:00 p.m., or 11:00 p.m. hours, as determined by the Administrator, in order to grant exemptions under subsection (a).”.

(d) SCHEDULING PRIORITY.—Section 41718 is amended—

(1) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively; and

(2) by inserting after subsection (d) the following:

“(e) SCHEDULING PRIORITY.—Operations conducted by new entrant air carriers and limited incumbent air carriers shall be afforded a scheduling priority over operations conducted by other air carriers granted exemptions pursuant to this section, with the highest scheduling priority to be afforded to

beyond-perimeter operations conducted by new entrant air carriers and limited incumbent air carriers.”.

**SA 43.** Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 223, to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

**SEC. 224. REPAYMENT OF FEDERAL GRANTS BEFORE PRIVATIZATION OF AIRPORTS.**

Section 47134(b)(2) is amended to read as follows:

“(2) REPAYMENT REQUIREMENTS.—

“(A) IN GENERAL.—Before a sponsor that has received an exemption under this section sells or leases an airport as described in subsection (a), the sponsor shall repay to the Secretary—

“(i) the Federal share of the fair-market value of any land that is part of the airport and that was purchased after September 3, 1982, with a Federal grant; and

“(ii) the lesser of—

“(I) the Federal share of the remaining unamortized portion, as determined by the Secretary, of any grant made under this subchapter after September 3, 1982, for improvements to the airport; or

“(II) the Federal share of the value of the improvements to the airport made with the grant described in subclause (I).

“(B) DETERMINATION OF VALUE OF IMPROVEMENTS.—For purposes of subparagraph (A)(i)(II), the value of the improvements to the airport shall be the value of the improvements at the time of the sale or lease of the airport approved under subsection (a), as determined by the Secretary.

“(C) EFFECT OF AMOUNT OF COMPENSATION.—A sponsor shall repay the amounts required by subparagraph (A) without regard to the amount of compensation received pursuant to the sale or lease of the airport approved under subsection (a).

“(D) EFFECT OF REPAYMENT ON CERTAIN OBLIGATIONS.—The repayment of the amounts required under subparagraph (A) shall not terminate—

“(i) any obligation of the Federal Government to operate the airport; or

“(ii) any obligation of the sponsor, or owner or lessee of the airport, with respect to—

“(I) funding airport land or improvements to the airport; or

“(II) any Federal land conveyed to be used for airport purposes.”.

**SA 44.** Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 223, to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

**SEC. . PUBLIC INTEREST CONSIDERATIONS IN CERTAIN REGULATIONS.**

(a) USE OF AIRSPACE.—Section 40103(b)(1) is amended by adding at the end the following: “The Administrator may take into account

the matters considered under section 40101(a) in determining what is in the public interest under this paragraph in matters related to—

“(A) carrying out subpart II of this sub-title; and

“(B) those provisions of subpart IV applicable in carrying out subpart II.”.

(b) SAFETY REGULATION.—Section 40109(b) is amended by adding at the end the following: “The Administrator may take into account the matters considered under section 40101(a) in determining what is in the public interest under this paragraph in matters related to—

“(1) carrying out subpart II of this sub-title; and

“(2) those provisions of subpart IV applicable in carrying out subpart II.”.

**SA 45.** Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 223, to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

On page 297, line 19, insert “(a) IN GENERAL.—” before “Not”.

On page 298, strike lines 7 through 10 and insert the following:

(2) the potential impact to the aerospace industry from the degradation of capabilities due to the loss or change to the radio frequency spectrum allocated to the aeronautical mobile telemetry service.

(b) NO IMPACT ON FCC ORDER.—Nothing in this section shall prohibit, delay, or interfere with the Federal Communications Commission’s issuance of an order in FCC ET Docket No. 08–59.

**SA 46.** Ms. CANTWELL (for herself, Mr. ISAKSON, and Mr. CHAMBLISS) submitted an amendment intended to be proposed by her to the bill S. 223, to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . ROLLOVER OF AMOUNTS RECEIVED IN AIRLINE CARRIER BANKRUPTCY.**

(a) GENERAL RULES.—

(1) ROLLOVER OF AIRLINE PAYMENT AMOUNT.—If a qualified airline employee receives any airline payment amount and transfers any portion of such amount to a traditional IRA within 180 days of receipt of such amount (or, if later, within 180 days of the date of the enactment of this Act), then such amount (to the extent so transferred) shall be treated as a rollover contribution described in section 402(c) of the Internal Revenue Code of 1986. A qualified airline employee making such a transfer may exclude from gross income the amount transferred, in the taxable year in which the airline payment amount was paid to the qualified airline employee by the commercial passenger airline carrier.

(2) TRANSFER OF AMOUNTS ATTRIBUTABLE TO AIRLINE PAYMENT AMOUNT FOLLOWING ROLLOVER TO ROTH IRA.—A qualified airline employee who has contributed an airline pay-

ment amount to a Roth IRA that is treated as a qualified rollover contribution pursuant to section 125 of the Worker, Retiree, and Employer Recovery Act of 2008, may transfer to a traditional IRA, in a trustee-to-trustee transfer, all or any part of the contribution (together with any net income allocable to such contribution), and the transfer to the traditional IRA will be deemed to have been made at the time of the rollover to the Roth IRA, if such transfer is made within 180 days of the date of the enactment of this Act. A qualified airline employee making such a transfer may exclude from gross income the airline payment amount previously rolled over to the Roth IRA, to the extent an amount attributable to the previous rollover was transferred to a traditional IRA, in the taxable year in which the airline payment amount was paid to the qualified airline employee by the commercial passenger airline carrier. No amount so transferred to a traditional IRA may be treated as a qualified rollover contribution with respect to a Roth IRA within the 5-taxable year period beginning with the taxable year in which such transfer was made.

(3) EXTENSION OF TIME TO FILE CLAIM FOR REFUND.—A qualified airline employee who excludes an amount from gross income in a prior taxable year under paragraph (1) or (2) may reflect such exclusion in a claim for refund filed within the period of limitation under section 6511(a) (or, if later, April 15, 2012).

(b) TREATMENT OF AIRLINE PAYMENT AMOUNTS AND TRANSFERS FOR EMPLOYMENT TAXES.—For purposes of chapter 21 of the Internal Revenue Code of 1986 and section 209 of the Social Security Act, an airline payment amount shall not fail to be treated as a payment of wages by the commercial passenger airline carrier to the qualified airline employee in the taxable year of payment because such amount is excluded from the qualified airline employee’s gross income under subsection (a).

(c) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

(1) AIRLINE PAYMENT AMOUNT.—

(A) IN GENERAL.—The term “airline payment amount” means any payment of any money or other property which is payable by a commercial passenger airline carrier to a qualified airline employee—

(i) under the approval of an order of a Federal bankruptcy court in a case filed after September 11, 2001, and before January 1, 2007, and

(ii) in respect of the qualified airline employee’s interest in a bankruptcy claim against the carrier, any note of the carrier (or amount paid in lieu of a note being issued), or any other fixed obligation of the carrier to pay a lump sum amount.

The amount of such payment shall be determined without regard to any requirement to deduct and withhold tax from such payment under sections 3102(a) and 3402(a).

(B) EXCEPTION.—An airline payment amount shall not include any amount payable on the basis of the carrier’s future earnings or profits.

(2) QUALIFIED AIRLINE EMPLOYEE.—The term “qualified airline employee” means an employee or former employee of a commercial passenger airline carrier who was a participant in a defined benefit plan maintained by the carrier which—

(A) is a plan described in section 401(a) of the Internal Revenue Code of 1986 which includes a trust exempt from tax under section 501(a) of such Code, and

(B) was terminated or became subject to the restrictions contained in paragraphs (2) and (3) of section 402(b) of the Pension Protection Act of 2006.

(3) TRADITIONAL IRA.—The term “traditional IRA” means an individual retirement plan (as defined in section 7701(a)(37) of the Internal Revenue Code of 1986) which is not a Roth IRA.

(4) ROTH IRA.—The term “Roth IRA” has the meaning given such term by section 408A(b) of such Code.

(d) SURVIVING SPOUSE.—If a qualified airline employee died after receiving an airline payment amount, or if an airline payment amount was paid to the surviving spouse of a qualified airline employee in respect of the qualified airline employee, the surviving spouse of the qualified airline employee may take all actions permitted under section 125 of the Worker, Retiree and Employer Recovery Act of 2008, or under this section, to the same extent that the qualified airline employee could have done had the qualified airline employee survived.

(e) EFFECTIVE DATE.—This section shall apply to transfers made after the date of the enactment of this Act with respect to airline payment amounts paid before, on, or after such date.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON ARMED SERVICES

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on February 3, 2011, at 10 a.m.

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

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a hearing on February 3, at 9:30 a.m., in room SH-216 of the Hart Senate Building.

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

##### COMMITTEE ON FINANCE

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on February 3, 2011, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled “Status of the Airport and Airway Trust Fund.”

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

##### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled “Simplifying Security: Encouraging Better Retirement Decisions” on February 3, 2011, at 2 p.m.

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

##### COMMITTEE ON THE JUDICIARY

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Sen-

ate, on February 3, 2011, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

##### COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on February 3, 2011, at 10:30 a.m.

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

##### SELECT COMMITTEE ON INTELLIGENCE

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 3, 2011 at 2:30 p.m.

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

##### SUBCOMMITTEE ON SUPERFUND, TOXICS, AND ENVIRONMENTAL HEALTH

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Subcommittee on Superfund, Toxics, and Environmental Health of the Committee on Environment and Public Works be authorized to meet during the session of the Senate at 10 a.m., on February 3, 2011, in Dirksen 406.

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

#### COMMITTEE FUNDING

Mr. REID. Mr. President, over the last 20 years, the apportionment of committee funding has gone a straight two-thirds for majority and one-third for minority during the 1990s, regardless of the size of the majority and minority, to biannual negotiations during the past decade. It is my intention that the approach adopted for this Congress will be used in the future. This new funding allocation for Senate committees is based on the party division of the Senate, with 10 percent of the total majority and minority salary baseline going to the majority for administrative expenses. However, regardless of the party division of the Senate, it is also intended that the minority share will never be less than 40 percent, and the majority share will never exceed 60 percent.

Mr. McCONNELL. Mr. President, it is my intention also that this new approach will serve us for the Congress and future Congresses. In addition, we are making a transition to restore Special Reserves to its historic purpose. We know that we will face tight budgets for the foreseeable future and cannot expect increases in funding. We have to move toward funding authorizations that are in line with our actual resources and I look forward to working with my friend, the majority leader, to accomplish this.

Mr. REID. I thank my friend, the Republican leader, and ask unanimous consent that a joint leadership letter be printed in the RECORD.

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

##### JOINT LEADERSHIP LETTER

We mutually commit to the following for the 112th Congress:

The budgets of the Committees of the Senate, including Joint and Special Committees, and all other subgroups, shall be apportioned to reflect the ratio of the Senate as of this date, including an additional ten percent (10%) to be allocated to the Chairmen for administrative expenses, to be determined by the Rules Committee. However, the amount of funding authorized for each individual Committee in the 112th Congress is being reduced by the amount that was allocated to that Committee from Special Reserves in the last Congress.

Special Reserves is being restored to its historic purpose. Requests for funding will only be considered when submitted by a Committee Chairman and Ranking Member for unanticipated, non-recurring needs. Such requests shall be granted only upon the approval of the Chairman and Ranking Member of the Rules Committee.

Funds for Committee expenses shall be available to each Chairman consistent with Senate rules and practices of the 111th Congress.

The Chairman and Ranking Member of any Committee may, by mutual agreement, modify the apportionment of Committee funding and office space.

The division of Committee office space shall be commensurate with this funding agreement.

#### CONSTITUTING MAJORITY PARTY'S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED TWELFTH CONGRESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 42.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 42) to constitute the majority party's membership on certain committees for the One Hundred Twelfth Congress, or until their successors are chosen.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 42) was agreed to, as follows:

##### S. RES. 42

*Resolved*, That the following shall constitute the majority party's membership on the following committees for the One Hundred Twelfth Congress, or until their successors are chosen:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY: Ms. Stabenow (Chairman), Mr. Leahy, Mr. Harkin, Mr. Conrad, Mr. Baucus, Mr. Nelson (Nebraska), Mr. Brown (Ohio), Mr. Casey, Ms. Klobuchar, Mr. Bennet, and Mrs. Gillibrand.