speech is always your best speech. I remember walking with the University of Tennessee basketball coach in Knoxville in the dogwood parade—or in some parade before the season started. He was very popular before the season began. And Senators who make maiden speeches always have their best speeches then, as basketball coaches always are most popular at the beginning of the year.

But I look forward to working with Senator MANCHIN. He will make a tremendous contribution to the Senate. I am glad I was here to hear his outstanding address, and I thank the Senator from New York for his courtesy in letting me make my remarks.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Madam President, I too want to join in the accolades for our Senator from West Virginia, Senator MANCHIN. He is one fine guy. I got to know him when he was Governor and then campaigning, and he is doing a wonderful job here already.

To have passion about where you come from is noble. I think the great poets from Greek times on have written that, and nobody has more passion about where he comes from and his roots than Senator MANCHIN—JOE MANCHIN. You can see it and feel it in everything he does, as we could in this speech today. So I too join in thanking him for coming here. America needs his perspective and his wisdom, and I know he will make a great Senator. We are already great friends, and so I thank him.

I also compliment my colleague, the senior Senator from West Virginia as well, Senator ROCKEFELLER, for his kind remarks. He is a great leader. JOE and I have talked about how you cannot go wrong watching and imitating and emulating Senator ROCKEFELLER. With the two of them, I believe West Virginia might have the tallest delegation in the Senate, not just tall in inches but in stature, ability to get things done, and passion for the State they represent. It is my honor to be here as well and to congratulate JOE on a very fine and introductory speech.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Madam President, I also rise today to congratulate the Senator from West Virginia on his speech and welcome him to the Senate and express pleasure in working together. I want to echo the comments of Senator LAMAR ALEXANDER, the good Senator from Tennessee, as well. Being a former Governor, I actually got to know JOE MANCHIN in his days as Governor. We worked together in his days as Governor and certainly I look forward to working with him as Senator.

Our States share many interests. One of those interests is coal. I want to express my intent today to join as a cosponsor on legislation regarding EPA regulation that Senator MANCHIN is putting forward. That is a good example where we can work together to create jobs and opportunities. I certainly look forward to doing that.

Again, I congratulate the good Senator on his speech today.

I yield the floor.

Mr. ROCKEFELLER. Madam President, are we back in regular order?

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

FAA AIR TRANSPORTATION MODERNIZATION AND SAFETY IMPROVEMENT ACT—Continued

The PRESIDING OFFICER. S. 223 is the pending measure.

Mr. ROCKEFELLER. I thank the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

AMENDMENT NO. 21

Mr. PAUL. Madam President, I ask unanimous consent to set aside the pending amendments and call up amendment No. 21.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will report the amendment.

The assistant bill clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 21.

Mr. PAUL. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To reduce the total amount authorized to be appropriated for the Federal Aviation Administration for fiscal year 2011 to the total amount authorized to be appropriated for the Administration for fiscal year 2008)

At the end of title I, add the following:

SEC. 108. AUTHORIZATION OF APPROPRIATIONS FOR FEDERAL AVIATION ADMINISTRATION AT FISCAL YEAR 2008 LEVELS.

Notwithstanding any other provision of, or amendment made by, this title, the total amount authorized to be appropriated by this title to the Federal Aviation Administration for fiscal year 2011 is $14,719,000,000.

Mr. PAUL. Madam President, the amendment I have presented to the floor for the FAA bill is an amendment that I think is a first step toward looking at budgetary restraint. The President, in his State of the Union Address, talked about freezing spending at 2010 levels. If we were to do that at the inflated levels of 2010, we would add $3.8 trillion to the debt over the next 5 years. It does nothing to the looming debt crisis to leave things at 2010 levels because these were levels where we had already increased spending by over 20 percent.

What I am asking is a very modest proposal; that is, that all spending go back to the 2008 levels. This is not a significant cut. We have increased things dramatically in recent years. FAA has been increased in funding by 50 percent over the last 8 years. We can fund the upgrading of NextGen and various things by looking for cost savings within the bill. These are things we must do.

The American people are demanding cost savings. The American people do not understand why we must pay inflated rates for our wages for the workers on Federal projects. They do not understand why Davis-Bacon wages, which were often 30 percent higher than the wages paid on other projects, private projects, must be paid. People are familiar with this even in their home States when you talk about the building of schools, how schools cost 20 and 30 percent more because of having to have inflated wages and extra regulations, extra paperwork that the Davis-Bacon laws require.

What we are looking for is cost savings everywhere—in this bill, in every bill that comes forward. As long as I am able to and as long as I am allowed, we will ask for spending reductions.

Many people in this city are for a balanced budget. They say they are for a balanced budget amendment. But how can they be for a balanced budget amendment if they are not willing to cut spending? This is a very small, almost token cut in spending, but we have to do it everywhere.

When people ask how will you balance the budget, you have to say I will cut spending. This is a very small first step to take the spending for this particular department to 2008 levels. I think it is a step long overdue. It is a chance for Members who say they are for a balanced budget to put their vote where their mouth is.

Let's vote to cut spending. Let's vote to cut spending on this bill now.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 27

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that amendment No. 27, offered by the Senator from Oregon, Mr. WYDEN, be added to the list of pending amendments.

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

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from West Virginia [Mr. ROCKEFELLER], for Mr. WYDEN, proposes an amendment numbered 27.

The amendment is as follows:

(Purpose: To increase the number of test sites in the National Airspace System used for unmanned aerial vehicles and to require one of those test sites to include a significant portion of public lands)

On page 96, lines 4 and 5, strike ''at 4 test sites in the National Airspace System by 2012'' and insert ''by 2012 at 10 test sites in the National Airspace System, one of which shall include a significant portion of public lands (as defined in section 203 of the Public Lands Corps Act of 1993 (16 U.S.C. 1722))''.

Mr. ROCKEFELLER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. 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 to discuss an alarming trend that seems to be developing on this, the first substantive legislation we are considering in this new Congress. At least three amendments have been filed—one of which has already been offered, others expected to be offered shortly—that make unnecessary and misplaced attacks on basic rights and protections for American workers.

I find it deeply disturbing that in this difficult economy, some of my colleagues on the other side of the aisle seem to be chomping at the bit to bring American workers down a notch or two more. I don't think the safety of our skies has to come at the expense of fair wages, safe working conditions, and other basic workplace rights. I hope all Republicans in this Chamber don't share that radical viewpoint.

AMENDMENT NO. 14

The first amendment I will focus on today would deny transportation security officers basic collective bargaining rights. That amendment was offered by my friend, the distinguished Senator from Mississippi. Well, that is fundamentally unfair and a poor way to treat hard-working people who are on the frontlines of our effort to keep America safe.

Currently, most Federal employees—including other employees at the Department of Homeland Security, such as Border Patrol, Immigration and Customs officials, and the Coast Guard—all have a voice in the decisions that affect their safety, their families, and their future.

Other Federal security employees also have these protections—the right to collective bargaining—including Border Patrol agents, Capitol Police officers, Customs and Border inspection officers, and Federal Protective Service officers.

That is right. All these wonderful policemen we see out here day after day, who are doing a hard job protecting us, protecting all the people who work in the Capitol and all these buildings around here, all our Capitol Police officers—guess what—have the fundamental right of being organized and collectively bargaining for their hours, wages, and conditions of employment. Do we feel any less safe because of that? Of course not.

Despite working side by side with these colleagues, transportation security officers, TSOs, are denied the rights these other employees enjoy. They do not have a voice at work. They do not have statutory whistleblower protections or the right to appeal if they are subject to discrimination or unfair treatment by their supervisors.

The absence of collective bargaining rights has made TSA less effective. Our transportation security officers, TSOs, have twice the average rate of injury for Federal employees. A recent Best Places to Work survey ranked TSA 220 out of 224 Federal employers, and turnover rates are among the highest for any Federal agency. Let me repeat that. Turnover rates at TSA are among the highest for any Federal agency.

I submit that low morale and high turnover at a frontline security agency are a recipe for disaster, and Senator WICKER's amendment will only exacerbate the problem and make it worse.

I have heard some deeply disturbing rhetoric from my Republican colleagues about the effects of granting TSOs collective bargaining rights. They say collective bargaining rights keep security workers from performing their jobs effectively. Well, these insinuations are an insult to every man and woman in uniform who works under a collective bargaining agreement across this country. To suggest that unionized workers will not do what is best for our country in the event of an emergency is scandalous.

How many remember that image of 9/11—9/11—when we saw the towers come crumbling down, and we saw men and women running to escape the disaster, running away from it? Who was running into it? Our firefighters, our emergency medical teams, our police officers—all of them unionized, members of organized labor, operating under a collective bargaining agreement.

Does anyone question their loyalty, their devotion to duty—many of whom lost their lives or are severely impaired for life because they did their duty—simply because they were union members? We are saying somehow they are less, they are less than others simply because they belong to a union?

Also, on 9/11, Department of Defense employees, operating under a collective bargaining agreement, were required to report wherever they were told, regardless of their usual work assignments. No Federal union tried to hold up this process in any way to bargain or seek arbitration, and not one single grievance was filed to challenge the redeployments after the fact—not one.

Increasing employees' voices at work has the potential to improve the functioning of our security systems. Think about this: When you travel abroad, you go through screening devices. Go to London, go to Paris, go to Luxembourg, go to Rome, go to Tokyo, go to Brisbane, go to Sydney, go anywhere around the world where they have airport screeners and—guess what—they all work under collective bargaining agreements. The unions that represent these screeners have worked hand in hand with their governments to improve security procedures and to make our skies safer.

Senator WICKER referenced a 2003 memo from the Under Secretary of Transportation for Security for the rationale for his bill. Well, currently TSA is reviewing that 2003 decision and is expected to make a determination soon about the relationship between safety and collective bargaining. I think we should defer to that agency's expertise on this issue rather than hastily approving an amendment that would limit the administration's ability to adapt.

Collective bargaining, I believe, is the best way to bring dignity, consistency, and fairness to a workplace. It will make our TSO workforce more safe and stable, enhancing the security of our skies. Restoring these essential rights is long overdue. I urge my colleagues to oppose the Wicker amendment.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

Mr. REID. 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. REID. Mr. President, I ask unanimous consent that Senator PAUL be recognized to call up amendment No. 19 which deals with the Davis-Bacon issue; that there be 30 minutes of debate equally divided between Senators PAUL and ROCKEFELLER or their designees; that upon the use or yielding back of time, there be 10 minutes of debate equally divided on the Whitehouse amendment No. 8 dealing with laser pointers; that this time be equally divided between Senators WHITEHOUSE and HUTCHISON or their designees; that upon the use or yielding back of time, the Senate proceed to vote in relation to the Whitehouse amendment, to be followed by a vote in relation to the Paul amendment; further, that there be no amendments or points of order in order to the amendments prior to the votes; and that the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

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

Mr. REID. That being the case, we will have votes probably around 5:30, give or take a few minutes. Everyone should be alerted that there is likely to be some time yielded back. If that is the case, we will begin voting sooner.

The PRESIDING OFFICER. The Senator from Kentucky.

AMENDMENT NO. 19

Mr. PAUL. Mr. President, I ask unanimous consent to temporarily set aside the pending amendment so I may call up my amendment, amendment No. 19, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant editor of the Daily Digest read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 19.

Mr. PAUL. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To limit the application of the Davis-Bacon Act in the case of projects funded under this Act)

On page __, between lines __ and __, insert the following:

SEC. ___. NONAPPLICATION OF DAVIS-BACON.

None of the funds made available under this Act (or an amendment made by this Act) may be used to administer or enforce the wage-rate requirements of subchapter IV of chapter 31 of part A of subtitle II of title 40, United States Code (commonly referred to as the ''Davis-Bacon Act'') with respect to any project or program funded under this Act (or amendment).

Mr. PAUL. Mr. President, the amendment I have offered to the FAA bill is an amendment to exempt the FAA from the Davis-Bacon restrictions. Most of us know, when we talk about schools being built in our district or in our neighborhood, the cost of schools and anything built under Davis-Bacon determines prevailing wages. This means if you are a carpenter making usually $14 an hour in Bowling Green, KY, the government comes in and says, Well, you need to pay $35 an hour. It inflates the cost of building projects and it does us no good as a society. What happens is we build less schools, less airports, and we are unable to have enough money in our country to provide for the things we want. We can build 20 to 30 percent more airports if we don't force union wages that are above the market wages on our government projects.

I think it is inexcusable, at a time when we run a deficit of between $1.5 trillion and $2 trillion in a year, that we want to inflate the cost of government projects. The marketplace should determine market wages, and we should have a marketplace that allows us to build more airports and more schools.

I think it is not a good idea to have the government get involved by forcing wages above the market wage. If you pass this and you allow an exemption from Davis-Bacon, you will save about $500 million just in this department. If you would allow this across government, you would save $11 billion.

My point in bringing this up is that this won't balance the budget, but you have to start somewhere. Everybody says we have to do something, but nobody is willing to do anything that will reduce government expenditures. I think this is one small step forward, and if you can't vote for this one small step forward, you are not serious about balancing the budget. That is why the American people are unhappy with us in Congress, because we won't do anything, we won't step forward, we will not be bold, and we will not start cutting spending.

I recommend to the Senate that we pass this amendment as one small step forward but an important step toward trying to get our fiscal house in order.

I yield to Senator HUTCHISON.

Mrs. HUTCHISON. Mr. President, how much time does Senator PAUL control?

The PRESIDING OFFICER. There is 12½ minutes remaining.

Mrs. HUTCHISON. Mr. President, I want to withhold until the other side has had a chance to speak. Then I will take part of Senator PAUL's time.

The PRESIDING OFFICER. Who yields time?

Mr. ROCKEFELLER. Mr. President, does the Senator from Iowa wish to speak?

Mr. HARKIN. Yes, I will. Mr. President, I assume the chairman of the committee yields me whatever time I want to consume, and I am reserving some time also for the chairman.

Here we go again. It is not the first time we have had an attack on Davis-Bacon. I am sure it will not be the last. Again, we have to get the facts out and not be led astray by misconceptions and by lack of really good data.

The fact is that Davis-Bacon doesn't just create good jobs, it saves government money in Federal construction costs. Again, my friend from Kentucky has said this is going to cost more money. Well, I would like to see the studies because we have had a lot of studies on this over the years, and they show that prevailing wage laws lead to reductions in the costs and responsible contractors that pay workers at least a prevailing wage, higher productivity, and fewer safety problems.

We need Davis-Bacon so that our infrastructure projects are built safely for the hundreds of millions of Americans who rely on them, because contractors that pay prevailing wages hire higher skilled and better trained workers, and they produce safer buildings, airports, bridges, roads, and tunnels. Senator PAUL's amendment would undermine public safety by making it much easier for less responsible contractors to build important public infrastructure projects with shoddy construction.

Congress has rejected attacks on Davis-Bacon before, going clear back to 1931. It should do so again. In the most recent vote in the Senate, in 2007, a bipartisan vote of Democrats and Republicans voted against an amendment to strip Davis-Bacon protection from funds to repair bridges. There has always been bipartisan support in this body for Davis-Bacon. In fact, we ought to read history. Senator Davis and Representative Bacon were both Republicans. It was originally a Republican bill. I hope my colleagues will recognize the value of continuing to support fair wages in these difficult economic times.

This is the wrong time to start pulling the rug out from underneath our construction workers. Our fair wages that we have under Davis-Bacon are a key component of middle-class security for working families. Now is the wrong time to be attacking these essential protections.

Prevailing-wage laws, such as Davis-Bacon, require that workers be paid the prevailing local wages and benefits. These laws ensure that federally supported construction projects don't undermine local labor standards. By removing these protections, Senator PAUL's amendment would drive down wages, creating a dangerous race to the bottom. Again, that is the wrong approach to take in this troubled economy, the wrong approach to take for worker safety, the wrong approach to take for making sure what we build with taxpayer money is built well, with well-trained, well-motivated, and well-paid workers.

We want a real recovery. These working families—construction workers who haul steel, pour concrete, build the bridges and the walls and do all these things—build the infrastructure of our country. We want to make sure they have good, family-supporting jobs, with fair wages and decent benefits. That is what Davis-Bacon is about.

I urge a defeat of the Paul amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, I oppose this amendment also. There are reasons for Davis-Bacon. One of them, for example, is it protects communities and employers by keeping the wage standards of low-wage areas from being imported into high-wage areas, and also the reverse. What do I mean by that? Obviously, West Virginia has a very different wage level than New York or Maryland or many parts of Virginia. They could come in and bid on a contract and either bid very low and do a bad job or bid very high and get it, for whatever reason. This prevents artificially inflating wages.

The inference was that it costs more to have Davis-Bacon. Some people don't like Davis-Bacon, and I understand that. But the law specifically requires that all workers must be paid no less than the prevailing wages and benefits that are paid in similar projects in that area. So it attaches the Davis-Bacon concept onto the regional local wage area. Virginia and Maryland are not far from West Virginia, so people want contracts, and they are likely to bid.

Since it was enacted, Davis-Bacon has protected taxpayers and workers from low-ball contractors who try to compete. You know that song. We all see it so much. They come in and bid a

low price, and they get it, and there are all kinds of extra things added on—cost-plus. It doesn't happen under this; it isn't allowed. So the law effectively makes sure the taxpayers get their money's worth. As the Senator from Iowa indicated, numerous studies indicate that projects built under Davis-Bacon are more likely to be completed on time, within budget, and with fewer repair costs.

So this is a very significant amendment. But it is not about bilking the taxpayers. It is protecting the taxpayers. Davis-Bacon puts the contract wages in line with what is prevailing locally. That is the law. It makes sense to me. I strongly oppose the amendment.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I rise to speak in favor of the Paul amendment.

The Davis-Bacon Act was passed in 1931. We had a very different labor and diversity of wages. There were not minimum wages to the extent we have today. Today, every State has a different cost of living, different standards of what kinds of construction requirements there are, and thousands of buildings in this country are built in the private sector very safely, very efficiently. But when Davis-Bacon kicks in, for a government program, it skews the entire wage scale of that community, causing an inflation to other projects.

The studies I have seen prove that Davis-Bacon increases costs throughout a community because it sets an artificial standard, not taking into account the cost of living in that area. No one can argue that the cost of living in New York is very different from the cost of living in Texas or West Virginia or Tennessee. We should not be trying to change the norm in an area by artificially inflating the costs, and that is exactly what Davis-Bacon does.

If we are going to hear the voice of the people, who said last November: We are tired of business as usual in Washington and in Congress, we will pass the Paul amendment because this is the first step toward efficiency—to say that the projects going forward in this bill will not be subject to Davis-Bacon; they will be subject to bidding on contracts. And bidders do not necessarily win because they have the lowest bid. The person who is doing the contracting has the leeway to take into account quality and the reputation of the builder. So it is not as if the lowest bidder gets every bid. It is a process that is orderly. But Davis-Bacon does inflate the cost.

I think the Paul amendment is an excellent one. I think it will show that the people in this Senate got the message in November—that we don't have to sit with a 1931 law that is no longer necessary because the protections are in place, and we need to build our taxpayer-funded facilities in the most efficient way that saves taxpayer dollars.

I support the Paul amendment and hope it will pass.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I congratulate the Senator from Kentucky. He is on the mark. Our priorities are two: One, to make it easier and cheaper to create private sector jobs; two, to reduce the Federal debt.

The Paul amendment makes it easier and cheaper to create private sector jobs. Why? Because it permits more contractors to hire more people to do more work at the lowest possible cost to the taxpayer.

Also, according to the General Accounting Office, it will help lower the Federal debt. In fact, the GAO has recommended changes to the Davis-Bacon Act as a means for trimming the Federal deficit. Leaving the law the way it is, applying the Davis-Bacon law to construction projects all over the country, will mean fewer jobs, less construction, higher taxes, and a higher Federal debt.

Passing the Rand Paul amendment will mean that we will make it easier and cheaper to create private sector jobs. Day after day in this Senate, we should be acting on legislation that remembers that in Tennessee, for example, we have had 24 straight months of unemployment above 9 percent.

I am glad to be a cosponsor of the Paul amendment because, in my State and across the country, it will make it easier and cheaper to create private sector jobs instead of adding to the debt, creating fewer jobs, less construction, slower airport contracts, and higher taxes.

I yield the floor.

The PRESIDING OFFICER (Mr. FRANKEN). Who yields time?

Mrs. HUTCHISON. Mr. President, if I may, I ask the Senator from Kentucky if he is ready to yield back time and I ask the majority if they are ready to yield back time on the Paul amendment. If so, we can move on to the Whitehouse amendment.

Mr. HARKIN. I say to my friend from Texas, I would like to have an additional 2 minutes.

Mrs. HUTCHISON. I will reserve an additional 2 minutes for Senator PAUL, and we can close this out.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I heard my friend from Tennessee—and he is my friend—talk about how this will be cheaper, it would be cheaper to build things. The new Senator from Kentucky referred to that too.

Sometimes cheapest is not always the least expensive. Sometimes cheapest can turn out to be the most expensive, depending upon the quality of the work, how long these projects are, and whether they are done on time.

I have a friend in Iowa who happens to be one of the largest contractors in the Midwest, if not in the entire country. He has big earth-moving equipment. He is a huge contractor. He probably does work in Tennessee, Kentucky, Texas, and everyplace else.

He told me once: I will only hire union labor. I asked him why. He said: Because they have a great apprenticeship and training program. Plus, he said: I know I get well-trained workers on my construction jobs.

He said: I don't mind Davis-Bacon because I get apprenticeship, I get training, plus I get workers I don't have to look over their shoulders all the time. I get quality work done.

He said: I didn't get big by undercutting everybody. I got big because I did good work, and I got good quality.

He is able to go head to head with nonunion contractors, and he has become the largest contractor because of the quality of his work.

That is why I say to my friend, sometimes the cheapest is not always the best in terms of the interest of the taxpayers and of this country.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, this amendment is not about quality. It is not about unions. It is about a Federal Government that is spending too much money, and it is about an enormous debt we have. It is about starting somewhere.

People agree that you save money if you do not have to pay the prevailing wage. Everybody knows it. The gallery knows it. The public knows it. In Kentucky, schools cost 30 percent more if you have prevailing wage. You build less schools. Your money does not go as far. It is not a good efficient use of your money.

With regard to quality, to imply that you cannot have quality unless it is union labor, unless it is prevailing wage, completely ignores what goes on in our economy; that is to say, the 90 percent of things that are made in our country that are nonunion and nonprevailing wage do not have quality. The argument is specious. It has no substance.

What this is about is making a first step toward controlling our deficit. We need to cut costs in government. If we cannot do these little things—this would save $500 million on this bill. It is a small amount in Washington. It is a large amount to us in Kentucky, to individuals. It is a small amount, but it is a first step toward saying we are going to be responsible as a Congress and say: Enough is enough; we cannot live with $2 trillion deficits each year. It is out of control. We are headed toward financial ruin, and this is one first step forward.

I hope the rest of the Senate will support this amendment to exempt from the FAA bill the considerations of Davis-Bacon.

I yield back the remainder of my time.

The PRESIDING OFFICER. Is all time yielded back on the pending amendment?

Mr. ROCKEFELLER. We yield back all time.

Mrs. HUTCHISON. Mr. President, I ask for the yeas and nays on the Paul amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, I move to table the amendment. I ask for the yeas and nays on the motion to table.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The amendment will be set aside.

AMENDMENT NO. 8

There is now 10 minutes evenly divided on the Whitehouse amendment. Who yields time?

The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I wish to speak to this amendment which makes it a Federal criminal offense to target an aircraft with a laser.

The prevalence of this activity has increased enormously. According to the FAA, there were 2,836 instances of lasers aimed at airplanes in 2010, which is a ninefold increase over the past 5 years.

The consequences of one of these attacks in the cockpit of an aircraft are significant. I am reading from a news report:

> Glendale, CA, police Sgt. Steve Robertson remembers the first time he encountered a laser strike. He says his helicopter was hit by a powerful beam of green light one night while he was on patrol. ''It immediately [lit] up the whole cockpit and it hit both of my eyes and burned both of my corneas,'' said the veteran pilot. ''Instantly, I was blinded. It felt like I was hit in the face with a baseball bat—just an intense, burning pain.''
>
> Robertson was momentarily incapacitated and would have crashed if his co-pilot hadn't been able to land the chopper.

Thankfully, he recovered from his injuries.

I express my appreciation to both Senators BOXER and FEINSTEIN who are cosponsors of this amendment. Clearly, it is a major issue in California. I thank Senator MARK KIRK of Illinois who is the lead Republican cosponsor.

O'Hare Airport is one of the busiest airports in the country. It had 98 of these events take place in 2010.

Senator DURBIN also of Illinois is a cosponsor as well. I express my appreciation to him.

The House has passed a similar measure. There is every reason to believe that if we take this step we will be able to help defend our airspace from these attacks. Obviously, they are most dangerous near airports when planes are taking off or landing or in low level flight, as police sergeant Steve Robertson was.

It has the support of the National Association of Police Agencies and the Pilots Association.

I hope very much that my colleagues will vote in favor of it and take this simple step to protect our aircraft travel from a new and emerging risk.

Does the chairman wish to speak? I yield back our time but for the 2 minutes to the chairman.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, this is an enormously important amendment. To be quite truthful, I think Senator WHITEHOUSE would have been satisfied with just having it accepted by both sides, which it would have been. I said: Please bring it to a vote.

This is a national security threat. The technology is going to get much better. He spoke about the pilot who was temporarily blinded, whose corneas were affected. As the technology increases, it is going to blind pilots permanently. Maybe if they are accurate, they can get both the pilot and the copilot.

All of this will take place around airports where there is obviously room to sight in on these people taking off and landing, particularly landing, I would think. It is absolutely a threat, and the numbers in the last 2 years absolutely prove it.

I wish to emphasize, yes; this is on a Federal aviation bill, but it could be on an Armed Services Committee bill. It could be on an Intelligence Committee bill. It could be on a Homeland Security Committee bill. It is a very powerful vote because there will be a future for terrorists in this business, so the criminal penalties have to be established. The Whitehouse amendment, which I strongly support, does that.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I support the Whitehouse amendment. It will add to the security of our aircraft flying. I urge my colleagues to support it as well.

If time has been yielded back, I call for a vote.

Mr. WHITEHOUSE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

If all time is yielded back, the question is on agreeing to amendment No. 8. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Virginia (Mr. WARNER) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN) and the Senator from Utah (Mr. HATCH).

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

The result was announced—yeas 96, nays 1, as follows:

[Rollcall Vote No. 10 Leg.]

YEAS—96

Akaka	Feinstein	Merkley
Alexander	Franken	Mikulski
Ayotte	Gillibrand	Moran
Barrasso	Graham	Murkowski
Baucus	Grassley	Murray
Begich	Hagan	Nelson (NE)
Bennet	Harkin	Nelson (FL)
Bingaman	Hoeven	Portman
Blumenthal	Hutchison	Pryor
Blunt	Inhofe	Reed
Boozman	Inouye	Reid
Boxer	Isakson	Risch
Brown (MA)	Johanns	Roberts
Brown (OH)	Johnson (SD)	Rockefeller
Burr	Johnson (WI)	Rubio
Cantwell	Kerry	Sanders
Cardin	Kirk	Schumer
Carper	Klobuchar	Sessions
Casey	Kohl	Shaheen
Chambliss	Kyl	Shelby
Coats	Landrieu	Snowe
Cochran	Lautenberg	Stabenow
Collins	Leahy	Tester
Conrad	Lee	Thune
Coons	Levin	Toomey
Corker	Lieberman	Udall (CO)
Cornyn	Lugar	Udall (NM)
Crapo	Manchin	Vitter
DeMint	McCain	Webb
Durbin	McCaskill	Whitehouse
Ensign	McConnell	Wicker
Enzi	Menendez	Wyden

NAYS—1

Paul

NOT VOTING—3

Coburn	Hatch	Warner

The amendment (No. 8) was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, we have made good progress on this bill. We are working through the amendments. The staff has been doing yeomen's work. The Finance Committee is going to meet on Tuesday to report out funding for this bill. They have a path forward to do that. We need to keep the amendments relative to the Federal Aviation Administration and that has been good. We have made, as I indicated, progress. We have had some substantive amendments we worked on. We are voting on a couple here this evening and staff have worked on a number that they can resolve.

We are going to make more progress next week. We hope to complete action early in the week of February 14. As indicated—it has been scheduled for a long period of time—the Democratic Senators have a retreat next week. We are going to have votes Monday night and Tuesday morning. Everyone can count on that. But we believe, looking at the schedule tomorrow, we can accomplish just as much with having the Senate in session tomorrow. The majority will be here taking amendments or doing whatever is necessary on this bill. If somebody wants to give a speech on whatever their heart desires, they will be able to do that tomorrow also.

This next vote will be the last vote of the week.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Mr. President, we are making good progress on this bill. This bill is being handled as we have been accustomed in the old days to

handling bills in the Senate. I commend the majority leader for that. We are going to be able to work our way through it with amendments related to the subject from here on in and wrap it up, as he suggests, the week of February 14.

The PRESIDING OFFICER. The question is on agreeing to the motion to table the amendment of the Senator from Kentucky. The yeas and nays have been ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Virginia (Mr. WARNER) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN) and the Senator from Utah (Mr. HATCH).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 55, nays 42, as follows:

[Rollcall Vote No. 11 Leg.]

YEAS—55

Akaka	Harkin	Murray
Baucus	Inouye	Nelson (NE)
Begich	Johanns	Nelson (FL)
Bennet	Johnson (SD)	Pryor
Bingaman	Kerry	Reed
Blumenthal	Kirk	Reid
Boxer	Klobuchar	Rockefeller
Brown (OH)	Kohl	Sanders
Cantwell	Landrieu	Schumer
Cardin	Lautenberg	Shaheen
Carper	Leahy	Stabenow
Casey	Levin	Tester
Conrad	Lieberman	Udall (CO)
Coons	Manchin	Udall (NM)
Durbin	McCaskill	Webb
Feinstein	Menendez	Whitehouse
Franken	Merkley	Wyden
Gillibrand	Mikulski	
Hagan	Murkowski	

NAYS—42

Alexander	DeMint	McConnell
Ayotte	Ensign	Moran
Barrasso	Enzi	Paul
Blunt	Graham	Portman
Boozman	Grassley	Risch
Brown (MA)	Hoeven	Roberts
Burr	Hutchison	Rubio
Chambliss	Inhofe	Sessions
Coats	Isakson	Shelby
Cochran	Johnson (WI)	Snowe
Collins	Kyl	Thune
Corker	Lee	Toomey
Cornyn	Lugar	Vitter
Crapo	McCain	Wicker

NOT VOTING—3

Coburn	Hatch	Warner

The motion was agreed to.

AMENDMENT NO. 6

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma is recognized.

Mr. INHOFE. Mr. President, I ask unanimous consent to set aside the pending amendment for consideration of Inhofe amendment No. 6.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. KERRY. Reserving the right to object, I ask the indulgence of the Senator, before he engages in a discussion of his amendment, if he would permit Senator MCCAIN and me to send to the desk a resolution with respect to Egypt. We would both like to speak very briefly on it.

Mr. INHOFE. Mr. President, all I want to do is get two amendments in the queue in 30 seconds.

Mr. KERRY. I have no objection.

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

The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. INHOFE] proposes an amendment numbered 6.

Mr. INHOFE. I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide liability protection to volunteer pilot nonprofit organizations that fly for public benefit and to the pilots and staff of such nonprofit organizations, and for other purposes)

At the end of title VII, insert the following:

SECTION 732. LIABILITY PROTECTION FOR CERTAIN VOLUNTEER PILOTS.

(a) SHORT TITLE.—This section may be cited as the ''Volunteer Pilot Organization Protection Act of 2011''.

(b) FINDINGS AND PURPOSE.—

(1) FINDINGS.—Congress finds the following:

(A) Many volunteer pilot nonprofit organizations fly for public benefit and provide valuable services to communities and individuals.

(B) In calendar year 2006, volunteer pilot nonprofit organizations provided long-distance, no-cost transportation for more than 58,000 people during times of special need.

(C) Such nonprofit organizations are no longer able to purchase non-owned aircraft liability insurance to provide liability protection at a reasonable price, and therefore face a highly detrimental liability risk.

(D) Such nonprofit organizations have supported the homeland security of the United States by providing volunteer pilot services during times of national emergency.

(2) PURPOSE.—The purpose of this section is to promote the activities of volunteer pilot nonprofit organizations that fly for public benefit and to sustain the availability of the services that such nonprofit organizations provide, including the following:

(A) Transportation at no cost to financially needy medical patients for medical treatment, evaluation, and diagnosis.

(B) Flights for humanitarian and charitable purposes.

(C) Other flights of compassion.

(c) LIABILITY PROTECTION FOR VOLUNTEER PILOT NONPROFIT ORGANIZATIONS THAT FLY FOR PUBLIC BENEFIT AND TO PILOTS AND STAFF OF SUCH NONPROFIT ORGANIZATIONS.—Section 4 of the Volunteer Protection Act of 1997 (42 U.S.C. 14503) is amended—

(1) in subsection (a)(4)—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(B) by striking ''the harm'' and inserting ''(A) except in the case of subparagraph (B), the harm'';

(C) in subparagraph (A)(ii), as redesignated by this paragraph, by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(B) the volunteer—

''(i) was operating an aircraft in furtherance of the purpose of a volunteer pilot nonprofit organization that flies for public benefit; and

''(ii) was properly licensed and insured for the operation of such aircraft.''; and

(2) in subsection (c)—

(A) by striking ''Nothing in this section'' and inserting the following:

''(1) IN GENERAL.—Except as provided in paragraph (2), nothing in this section''; and

(B) by adding at the end the following:

''(2) EXCEPTION.—A volunteer pilot nonprofit organization that flies for public benefit, the staff, mission coordinators, officers, and directors (whether volunteer or otherwise) of such nonprofit organization, and a referring agency of such nonprofit organization shall not be liable for harm caused to any person by a volunteer of such nonprofit organization while such volunteer—

''(A) is operating an aircraft in furtherance of the purpose of such nonprofit organization;

''(B) is properly licensed for the operation of such aircraft; and

''(C) has certified to such nonprofit organization that such volunteer has insurance covering the volunteer's operation of such aircraft.''.

AMENDMENT NO. 7

Mr. INHOFE. I ask unanimous consent to set aside the pending amendment for the consideration of Inhofe amendment No. 7.

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

The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. INHOFE] proposes an amendment numbered 7.

Mr. INHOFE. I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require the Administrator of the Federal Aviation Administration to initiate a new rulemaking proceeding with respect to the flight time limitations and rest requirements for supplemental operations before any of such limitations or requirements may be altered)

On page 230, between lines 7 and 8, insert the following:

SEC. 565. RESTRICTION ON ALTERATION OF FLIGHT TIME LIMITATIONS AND REST REQUIREMENTS FOR SUPPLEMENTAL OPERATIONS.

(a) IN GENERAL.—The flight time limitations and rest requirements for supplemental operations under subpart S of part 121 of title 14, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act), shall remain in effect unless and until the Administrator of the Federal Aviation Administration issues a final rule in a rulemaking proceeding described in subsection (b).

(b) RULEMAKING PROCEEDING DESCRIBED.—A rulemaking proceeding described in this subsection is a rulemaking proceeding—

(1) with respect to modernizing the flight time limitations and rest requirements only with respect to supplemental operations under subpart S of part 121 of title 14, Code of Federal Regulations; and

(2) that is not a part of, or otherwise connected to, the rulemaking proceeding under Docket No. FAA–2009–1093, as described in the notice of proposed rulemaking published in the Federal Register on September 14, 2010 (75 Fed. Reg. 55852).

(c) RULE OF CONSTRUCTION.—Nothing in this section requires the Administrator of the Federal Aviation Administration to conduct a rulemaking proceeding with respect to the flight time limitations and rest requirements for supplemental operations

under subpart S of part 121 of title 14, Code of Federal Regulations, if the Administrator determines that the flight time limitations and rest requirements under that subpart (as in effect on the day before the date of the enactment of this Act) are sufficient to ensure the safety of supplemental operations.

Mr. INHOFE. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

EGYPT

Mr. KERRY. Mr. President, I will not send the resolution to the desk. It is currently being hotlined in both offices. It may actually be dealt with in a short period in wrap-up. Senator MCCAIN and I wish to speak briefly to this resolution.

This is a resolution which expresses the deep concern of the Senate over the events taking place in Egypt at this time. We acknowledge the long relationship and importance of the relationship with Egypt. Most important, we call attention to the need at this moment for the Government of Egypt and for all the parties involved to take every step possible to avoid violence, to respect the rights of people to assemble, to express their rights, to fight for and demonstrate for a transition in their lives and in their country.

This is now a many-days-long demonstration, the longest in the history of Egypt. Hundreds have been killed, many thousands wounded. It is our hope—and we express this—that over the next days, responsible leadership will stand on all sides and work toward a transition process that respects people's rights and that builds a future that meets the aspirations expressed so passionately in the streets of cities all across Egypt. We hope this process will respect the right of journalists to report on the events in Egypt to the people of Egypt as well as the people of the world who are watching. We ask the leadership there to find a path by which they can transition to some kind of interim government over these next days that will build toward elections that can be free and fair and set an example for how any country in this kind of crisis can deal with it and, most importantly, meet the aspirations of their people.

I am privileged to join with Senator MCCAIN, Senator GRAHAM, and others in an effort to try to send this message from the Senate about our deep concern over the violence and our hopes and prayers that in the next hours and days responsible leadership will step up and do what is right.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. Mr. President, on behalf of Senator KERRY, the distinguished chairman of the Foreign Relations Committee, myself, and others, we will send this resolution to the desk. I will send it after I finish my remarks. We will not be seeking a vote at this time because we are hotlining the resolution.

This is a seminal moment in the history of the Middle East and the world. We are seeing an uprising and a movement that spread across the entire Middle East. Egypt is the heart and soul of the Arab world. What we have been watching unfold in the last week has grieved and concerned all of us. There is every possibility that this crisis lurches into a genuine massacre. We cannot afford that. We must do everything in our power to see that it stops. Our resolution urges the Egyptian military to demonstrate maximum professionalism and restraint and emphasizes the importance of working to peacefully restore common order, while allowing for free and nonviolent freedom of expression. We do not want the Egyptian military to encourage thugs. We do not want the Egyptian military to be a party to increased violence.

We are concerned about an interim government. That interim government must be representative of all democratic forces within Egypt. In the resolution, we call on President Mubarak to immediately begin an orderly and peaceful transition to a democratic political system, including the transfer of power to an inclusive interim caretaker government in coordination with leaders from Egypt's opposition, civil society, and the military.

Again, I emphasize, I know my colleagues know, the Egyptian military is the most respected institution in Egypt. They risk turning the people of Egypt against them unless they act as a genuine peacemaker in Egypt.

I have been involved in Middle Eastern affairs for many years. I have traveled many times to the region. What is happening is a seminal event. How it turns out will affect the future of the 21st century. If Egypt turns to radical Islamic extremism and other countries as well, it poses not only a threat to America's national security but to the well-being of tens or hundreds of millions of people who have the God-given right of life, liberty, and the pursuit of happiness as we guarantee to all people.

I thank Senator KERRY again. We are sending a message from the Senate that I am sure the overwhelming majority of my colleagues will agree with: Stop the bloodletting. Let's start a peaceful transition to a free and open society and a government that can regain and hold the trust of the people of Egypt. This is a seminal moment and one that I believe the future of peace in the world will be relied upon.

I thank my colleagues. We look forward to further discussion. We wanted to bring this up now. It is very important, since tomorrow could be a very critical day in the history of the Egyptian people's struggle for independence and freedom.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I congratulate and compliment my colleagues from Massachusetts and Arizona. This resolution represents the best of the Senate. We have two people who are very well versed in the ways of the world and understand America and what we stand for. They have crafted a document I would like to cosponsor.

I ask unanimous consent that I be added as a cosponsor.

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

Mr. GRAHAM. Tomorrow is a big day for the future of Egypt. Senator MCCAIN said it well: To the Army, I doubt if they are watching C–SPAN, but they have a chance to bring order out of chaos and to continue to have respect throughout the world and within the borders of Egypt. Do not let this opportunity pass. An interim government should be formed quickly, as this resolution urges. When it comes to the Egyptian people, I have faith that the young women who are risking life and limb in the square tonight and tomorrow are not doing so to be required to wear a burqa in the future. I have faith that the young men who are risking life and limb tonight and tomorrow would not want such a fate for their daughters and their wives. I have great respect for Islam. Radical Islam, similar to any other form of radical religion, is a threat to all we hold dear. The Egyptian people have a chance to chart a new way for the future of the Arab world and the world at large. This resolution is a statement of principle by the Senate that we stand with you and all those who believe in tolerance and the dignity of mankind.

This statement is bipartisan. It is well thought out. I think it reflects where the American people want to be in relation to Egypt.

To those in Congress who want to act quickly about defunding our relationship with Egypt, please consider the consequences of such action. Give the Egyptian people a chance to work this out. Give the Army a chance to bring order out of chaos. It is in our national security interest that we have a stable Egypt. The army is the most respected institution.

Mr. MCCAIN. Will the Senator yield?

Mr. GRAHAM. Yes.

Mr. MCCAIN. Isn't it time to urge democracy and freedom and not the time to threaten? There is plenty of time to threaten the Government and people of Egypt with reprisal. The time now is to urge democracy and freedom.

Mr. GRAHAM. Well said. It is now time for the United States to say what we are for and urge the Egyptian people to realize their hopes and dreams and that we want to be their partner. Now is not the time to sever the partnership. Now is the time to stand by a future partnership that would be beneficial to both countries. This resolution is a statement of principle that I hope the Egyptian people will see as an acknowledgment by the Senate that we are with them when it comes to their best hopes and dreams.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota.

Ms. KLOBUCHAR. I also ask unanimous consent to be added as a cosponsor of the resolution.

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

Ms. KLOBUCHAR. I also commend these two great leaders, Senator KERRY and Senator MCCAIN, for coming together on this resolution. A lot of people try to bring us apart in this institution. But they were counted here today with one voice. I was in Vietnam with Senator MCCAIN. I couldn't get over all the people who came up to him and still talked about the work he and Senator KERRY had done together, with POWs and other issues, how they had gone to Vietnam together. Well, once again, they have come together at a time of great crisis to have the Senate tell the people of Egypt that we are there with them and we are behind them.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Hawaii is recognized.

AMENDMENT NO. 14

Mr. AKAKA. Mr. President, I rise today to strongly oppose Senator WICKER's amendment to prevent Transportation Security Administration employees from being able to collectively bargain.

There is no need for the Senate to use valuable time considering this issue right now. Congress gave the Administrator of TSA the authority to determine if and how collective bargaining should take place in the Air Transportation Security Act, which established TSA in the wake of the attacks of September 11.

Administrator Pistole, who has a strong national security background, is evaluating this issue in detail and I believe we should let him complete his review.

Although I believe Administrator Pistole should be given time to make the decision on granting collective bargaining rights to TSA employees, I want to address the arguments some are making in opposing TSA workers' rights.

I believe giving TSA employees a greater voice in the workplace would be good for security. TSA suffers from low morale, high attrition, and high injury rates.

National security is jeopardized when agencies charged with protecting our safety continually lose trained and talented employees due to workplace injuries and a lack of employee protections.

Moreover, the vast majority of Federal employees have collective bargaining rights. This includes other employees of the Department of Homeland Security performing similar security functions, such as Border Patrol agents, Federal Protective Service officers, and Immigration and Customs Enforcement officers.

In addition, there currently are some private airport screeners with full collective bargaining rights. Airport security is handled by contract screeners in a handful of airports, including some large ones. These contract employees have full collective bargaining rights. Ironically, some have recently been arguing for contracting security at more airports, saying the security is better there. To be clear, I strongly support federalized airport security, but if there are any benefits where security is contracted, perhaps it is because the screeners are unionized, not because they are privatized.

Proponents of collective bargaining restrictions say they are necessary so that TSA has the flexibility to respond to emergencies. That is simply not true. Under Federal law, agencies are provided authority to take any actions they deem necessary to carry out their missions during an emergency. Granting collective bargaining rights would not in any way hinder TSA's flexibility to transfer employees in the event of a national emergency.

Moreover, under civil service laws, TSA employees, as other Federal employees, would be prohibited from striking if they are granted collective bargaining rights.

We all remember the heroic first responders who rushed into the World Trade Center and the Pentagon on September 11, 2001. I vividly recall the Capitol Police officers working frantically to protect our safety when it appeared the fourth plane could strike the Capitol. These were unionized workers. Like the heroes of 9/11, the brave men and women of TSA have dedicated themselves to protect our security. There is absolutely no basis for the Republicans to argue that TSA employees would invoke union contract restrictions rather than rise to the occasion in an emergency.

I urge all Senators to protect TSA employees' opportunity to have a voice in their workforce by opposing the Wicker amendment.

Mr. President, I yield back my time.

I suggest 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.

AMENDMENT NO. 32

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent to set aside the pending amendment to call up, on behalf of Senator ENSIGN, Ensign amendment No. 32.

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

The clerk will report.

The legislative clerk read as follows:

The Senator from West Virginia [Mr. ROCKEFELLER], for Mr. ENSIGN, Mr. CONRAD, and Mr. HOEVEN, proposes an amendment numbered 32.

Mr. ROCKEFELLER. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To improve provisions relating to certification and flight standards for military remotely piloted aerial systems in the National Airspace System)

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

(3) establishes a process to develop—

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

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

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

(A) air traffic requirements; and

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

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

(6) uniquely addresses the requirements of military and nonmilitary unmanned aerial system operations;

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

(8) provides for integration into the National Airspace System of safety standards and navigation procedures validated—

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

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

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

(c) CERTIFICATION AND FLIGHT STANDARDS FOR MILITARY UNMANNED AERIAL SYSTEMS.—The Secretary of Defense shall establish a process to develop certification and flight standards for military unmanned aerial systems at the test sites referred to in subsection (a)(1).

VOTE EXPLANATION

Mr. WARNER. Mr. President, I was unable to vote today because of a family emergency. I want to be clear that if I were present in the Chamber, I would have voted in favor of Senator SHELDON WHITEHOUSE's amendment No. 8 to provide penalties for pointing laser pointers at airplanes. Instances of this dangerous practice doubled last year, and I believe we need to take the strong actions necessary to protect our flight crews and the flying public from dangers such as this.

I also would have voted in support of the motion to table Senator RAND PAUL's amendment No. 19 to prohibit any funds made available by the FAA Reauthorization Act to be used to administer or enforce wage-rate requirements with respect to any project or program funded under the bill. I will continue to work with my colleagues on both sides of the aisle to protect American workers, especially in these tough economic times.