

The National Transportation Safety Board, NTSB, hearings also made clear that the FAA must be more proactive when it comes to safety. We must not wait until the next disaster to make long overdue changes in safety regulation at the FAA.

It is unacceptable that the NTSB recommendations designed to address some of the most serious aviation safety deficiencies continue to go unaddressed by the FAA today.

Last May, I joined Senator SNOWE in sending a letter to the Department of Transportation urging the agency to take immediate action to address NTSB recommendations that languished on its Most Wanted list for years and other pressing safety concerns.

In some instances, recommendations such as those meant to address pilot fatigue, have been on the NTSB Most Wanted list since its inception 19 years ago. We must take immediate action to ensure that no other family must endure a similar tragedy because of unmet safety recommendations and a lack of agency oversight.

I was encouraged by recent announcements from the FAA about the agency's initiative to revise work hour rules to address pilot fatigue and to conduct emergency inspections at pilot training facilities. I believe this is a step in the right direction, but we must do more.

That is why I am proud to join Senator SNOWE in introducing the Ensuring One Level of Aviation Safety Act of 2009, to address some of the more egregious aviation safety deficiencies. Our bill requires the FAA to implement unfulfilled NTSB recommendations and to do more oversight of regional airlines and pilot training academies. The bill also requires the FAA to update minimum training standards and hours of experience requirements for pilots.

Finally, this legislation mandates continuing education training for pilots, requires the development of airline fatigue management plans, and allows carriers immediate access to pilot performance records.

I look forward to working with my colleagues and the FAA to implement this legislation and to take additional steps to ensure that there truly is no difference in safety between major carriers and regional airlines.

We cannot wait for the next airline tragedy to take action. The flying public must be assured that the FAA and the airlines are doing their part to make safety the No. 1 priority.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 187—CON- DEMNING THE USE OF VIOLENCE AGAINST PROVIDERS OF HEALTH CARE SERVICES TO WOMEN

Mrs. SHAHEEN (for herself, Ms. KLOBUCHAR, Mrs. BOXER, Mrs. MURRAY,

Mr. DURBIN, Mr. DODD, Mr. SCHUMER, Mr. LAUTENBERG, Ms. MIKULSKI, Ms. LANDRIEU, Mrs. GILLIBRAND, Mr. HARKIN, Mr. CARPER, Mr. SANDERS, Mr. KAUFMAN, Mr. WYDEN, Mr. KERRY, Mr. LIEBERMAN, Mr. UDALL of New Mexico, Mr. LEVIN, Mr. BROWN, Mr. WHITEHOUSE, Mr. BURRIS, Mr. UDALL of Colorado, Ms. STABENOW, Mr. BAUCUS, Ms. CANTWELL, Mr. BINGAMAN, Mr. INOUE, Mr. CARDIN, Mr. SPECTER, Mr. JOHNSON, Mr. FEINGOLD, Mr. LEAHY, Mr. TESTER, Ms. SNOWE, Mr. BEGICH, Mr. AKAKA, Mr. BENNET, Mrs. FEINSTEIN, Mr. WARNER, Mrs. MCCASKILL, Mr. REED, Mr. KENNEDY, Mr. MERKLEY, and Mrs. LINCOLN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 187

Whereas Dr. George Tiller of Wichita, Kansas, was shot to death while attending church on Sunday, May 31, 2009;

Whereas there is a history of violence against providers of reproductive health care, as health care employees have suffered threats, hostility, and attacks in order to provide crucial services to patients;

Whereas the threat or use of force or physical obstruction has been used to injure, intimidate, or interfere with individuals seeking to obtain or provide health care services; and

Whereas acts of violence are never an acceptable means of expression and shall always be condemned: Now, therefore, be it

*Resolved*, That the Senate—

(1) expresses great sympathy for the family, friends, and patients of Dr. George Tiller;

(2) recognizes that acts of violence should never be used to prevent women from receiving reproductive health care; and

(3) condemns the use of violence as a means of resolving differences of opinion.

#### SENATE RESOLUTION 188—CON- GRATULATING THE LOS ANGELES LAKERS FOR WINNING THE 2009 NATIONAL BASKETBALL CHAMPIONSHIP

Mrs. BOXER (for herself and Mrs. FEINSTEIN) submitted the following resolution; which was considered and agreed to:

S. RES. 188

Whereas, on June 14, 2009, the Los Angeles Lakers defeated the Orlando Magic in game 5 of the 2009 National Basketball Association Championship Finals;

Whereas that triumph marks the 15th National Basketball Association Championship for the Lakers franchise and 10th for the Los Angeles Lakers;

Whereas that triumph also marks the fourth National Basketball Association Championship victory for the Los Angeles Lakers since 1999, earning the Los Angeles Lakers more championship victories in this decade than any other team in the league;

Whereas Los Angeles Lakers head coach Phil Jackson, who throughout his career has epitomized discipline, teaching, and excellence, has won 10 National Basketball Association Championships as a head coach, the most championships for a head coach in National Basketball Association history, surpassing the number won by the legendary Arnold "Red" Auerbach;

Whereas the 2009 National Basketball Association Championship marks the ninth championship for Los Angeles Lakers owner Gerald Hatten Buss;

Whereas general manager Mitch Kupchak has built a basketball team that possesses a great balance among all-stars, veterans, and young players;

Whereas the Los Angeles Lakers won 65 games in the 2009 regular season and defeated the Utah Jazz, the Houston Rockets, the Denver Nuggets, and the Orlando Magic in the 2009 National Basketball Association playoffs; and

Whereas each player for the Los Angeles Lakers, including Trevor Ariza, Shannon Brown, Kobe Bryant, Andrew Bynum, Jordan Farmar, Derek Fisher, Pau Gasol, Didier Ilunga-Mbenga, Adam Morrison, Lamar Odom, Josh Powell, Sasha Vujacic, Luke Walton, and Sue Yue, contributed to what was truly a team effort during the regular season and the playoffs to bring the 2009 National Basketball Association Championship to the city of Los Angeles: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the Los Angeles Lakers for winning the 2009 National Basketball Association Championship;

(2) recognizes the achievements of the players, coaches, and staff whose hard work and dedication made winning the championship possible; and

(3) directs the Secretary of the Senate to transmit a copy of this resolution to—

(A) the 2009 Los Angeles Lakers team and their head coach Phil Jackson;

(B) the Los Angeles Lakers owner Gerald Hatten Buss; and

(C) the Los Angeles Lakers general manager Mitch Kupchak.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1321. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table.

SA 1322. Mr. INHOFE (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1323. Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1324. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1325. Mr. BROWNBACK (for himself, Mr. KYL, Mr. CRAPO, Mr. ROBERTS, Mr. RISCH, Mr. COBURN, Mr. CORNYN, Mr. BOND, Mr. INHOFE, Mr. DEMINT, Mr. BUNNING, Mr. BENNETT, Mr. CHAMBLISS, and Mr. JOHANNIS) submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1326. Mrs. FEINSTEIN (for herself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by her to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1327. Mr. REID (for Mr. KENNEDY (for himself and Mr. KERRY)) submitted an amendment intended to be proposed by Mr. REID to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1328. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1329. Mr. CORKER (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1330. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1331. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1332. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1333. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1334. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1335. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1336. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 1023, supra; which was ordered to lie on the table.

SA 1337. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 1023, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 1321.** Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

At the end, insert the following:

**SEC. . RESTORATION OF DEDUCTION FOR TRAVEL EXPENSES OF SPOUSE, ETC. ACCOMPANYING TAXPAYER ON BUSINESS TRAVEL.**

(a) **IN GENERAL.**—Subsection (m) of section 274 of the Internal Revenue Code of 1986 (relating to additional limitations on travel expenses) is amended by striking paragraph (3).

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to amounts paid or incurred after the date of the enactment of this Act.

**SA 1322.** Mr. INHOFE (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 9. EXEMPTION OF FISHING GUIDES AND OTHER OPERATORS OF UNINSPECTED VESSELS ON LAKE TEXOMA FROM COAST GUARD AND OTHER REGULATIONS.**

(a) **EXEMPTION.**—

(1) **EXEMPTION OF STATE LICENSEES FROM COAST GUARD REGULATION.**—Residents or non-residents who assist, accompany, transport, guide, or aid persons in the taking of fish for monetary compensation or other consideration on Lake Texoma who are licensed by the State in which they are operating shall not be subject to any requirement established or administered by the Coast Guard with respect to that operation.

(2) **EXEMPTION OF COAST GUARD LICENSEES FROM STATE REGULATION.**—Residents or non-residents who assist, accompany, transport, guide, or aid persons in the taking of fish for monetary compensation or other consideration on Lake Texoma who are currently licensed by the Coast Guard to conduct such activities shall not be subject to State regulation for as long as the Coast Guard license for such activities remains valid.

(b) **STATE REQUIREMENTS NOT AFFECTED.**—Except as provided in subsection (a)(2), this section does not affect any requirement under State law or under any license issued under State law.

**SEC. 10. WAIVER OF BIOMETRIC TRANSPORTATION SECURITY CARD REQUIREMENT FOR CERTAIN SMALL BUSINESS MERCHANT MARINERS.**

Section 70105(b)(2)(B) of title 46, United States Code, is amended by inserting “and serving under the authority of such license, certificate of registry, or merchant mariners document on a vessel for which the owner or operator of such vessel is required to submit a vessel security plan under section 70103(c) of this title” before the semicolon.

**SA 1323.** Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

On page 19, strike line 13 and all that follows through page 25, line 10, and insert the following:

**SEC. 5. ELECTRONIC SYSTEM FOR TRAVEL AUTHORIZATION.**

(a) **TRAVEL PROMOTION FUND FEES.**—Section 217(h)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1187(h)(3)(B)) is amended to read as follows:

“(B) **FEES.**—

“(i) **IN GENERAL.**—No later than September 30, 2009, the Secretary of Homeland Security shall establish a fee for the use of the System and begin assessment and collection of that fee. The initial fee shall be the sum of—

“(I) \$10 per travel authorization; and

“(II) an amount that will at least ensure recovery of the full costs of providing and administering the System, as determined by the Secretary.

“(ii) **DISPOSITION OF AMOUNTS COLLECTED.**—From the amounts collected under clause (i)(I), \$100,000,000 shall be credited to the Travel Promotion Fund established under section 4 of the Travel Promotion Act of 2009, and any additional amounts shall be used by the Secretary for travel security programs authorized under section 217 of the Immigration and Nationality Act (8 U.S.C. 1187), including the Electronic System for Travel Authorization (ESTA) and the United States Visitor and Immigrant Status Indicator Technology (US-VISIT). Amounts collected under clause (i)(II) shall be transferred to the general fund of the Treasury and made available to pay the costs incurred to administer the System.

“(iii) **SUNSET OF TRAVEL PROMOTION FUND FEE.**—The Secretary may not collect the fee authorized by clause (i)(I) for fiscal years beginning after September 30, 2014.”

(b) **STRATEGIC PLAN.**—

(1) **IN GENERAL.**—Section 217(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1187(h)(3)) is amended by adding at the end the following:

“(E) **STRATEGIC PLAN.**—

“(i) **SUBMISSION.**—Not later than 180 days after the date of the enactment of the Travel

Promotion Act of 2009, the Secretary of Homeland Security shall prepare and submit a strategic plan to the recipients listed under clause (ii) that describes how the full implementation of the System will ensure that all individuals traveling by airplane to the United States from a program country have their travel authorization verified before boarding the airplane.

“(ii) **RECIPIENTS.**—The strategic plan prepared under clause (i) shall be submitted to—

“(I) the Committee on Appropriations of the Senate;

“(II) the Committee on Homeland Security and Governmental Affairs of the Senate;

“(III) the Committee on the Judiciary of the Senate;

“(IV) the Committee on Appropriations of the House of Representatives;

“(V) the Committee on Homeland Security of the House of Representatives;

“(VI) the Committee on the Judiciary of the House of Representatives; and

“(VII) the Comptroller General of the United States.

“(iii) **MILESTONES.**—The strategic plan prepared under clause (i) shall include a detailed timeline that describes the specific actions that will be taken to achieve the following milestones:

“(I) Enrollment of all travelers from program countries into the System.

“(II) Incorporation of the airlines into the System.

“(III) Deployment of the technology of the System in all airports located in program countries, either through the use of stand-alone kiosks or through the participation of the airlines.

“(IV) Verification of travel authorizations of all aliens described in subsection (a) before they board an airplane bound for the United States.

“(V) Administration of the System solely with fees collected under subparagraph (B)(i)(II).

“(iv) **COMMUNICATIONS STRATEGY.**—The strategic plan prepared under clause (i) shall include—

“(I) an analysis of the System’s communications strategy; and

“(II) recommendation for improving the communications strategy to ensure that all travelers to the United States from program countries are informed of the requirements under this section.”

(2) **GAO REVIEW.**—Not later than 90 days after receiving a copy of the strategic plan under section 217(h)(3)(E) of the Immigration and Nationality Act, as added by paragraph (1), the Comptroller General shall complete a review of the plan to determine whether the plan addresses the main security risks associated with the Electronic System for Travel Authorization in an efficient, cost effective, and timely manner.

(c) **FUNDING LIMITATION.**—None of the amounts made available to the Secretary of Homeland Security under section 217(h)(3)(B)(i)(II) of the Immigration and Nationality Act, as added by subsection (a), to carry out the Electronic System for Travel Authorization authorized under section 217(h)(3) of such Act may be expended until the Secretary submits the strategic plan required by section 217(h)(3)(E) of such Act.

**SEC. 6. ASSESSMENT AUTHORITY.**

(a) **IN GENERAL.**—Except as otherwise provided in this section, the Corporation may impose an annual assessment on United States members of the international travel and tourism industry (other than those described in section 2(b)(1)(C) or (H)) represented on the Board in proportion to their share of the aggregate international travel and tourism revenue of the industry. The Corporation shall be responsible for