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House of Representatives

The House was not in session today. Its next meeting will be held on Monday, April 11, 2016, at 3:30 p.m.

Senate

THURSDAY, APRIL 7, 2016

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, we are safe with You. Give our lawmakers the wisdom to put their entire trust in You. Help them to remember Your promise to guide their steps on the right path. Lord, fill them with courage so that they will stand for right in every circumstance. When they experience setbacks, may they rest in the victory of Your love. Help them to experience the length, breadth, and height of Your sovereign grace.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. HELLER). The majority leader is recognized.

FAA REAUTHORIZATION BILL

Mr. MCCONNELL. Mr. President, I was glad to see Senators in both parties vote to advance the FAA Reauthorization Act yesterday. We will now continue our work to pass this bipartisan legislation that will support American jobs. It will also enhance safety and security measures to help protect travelers in our airports and in the skies. It will look out for consumers' interests by providing more information on things such as seat availability and baggage fees. It will maintain rural access and promote American manufacturing as well. That is what the FAA bill before us will do. Here is what it won't do: It won't raise taxes or fees on airline passengers or enact heavyhanded regulations that could diminish choices or services for travelers.

I appreciate the diligent work of Chairman THUNE and Senator AYOTTE, the chair of the committee's aviation panel, as well as that of their Democratic counterparts, Senators NELSON and CANTWELL.

The FAA Reauthorization Act has been a bipartisan effort from the very start. Let's keep working together in the same spirit today. I urge colleagues to work with the bill managers to process amendments, if they have them.

FILLING THE SUPREME COURT VACANCY

Mr. MCCONNELL. Mr. President, President Obama will fly to Chicago, where he will try to convince Americans that, despite his own actions while in the Senate to deny a Supreme Court nominee a vote, the Constitution somehow now requires the Senate to have a vote on his nominee no matter what, and thereby deny the American people a voice in the future of the Supreme Court. In the words of the Washington Post's Fact Checker, he will be ''telling supporters a politically convenient fairy tale.'' That is the Washington Post. I am sure he will gloss over the fact that the decision about filling this pivotal seat could impact our country for decades, that it could dramatically affect the most cherished constitutional rights, such as those contained in the First and Second Amendments. I am sure he will continue to demand that Washington spend its time fighting on one issue where we don't agree rather than working together on issues where we do. I am sure he will spend some time refuting the words of his own Vice President. I am sure he will repeatedly claim that his nominee is ''moderate''—not that he means it; it is just a useful piece of spin that has been dutifully echoed across the spans of the left and in the media for years.

Consider the recent Democratic Supreme Court nominees. One Washington Post columnist hailed the ''moderate'' record of President Obama's first pick to the Supreme Court. One New York newspaper proclaimed his second nominee a ''pragmatic centrist.'' When President Clinton made his Supreme Court nominations, the Post declared one a—you guessed it—''moderate,'' and the New York Times practically fell all over itself exalting the ''resolutely centrist'' style of the other. That last nominee—who said it would be a good idea to abolish Mother's Day, by the way—was not just firmly centrist, not

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

just decisively centrist, but resolutely centrist, in the Times' opinion. The records of every one of these Supreme Court Justices have been anything—anything—but moderate or centrist in the years since. They have been resolutely leftwing. But that is the point. ''Moderate'' isn't exactly a true descriptor for Democratic Supreme Court nominees; it is just burned into the printing presses of the editorial boards.

Yet, even the New York Times has had to admit that President Obama's current nominee would give Americans the most leftwing Supreme Court in 50 years—in 50 years. That is why the far left is squarely behind President Obama's campaign to deny the American people a say in this momentous decision.

The American people understand what is at stake. The administration doesn't want the American people messing this up for them, and they will say what they always say to get what they want today: a far-left Supreme Court for decades to come. That is just one more reason why the American people are lucky to have a Judiciary chairman like Senator GRASSLEY in their corner. Senator GRASSLEY is passionate about giving the people of this country a voice in such a critical conversation. He has stood strong for the people throughout this debate, and he has proven himself a dedicated legislator throughout this new majority, with yet another Judiciary Committee-passed bill clearing the Senate on a bipartisan basis just this week. He understands that we don't need to get stuck fighting about one issue. He understands that we can let the American people have their voices heard on this matter while the Senate continues doing its work on important legislation.

REMEMBERING STEPHANIE AND JUSTIN SHULTS

Mr. MCCONNELL. Mr. President, I was deeply saddened by the death of Lexington, KY, native Stephanie Moore Shults. Ms. Shults, 29, along with her husband Justin Shults, 30, was killed in the terrorist attacks in Brussels last month. Funeral services for the young couple will be held in Lexington tomorrow.

Stephanie Shults graduated from Bryan Station High School and Transylvania University and was looking forward to the promising future ahead of her. She found part of that future when she met Justin, a native of Tennessee, at Vanderbilt University, where the two earned their master's in accounting. The pair moved to Brussels in 2014 for work and loved to travel extensively through Europe. They recently visited Barcelona. They were planning a future trip to Finland, where they hoped to stay in a glass igloo under the Northern Lights. Now that spirit of adventure is gone, stolen by a brutal act of terror that targeted the innocent.

My wife Elaine and I join all Kentuckians in sending our deepest condolences to the families and loved ones of this young couple. We share their heartbreak over the fact that Stephanie and Justin were taken from us entirely too soon. And we extend our prayers and sympathies to all the families who lost loved ones in Belgium.

Attacks like these remind Americans everywhere that we must defeat ISIL and other terrorist groups who not only threaten our interests but critically, importantly, threaten innocent civilians.

Today we honor the lives of Stephanie and Justin. We mourn their loss. And we rededicate ourselves to our important fight against terror.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

FAA REAUTHORIZATION BILL

Mr. REID. Mr. President, I agree with the Republican leader that it is important that we get the FAA bill done as soon as possible, but I would just have everyone reflect—when we were in the majority, we tried to bring up the FAA bill, and that went on for weeks and weeks, with unnecessary filibusters. The FAA came to a screeching halt.

As we have said, if you are a responsible minority, you work to get things done. That is what we have done. We have worked hard with the majority to come up with an FAA bill we can support. So I hope everyone understands that obstruction doesn't work. We understand that. That is why we have tried to be as collegial as we can be on legislation.

I just finished my ''Welcome to Washington'' this morning. A little boy asked me: How do you get things done?

I said: Well, you know, things in Congress are done just like in life. I have had the good fortune in my time in public service, my time in Congress, to be able to have things with my name on them, bills that have passed, but I have never ever gotten something that I wanted—it was always a compromise. We always have had to compromise to get something passed.

Frankly, that is the way life is. Life is a time where we work with people to try to get along to work things out. That is the way things used to be done here, but with the untoward obstruction during the Obama years, it has been difficult to get things done.

So I agree that the FAA bill is something we need to pass. As I have said, we are constructively working with the Republicans—those on the other side of the aisle—to get things done.

FILLING THE SUPREME COURT VACANCY

Mr. REID. Mr. President, we can play around all we want with the Supreme Court and what the Constitution says or doesn't say, but we know that the Constitution says that the President shall—not may, but shall—nominate Supreme Court Justices. He has an obligation. He has to do that. The Constitution is also very affirmative: There has to be advice and consent. That is what we are instructed in the Constitution.

It is a little strange how we can have from the Republicans advice and consent when the vast majority of the Republicans won't even meet with the man. They refuse to hold hearings and certainly to have a vote.

So I don't know how anyone is reading the Constitution, but we need to do our job. We are not doing our job when we don't hold hearings and have a vote. We shouldn't be here talking about Supreme Court nominees being far left or far right or moderate.

To show how off track this has gotten, 2 days ago the chairman of the Judiciary Committee, the senior Senator from Iowa, gave a speech here. Guess who he was attacking. Justice Roberts, the Chief Justice of the Supreme Court. He said to the Chief Justice: Heal yourself. The Chief Justice. Is there anyone in the world—anyone in the United States, anyone in the legal field, anyone in the political field—who thinks he is some kind of crazy liberal, John Roberts, who worked on the court with Merrick Garland? They wrote opinions together. They agreed almost 90 percent of the time on their opinions.

So it is really too bad that now we are here with a Supreme Court Justice—for the first time in the history of the country, because we are in the final year of a Presidency, we are not going to do anything. We are going to wait. In the meantime, justice will be delayed. We have already had a significant number of tied, 4-to-4 decisions by the Court, and, using the logic of the Republicans, this is going to go on for another 18 months. So it is unfortunate that this has turned into something that has never happened before.

They go back and keep repeating: The Biden rule. The Biden rule. The Biden rule.

The year he gave that speech—and he gave a speech at Georgetown University just a week ago saying: Read my speech. Read the whole thing.

And what was the result of his action as chairman of the committee that year? He brought nominations to the floor even though they didn't get enough votes in the committee to be reported. The nominees lost in the Judiciary Committee, but Biden brought them here anyway.

There was an op-ed written by one of my predecessors, former Democratic leader George Mitchell, a stunningly good Senator from Maine. He wrote that 2 days ago. It appeared in a Boston newspaper. He said that when Clarence Thomas came before the Senate, he had lost in the committee. He didn't get enough votes to be reported out of the

committee. Biden reported him out anyway: Bring him to the floor. Let's have a debate.

That is what Senator Mitchell talked about. We had a debate. And he had pressure. It wasn't tremendous, but he had pressure. People asked: Why don't you filibuster him? He said: I am not going to filibuster. Let's have a vote, and that is the way it used to be done. He had 52 votes. Could that have been stopped? Of course. Would the Court have been better? Observers can make the determination themselves as to whether we would be better off without Clarence Thomas on that Court. But the fact is he could have been stopped easily, and it wasn't done.

PROTECTING AMERICA'S PUBLIC LANDS

Mr. REID. Mr. President, I am gratified that the Presiding Officer today is from the State of Nevada—my friend, the junior Senator from Nevada. When I think of home, I think of the desert, and you can't talk about Nevada as a desert only, even though the vast majority of the State of Nevada is a very arid place. Nevada also has beautiful Sierra Nevada—the Ruby Mountains. We are the most mountainous State in the Union except for Alaska. We have 314 separate mountain ranges. We have 32 mountains over 11,000 feet high. We have one mountain that we share with California that is almost 14,000 feet high. It is a beautiful State, but today I am going to focus on some of those arid places—the place where I was born and raised.

Having been back here such a long time—37 years—I often think of the blue skies in Nevada. They hover over a beautiful canvas. No one can paint a picture as beautiful as these mountains, which are in the middle of the desert, Joshua trees, or sagebrush. It is that beauty that is drawing thousands of visitors to Nevada and Nevada's wilderness every year.

Yesterday, the Reno Gazette-Journal had a tremendous article that reported just how important this quiet recreational industry is to our country. They said:

> The big time solitude found in the big empty spaces of the western U.S. generates big money for regional economies. That's according to a study that attempts to put a dollar value on ''quiet recreation'' on Bureau of Land Management property.

That is an editorial comment by me: ''quiet recreation.'' People are now biking, packing, and camping. Quiet is what is referred to as when there are no motorized vehicles.

To continue the quote:

> It found that sports like hiking and mountain biking on BLM land generated more than $1.8 billion in spending in 2014, that's roughly equivalent to two months of gambling revenue in Las Vegas casinos.

Our public lands are jewels that we must protect. To its credit, the Bureau of Land Management—when I was first elected here, the BLM was the hiss and cry of government. They were on par with the Internal Revenue Service. No one liked them, but now they are admired. They have done a remarkably good job in taking care of public lands. As I said, to their credit, the BLM and their dedicated employees do a remarkable job in safeguarding these national treasures so that all Americans can enjoy them.

John Sterling, the executive director of The Conservation Alliance, told the Reno Gazette-Journal:

> The BLM is the final frontier for a primitive experience on our public lands. They represent the future of outdoor recreation.

Unfortunately, there is a growing threat to these public lands and to the Americans who protect and preserve those areas. Most Americans are familiar with what happened earlier this year in Oregon when the Malheur National Wildlife Refuge in southeastern Oregon was taken over when a dangerous group of militants staged an armed takeover of the refuge. They came with their canvas shirts, camouflaged pants, guns, assault rifles, and pistols that were obvious. They had their all-terrain vehicles and set out to take over this Federal property, and they did. They damaged it to the tune of about—we don't know for sure—$20 million. They defecated on some of the ruins and different facilities. They stopped the Indians from being able to do their annual fishing.

I am sorry to say this particular episode of domestic terrorism has roots in Nevada.

Ammon and Ryan Bundy—who are now in jail, which is where they should be—are the sons of Cliven Bundy. They were two of the participants in the unlawful takeover. Cliven Bundy is, of course, a Nevadan and has been breaking Federal laws for decades. I have been disappointed that some of my colleagues have supported this outrageous lawbreaker.

Teddy Roosevelt created the Malheur National Wildlife Refuge in Oregon. This radical President, Theodore Roosevelt—and I say that sarcastically because he was, in fact, a great President—created the refuge in 1908. Roosevelt used the tools at his disposal as President of this great country, including the Antiquities Act, in order to protect our national heritage so that generations of Americans could enjoy it, as they have for more than 100 years in Oregon. Congress created the Antiquities Act to empower the President to protect our cultural, historic, and natural resources when and where Congress cannot—or will not. These cultural resources are stunning. For more than 100 years Presidents have done just what Theodore Roosevelt did.

Our current national parks were created using this authority—not all of them, but some of them. In fact, 16 Presidents—8 Democrats and 8 Republicans—have used this authority to protect lands for the benefit of the American people. The younger George Bush used the Antiquities Act. Republican Presidents have been doing this a lot, but unfortunately many Senate Republicans want to undermine this act. They refuse to defend our cultural and historic antiquities that are being systematically destroyed. That is why the Antiquities Act was created—to safeguard against these threats in the absence of congressional action. Take, for example, a stunningly beautiful place called Gold Butte, the area where Cliven Bundy illegally grazed his cattle for decades. It is a stunning landscape.

Is this worth protecting? This chart shows the beautiful landscape. Look at it. This picture is not doctored up; that is the way it is. The sky isn't as blue as I have seen it so many times. We don't get a lot of clouds in Nevada, especially in this part of Nevada. We don't get many storm clouds. It doesn't happen often, but this is part of the greatness of Nevada.

Look at that. Is that worth preserving? Of course it is. This State has such magnificent areas. There are sandstone formations just like these petroglyphs, which date back thousands of years.

Take a look at this. This is a picture of petroglyphs. These Indian writings and drawings are centuries old. They are in an area we want to protect—Gold Butte. Look at that. The picture shows panel after panel of this magnificent part of history. But because of the trouble caused by the Bundys and their pals, the Federal employees have been prevented from doing their job of safeguarding these antiquities. About 19 of the vandals have been indicted. Most of them are still in jail where they belong. These employees have been under constant physical and mental threat for doing what the American people have asked them to do—that is their job.

Petroglyphs are being destroyed, drawn over, shot at, and stolen. This is an example of one panel they have destroyed. Look at what they have done. We can see that there are bullet holes. There is graffiti all over these beautiful Indian writings. These are not bricks that have been put in place. This is the way that nature has created this land, and they are destroying it. Look at what they have done. They have also cut pieces out of this and hauled them away. It is a crime, but they are criminals. They don't mind doing it, and that is what they do. What a shame.

This is only one example, and it is right here in the middle of the picture. It was, frankly, a vulgar drawing. They knew what they were drawing. They were telling everybody how they felt about this antiquity. We can see the bullet holes here. They used it for target practice.

The final picture I will show is the damage that was done to the Joshua trees. I know a lot about Joshua trees because where I lived and had my home for many years—and I still own quite a bit of property in Searchlight—has one of the thickest Joshua tree forests in

the world. These trees are stunning. They grow about two inches a year. They last for up to 150 years. People don't understand that these trees are so terrific. These trees have been brutalized by these criminals. They chopped this one down. One of my staffers said: Well, maybe they used it for firewood. Well, folks, have you ever tried to start a fire with cantaloupe? You can't burn this. I guess you can burn anything, but you will not stay warm. They are soft inside. It is not something you can burn.

We don't know how old the tree in this picture was, but it was probably 80 or 100 years old. Look at that beautiful tree behind it. It is really unfortunate, but that is what they are doing. They are just destroying these beautiful trees.

One of them who was part of the Oregon crowd had a brand. He went out branding everything with his brand. He stamped his brand on different things that should be protected. This is sad.

I have tried to protect Gold Butte for a long time, and the reason we haven't been able to do anything up to this point is that the Bundy boys and their pals kept everybody off of that property, and that is why I am grateful for the Antiquities Act. Because of this legislation, the Bundys are in jail.

I will reach out to the White House—and there is no guarantee we will get it done, that's for sure—to see if President Obama will protect this area. He has the authority, as any President does, to stop this sort of destruction and stop it now. Threats to our public lands are threats to our economy, our environment, and our culture. When we preserve our lands, we preserve America, and that is what we are trying to do: Preserve this beautiful place.

I say again: Is this worth protecting and preserving? Of course it is.

Mr. President, please announce the Senate business of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. ROUNDS). Under the previous order, the leadership time is reserved.

AMERICA'S SMALL BUSINESS TAX RELIEF ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 636, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 636) to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes.

Pending:

Thune/Nelson amendment No. 3464, in the nature of a substitute.

Thune (for Gardner) amendment No. 3460 (to amendment No. 3464), to require the FAA Administrator to consider the operational history of a person before authorizing the person to operate certain unmanned aircraft systems.

Thune amendment No. 3512 (to amendment No. 3464), to enhance airport security.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, we have the FAA bill on the floor. I would like to discuss some of the amendments that are proposed and, hopefully, a couple that we will be voting on this morning. There are a couple of amendments—one offered by Senator THUNE on behalf of himself and this Senator, the ranking member of the Commerce Committee, and another offered by Senator HEINRICH. Both amendments deal with the issue of security but in different arenas.

Let me explain. The Thune-Nelson amendment applies to the question of perimeter security, of allowing employees to get into an airport—not the sterile area controlled by TSA, although, as I will explain, it can definitely affect the sterile area as well. On the other hand, the Heinrich amendment addresses security in the areas where passengers bunch up outside of TSA security, such as in a queue-up line going through TSA security, or passengers bunched up at the ticket counters, checking in their luggage.

Either way, as we saw from the experience of the Brussels airport explosion, those are very tempting targets for a terrorist. Therefore, the proposal in the Heinrich amendment, which I would commend to the Senate, is to increase the level of security, particularly with what are called VIPR teams, which, in essence, are not only at airports but at seaports and at transportation hubs.

Remember that in Brussels there was a bombing in one of the train stations as well. So we need to increase the surveillance and the security there, including dogs. As a matter of fact, our K–9 friends are some of the best that we have when it comes to protecting us because their noses are attuned to being able to sniff out the explosives that you cannot detect with metal detectors or with the AIT machine that we go through where we hold up our hands to see if we have anything on us.

It can detect if you have a package, if you have an explosive that is somewhere in one of your body cavities. It is going to be very, very difficult.

Dogs, because of their God-given sense of smell, can detect that. A properly trained dog is just amazing to watch. Now, interestingly, concurrently there is research going on at NIST, the National Institute of Standards and Technology, for an artificial dog nose, a mechanical item or a piece of software and hardware that would actually do the same job.

But that has not been perfected yet. That is going to be really interesting to see what they come up with. This Senator will report to the Senate later on that. But for the time being, the Heinrich amendment, which I hope we will vote on this morning, is concerned with that security that we have seen as a result of the Brussels bombing.

We certainly want to enhance security in our airports. Thank goodness we have the intelligence apparatus that we do in this country to be able to smoke out the terrorist before he ever does his dirty deed. It is more difficult for them to do it here in America than it is in Europe because of the alienation of those communities that then harbor the terrorists. We see the result in Brussels as well as Paris. That is the Heinrich amendment. That is a broad characterization of it, but basically that is the thrust.

The Thune-Nelson amendment is going at the perimeter security. OK, think Egypt and the Russian airliner. It was an airport employee who smuggled the bomb onto the plane, not as a passenger but as an airport employee. Think the Atlanta airport, 2 years ago. In a gunrunning scheme over 3 months, over 100 guns were transported from Atlanta to New York.

The police in New York could not figure out how all of these guns were getting on the streets in New York. They kept checking the trains, and they kept checking the interstates. They could not figure it out. Here is how they did it. An employee at the Atlanta airport—because Atlanta was not checking their employees—would smuggle the guns in. Then that employee had access in the terminal to get into the sterile area—the TSA sterile area—and he would go into the men's room, meet the passenger who had already come through security and was clean, and give the guns to him to put them in his empty knapsack, his backpack. This employee, over the course of 17 times, over 3 months, smuggled over 100 guns. Thank goodness it was a criminal enterprise, not a terrorist, because you can imagine what would have happened.

The Miami International Airport 10 years ago figured this out. What they did was, instead of having hundreds of entry points into the airport for airport employees in a very large airport like Atlanta, in Miami they boiled it down to a handful. There the employees went through similar security that passengers do to check to see if they had any weapons. They had a special identification card that they would have to stick into an electronic machine and put in their code, which was another way of checking to make sure that the employee was who they said they were.

Miami solved the problem after having a problem with drugs 10 years ago. Interestingly, in the interim, the Orlando International Airport, likewise, about 4 years ago had a similar drug problem. They did the same thing. They boiled down hundreds of entry points for airport employees to a handful. They had those checks. I have gone to see those checks at those two airports. That is exactly how they do it.

The fact is, we have 300 airports in the United States. There were only two that were doing this kind of perimeter checking. Atlanta then became the

poster boy of what can happen in a gunrunning scheme. I am happy to report to the Senate that, in fact, the Atlanta airport has now done exactly what Miami and Orlando have done. But we have 297 other airports that need to do the same thing.

So the Thune-Nelson amendment is exactly getting at that kind of perimeter security situation. I highly commend both the Thune-Nelson amendment as well as the Heinrich amendment. There are a whole bunch of cosponsors—bipartisan—on each of these. I highly recommend both of these to the Senate. I hope we will vote on those today—hopefully, this morning.

Now, there are going to be, of course, a series of many other amendments, some very well intentioned that have some technical glitches, and we have our very expert staff right now starting to try to work out some of these technical glitches. Then we can get moving with this FAA bill.

I would mention one other amendment that this Senator will be offering, and that is on a cyber security bill. Did the Presiding Officer see the ''60 Minutes'' segment where people with a laptop could take over an automobile by going through the electronics of the automobile? They can speed it up, they can make it stop it, and they can make it turn and completely take over the operation of an automobile.

Can the Presiding Officer imagine somebody being able to do that with an airliner with 250 people on board? Therefore, whether we want to face it or not, we better face it because we are in an era that what we need to do is to make sure technically that the systems in an airliner are separate, that there is an air gap, and that whatever those systems are—it might be Wi-Fi for the airplane, it might be music, or it may be whatever it is—there is an air gap so that someone cannot go into that system and suddenly get into the aircraft controls.

That is super important. One other thing I would mention is what we know as unmanned aerial vehicles, or drones. They have become quite popular. But, obviously, one of the things that is already in the bill, which Senator THUNE and I have insisted on as we approach this FAA bill, is that we have to come face-to-face with the reality that drones are now impairing the safety of an ascending or a descending aircraft. We have seen—the two of us—an operation where you can now take over the operation of a drone.

Education can do so much. People have to understand that you basically have to not fly a drone within 5 miles of an airport. Just recently, at Miami International Airport, there was an inbound American Airlines plane, and there was a drone about 1,000 feet off on the left side. Remember Captain Sully Sullenberger, when a flock of geese suddenly got sucked into the engines and all power was lost. Fortunately, he had the Hudson River that he could belly it in after he had taken off from LaGuardia.

You put a drone with plastic and metal, let that get sucked into the engine, and you will have a catastrophic failure. You don't want to put your passengers in that kind of operation. Therefore, education is one thing, but there is always going to be a young person that does not know about this. We don't know the answer. We know we can take over the operation of the drone, send it over here, have it set down, and have it land. The technology is there, but how do we apply that technology so we avoid this aircraft collision? There is an increasing use of drones that are so helpful for so many commercial purposes, not to mention the pure pleasure of flying a drone around, which we are seeing has become exceptionally popular. We address that in the bill by giving the appropriate direction to the FAA to start coming up with the solutions of how we are going to protect aircraft in and around airports.

On down the line, there are going to be so many different issues with regard to drones, far beyond the scope of the FAA bill. On the question of privacy—a drone suddenly coming down and coming at eye level outside your bedroom window snooping—there are all kinds of questions about privacy. What about the fact that you can now put a gun on a drone? We know in a war zone we have the capability of doing that with very sophisticated weapons, such as Hellfire missiles, but now some people are experimenting with putting a gun on a drone. We have the ramifications of what that means for society to deal with in the future. For the immediate future, the FAA bill on the floor—we have this problem of avoiding drones colliding into aircraft, and that is in the bill and it is addressed.

We have a lot of interesting issues to talk about. Let's get the Senate on it, and hopefully we can get agreement so we can at least vote on two of these amendments this morning.

Mr. President, I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 3482, AS MODIFIED, TO AMENDMENT NO. 3464

Mr. HEINRICH. Mr. President, I call up my amendment No. 3482, as modified, and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. HEINRICH] proposes an amendment numbered 3482, as modified, to amendment No. 3464.

The amendment, as modified, is as follows:

(Purpose: To expand and enhance visible deterrents at major transportation hubs and to increase the resources to protect and secure the United States)

At the end of title V, insert the following:

SEC. 5032. VISIBLE DETERRENT.

Section 1303 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1112) is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(5) if the VIPR team is deployed to an airport, shall require, as appropriate based on risk, that the VIPR team conduct operations—

''(A) in the sterile area and any other areas to which only individuals issued security credentials have unescorted access; and

''(B) in non-sterile areas.''; and

(2) in subsection (b), by striking ''such sums as necessary for fiscal years 2007 through 2011'' and inserting ''such sums as necessary, including funds to develop not more than 60 VIPR teams, for fiscal years 2016 through 2017''.

SEC. 5033. LAW ENFORCEMENT TRAINING FOR MASS CASUALTY AND ACTIVE SHOOTER INCIDENTS.

Section 2006(a)(2) of the Homeland Security Act of 2002 (6 U.S.C. 607(a)(2)) is amended—

(1) by redesignating subparagraphs (E) through (I) as subparagraphs (F) through (J), respectively; and

(2) by inserting after subparagraph (D) the following:

''(E) training exercises to enhance preparedness for and response to mass casualty and active shooter incidents and security events at public locations, including airports and mass transit systems;''.

SEC. 5034. ASSISTANCE TO AIRPORTS AND SURFACE TRANSPORTATION SYSTEMS.

Section 2008(a) of the Homeland Security Act of 2002 (6 U.S.C. 609(a)) is amended—

(1) by redesigning paragraphs (9) through (13) as paragraphs (10) through (14), respectively; and

(2) by inserting after paragraph (8) the following:

''(9) enhancing the security and preparedness of secure and non-secure areas of eligible airports and surface transportation systems.''.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. HEINRICH. Mr. President, this amendment would strengthen U.S. airport security, especially in nonsecure or soft-target areas of airports—places such as check-in and baggage claim areas. It would also update Federal security programs to provide active shooter training for law enforcement and increase the presence of Federal agents with bomb-sniffing canines at these nonsecure areas.

I thank the cosponsors of the amendment: Senator MANCHIN, Senator SCHUMER, Senator NELSON, Senator KLOBUCHAR, Senator CANTWELL, Senator CARPER, Senator BALDWIN, Senator DURBIN, Senator BENNET, and Senator BLUMENTHAL.

I urge all of my colleagues to join me in supporting the adoption of this amendment.

I yield the floor.

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

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

Mr. CASEY. Mr. President, I wish to speak on the bill and ask consent to do so.

The PRESIDING OFFICER. The Senator is recognized.

Mr. CASEY. Mr. President, I am pleased to be joined by my colleague from Pennsylvania Senator TOOMEY to talk about an issue we began to discuss on the floor yesterday, but we have been working many months on this issue.

It is a rather simple issue, but it is a matter that has some real urgency connected to it because we are talking about a secondary barrier on airplanes—meaning a barrier other than what we know now to be a reinforced cockpit door—to prevent terrorists from getting into the cockpit. What we need to do in addition to that, after Congress mandated the installation of these reinforced cockpit doors, is add a secondary barrier.

This is something that arises because we not only know from the attack on 9/11 but thereafter, we know that, No. 1, this is still an intention that terrorists have to take over an airplane. We know since 9/11, 51—I will correct the record from yesterday, I think I said 15, I had transposed the number—but it is 51 hijacking attempts around the world since 9/11. This is not a problem that is going away, and we have to deal with it.

This is the barrier we are talking about. So people understand the nature of this barrier, this is a lightweight wire mesh gate that would prevent a terrorist from getting into the cockpit or even getting to the door of the cockpit, which, as we said, is already reinforced. What it does fundamentally is block access to the flight deck. That is what we are talking about. That is what our amendment does.

We know the substantial number of groups that support this. I will just read the list for the record. And this actually is support for the underlying bill that Senator TOOMEY and I and others have been working on for a while. The underlying bill itself was S. 911. Also, the amendment, amendment No. 3458, is endorsed by the following groups: the Airline Pilots Association, the Allied Pilots Association, the Association of Flight Attendants, the Federal Law Enforcement Officers Association, the US Airline Pilots Association, the Coalition of Airline Pilots Association, the Port Authority of New York & New Jersey, and Families of September 11.

There have been numerous studies done. I am holding a study—although you can't see it from a distance—which was conducted by the Cato Institute, among others, on terrorism risk and cost-benefit analysis of aviation security.

So we not only have substantial support from virtually every group you could point toward, but we have some expertise on how to protect pilots in the cockpit, how to protect passengers on an airplane, and, of course, how to do that by preventing terrorists from getting through or near the cockpit because of a good secondary barrier.

This effort started literally from folks we now know in Pennsylvania. It started with, among other people, the Saracini family, Ellen Saracini, the wife of Captain Victor Saracini, who piloted United Flight 175, which terrorists hijacked and flew into the World Trade Center on 9/11. So in memory of Captain Saracini and inspired by the great work of his wife Ellen Saracini, we offer this amendment.

Again, I am very pleased to be working on this with my colleague Senator TOOMEY, and I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I would like to underscore the points made by my colleague Senator CASEY. I thank him for his leadership.

This is a very simple matter that is very straightforward and common sense. We know there is a very real vulnerability in our commercial aircraft. We know this. There is no mystery here. And we have a very simple, affordable, reasonable solution that will provide the security we need.

After September 11, 2001, Congress very rightly mandated that the cockpit door be reinforced so that it is virtually impossible to destroy that door, to knock down that door, to defeat the purpose of that door when it is closed and latched. The problem is that when it is open—which it must be open periodically during many flights—a very strong door is useless. We know what happens now on airlines because we have all witnessed it, right? When a pilot needs to come out or go in or there is access to the cockpit when that door is open, the flight attendant rolls a little serving cart in front of the door. I suppose that is better than nothing, but it is not much better than nothing. That cart can be rolled away.

We are not the only ones who have observed this. An FAA advisory has observed this risk. The 9/11 Commission pointed out that the terrorists were very focused on the opportunity created by the opening of the cockpit door. As Senator CASEY pointed out, there have been multiple attempts to breach that door. Several have been successful. We have an amendment that solves this problem in a very affordable, reasonable, sensible way. It is a lightweight, collapsible barrier made of wire mesh, and a flight attendant can simply draw it across the opening, lock it, and then at that point the cockpit door can be opened and there is no way someone would be able to rush through that wire mesh in time to get to the cockpit during that moment when the door is open. That is what our amendment does.

It passed the Transportation Committee in the House unanimously. As Senator CASEY pointed out, it has very broad support from many of the stakeholders who care about the security of our commercial aviation.

It is our hope and understanding that we will be very soon propounding a unanimous consent agreement which will allow this amendment to be pending and that this will be one of the amendments which will be on the docket for a subsequent vote. I hope we will get to that momentarily. I hope we will get that locked in, and then I would urge my colleagues to vote yes on our amendment and enhance commercial aviation safety.

I yield the floor.

Mr. THUNE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. FISCHER. Mr. President, I rise to discuss an important matter before the Senate, the reauthorization of our Nation's Federal Aviation Administration. The FAA is tasked with a critical mission to manage the safety and the security of our Nation's airspace.

Our Nation's airspace is an incredible resource that fuels our economy. According to the Bureau of Transportation Statistics, in 2015, a record 896 million passengers traversed America's skies. Our aviation system contributes $1.5 trillion to our Nation's economy and it supports 11.8 million jobs for hard-working Americans, as noted by the National Air Traffic Controllers Association.

The Senate's FAA reauthorization bill will make our aviation system stronger for families, children, veterans, and the traveling public. It will also benefit Nebraska's rural airports and local aviation stakeholders. Notably, this carefully negotiated bill will strengthen America's aviation system without raising fees or taxes on airline passengers.

Our robust, bipartisan legislation includes several major priorities I championed. I am proud of bipartisan language I worked to include in the bill, along with Senators BOOKER, CANTWELL, and AYOTTE. Our provision would compel the FAA to work with the airline industry to comprehensively assess and update guidelines for emergency medical kits on commercial aircraft. These kits, which haven't been statutorily updated since 1998, provide lifesaving resources for passengers. It is well past time for the FAA to evaluate medications and equipment included in these kits. Doing so will ensure all passengers,

particularly families with young infants facing unknown allergic reactions, have access to the medical supplies they might need in an emergency situation.

In addition, I worked with Senator MCCASKILL to include an amendment that would make it easier for traveling mothers to care for their young infants. Our amendment unanimously passed the Commerce Committee. We worked closely with airport stakeholders, including Omaha's Eppley Airfield, to establish reasonable minimum standards for both medium- and large-hub airports to develop private rooms for nursing mothers in future capital development plans. Traveling as a new mom can be challenging and it can be stressful at times, but I believe this important change will provide increased flexibility and also peace of mind for mothers traveling through airports across our country.

I also joined Senator HIRONO to include an amendment that would ensure disabled veterans working at the FAA have access to service-connected disability leave. The FAA was one of the few agencies not included in the recently passed Wounded Warriors Federal Leave Act. That bill required Federal agencies to ensure disabled vets have access to service-connected disability leave. Our disabled veterans bravely served our country, and they deserve access to benefits they have earned. I am grateful for the achievements this bill will advance for the flying public. At the same time, the bill is also a victory for Nebraska's rural communities and airports.

The Small Airport Regulation Relief Act, which is included in the FAA bill, would create a temporary exemption for small airports so they can continue to receive airport improvement program funds—those AIP funds—despite downturns in air service. The survival of smaller airports, such as Scottsbluff's Western Nebraska Regional Airport, depends on these crucial funds to provide service to local passengers and businesses. Several of Nebraska's small and community airports, such as Alliance, Chadron, Grand Island, McCook, North Platte, and Scottsbluff, will also benefit from a continuation of the Essential Air Service, or EAS, Program. The EAS Program incentivizes air carriers to provide service to underserved and rural areas, and it is critical to ensuring air service continues for Nebraska's rural communities.

Meanwhile, the Central Nebraska Regional Airport in Grand Island is growing and hosts a privately operated Federal contract tower. I encouraged the inclusion of provisions to compel the FAA to complete a pending cost-benefit analysis for Federal contract tower airports. This analysis would reflect the cost-share arrangement more accurately between our local airports and the FAA for those contract towers. Through this legislation, we can help to reduce the burden on local airports such as Grand Island, NE.

One of the major challenges facing aviation manufacturers has been the FAA's inconsistent and often unclear regulatory process. I collaborated with Duncan Aviation of Lincoln, NE, the largest family-owned maintenance, repair, and overhaul organization in the world, to address this challenge. In fact, Chairman THUNE toured the facilities at Duncan Aviation with me in Lincoln last fall.

Our bill would provide clarity to aviation businesses like Duncan Aviation by compelling the FAA to establish a centralized safety guidance database. Moreover, the bill would require the FAA to establish a Regulatory Consistency Communications Board. The Board would set standards to ensure the consistent application of regulations and guidance at regional offices throughout our country. Agricultural aviators in Nebraska will also benefit from safety enhancements in this bill. Far too many of our agricultural pilots have died in recent years after collisions with unmarked utility towers.

This legislation would ensure that towers are marked to create safer skies for our agriculture pilots. Passing our FAA bill will be a major accomplishment for the Senate. I appreciate and commend the hard work of Chairman THUNE, Ranking Member NELSON, and their committee staffers on this meaningful FAA reauthorization bill. In the coming days, I look forward to working together to help pass this critical legislation that will benefit the flying public, our national aviation system, and Nebraska's rural airports and aviation stakeholders.

Mr. President, I yield the floor.

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. THUNE. 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. THUNE. Mr. President, I ask unanimous consent that my amendment numbered 3512 be modified with the changes at the desk and that at 12:05 p.m. today the Senate vote on the following amendments in the order listed: Thune No. 3512, as modified; and Heinrich No. 3482, as modified; further that at 1:45 p.m. today the Senate vote on the Schumer amendment No. 3483 and that no second-degree amendments be in order to any of the amendments prior to the vote and that there be 2 minutes equally divided prior to each vote.

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

The amendment (No. 3512), as modified, is as follows:

At the appropriate place, insert the following:

TITLE _____—TRANSPORTATION SECURITY AND TERRORISM PREVENTION

Subtitle A—Airport Security Enhancement and Oversight Act

SEC. _101. SHORT TITLE.

This subtitle may be cited as the ''Airport Security Enhancement and Oversight Act''.

SEC. _102. FINDINGS.

Congress makes the following findings:

(1) A number of recent airport security breaches in the United States have involved the use of Secure Identification Display Area (referred to in this section as ''SIDA'') badges, the credentials used by airport and airline workers to access the secure areas of an airport.

(2) In December 2014, a Delta ramp agent at Hartsfield-Jackson Atlanta International Airport was charged with using his SIDA badge to bypass airport security checkpoints and facilitate an interstate gun smuggling operation over a number of months via commercial aircraft.

(3) In January 2015, an Atlanta-based Aviation Safety Inspector of the Federal Aviation Administration used his SIDA badge to bypass airport security checkpoints and transport a firearm in his carry-on luggage.

(4) In February 2015, a local news investigation found that over 1,000 SIDA badges at Hartsfield-Jackson Atlanta International Airport were lost or missing.

(5) In March 2015, and again in May 2015, Transportation Security Administration contractors were indicted for participating in a drug smuggling ring using luggage passed through the secure area of the San Francisco International Airport.

(6) The Administration has indicated that it does not maintain a list of lost or missing SIDA badges, and instead relies on airport operators to track airport worker credentials.

(7) The Administration rarely uses its enforcement authority to fine airport operators that reach a certain threshold of missing SIDA badges.

(8) In April 2015, the Aviation Security Advisory Committee issued 28 recommendations for improvements to airport access control.

(9) In June 2015, the Inspector General of the Department of Homeland Security reported that the Administration did not have all relevant information regarding 73 airport workers who had records in United States intelligence-related databases because the Administration was not authorized to receive all terrorism-related information under current interagency watchlisting policy.

(10) The Inspector General also found that the Administration did not have appropriate checks in place to reject incomplete or inaccurate airport worker employment investigations, including criminal history record checks and work authorization verifications, and had limited oversight over the airport operators that the Administration relies on to perform criminal history and work authorization checks for airport workers.

(11) There is growing concern about the potential insider threat at airports in light of recent terrorist activities.

SEC. _103. DEFINITIONS.

In this subtitle:

(1) ADMINISTRATION.—The term ''Administration'' means the Transportation Security Administration.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Transportation Security Administration.

(3) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Commerce, Science, and Transportation of the Senate;

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

(C) the Committee on Homeland Security of the House of Representatives.

(4) ASAC.—The term ''ASAC'' means the Aviation Security Advisory Committee established under section 44946 of title 49, United States Code.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(6) SIDA.—The term ''SIDA'' means Secure Identification Display Area as defined in section 1540.5 of title 49, Code of Federal Regulations, or any successor regulation to such section.

SEC. _104. THREAT ASSESSMENT.

(a) INSIDER THREATS.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator shall conduct or update an assessment to determine the level of risk posed to the domestic air transportation system by individuals with unescorted access to a secure area of an airport (as defined in section 44903(j)(2)(H)) in light of recent international terrorist activity.

(2) CONSIDERATIONS.—In conducting or updating the assessment under paragraph (1), the Administrator shall consider—

(A) domestic intelligence;

(B) international intelligence;

(C) the vulnerabilities associated with unescorted access authority granted to domestic airport operators and air carriers, and their employees;

(D) the vulnerabilities associated with unescorted access authority granted to foreign airport operators and air carriers, and their employees;

(E) the processes and practices designed to mitigate the vulnerabilities associated with unescorted access privileges granted to airport operators and air carriers, and their employees;

(F) the recent security breaches at domestic and foreign airports; and

(G) the recent security improvements at domestic airports, including the implementation of recommendations made by relevant advisory committees.

(b) REPORTS TO CONGRESS.—The Administrator shall submit to the appropriate committees of Congress—

(1) a report on the results of the assessment under subsection (a), including any recommendations for improving aviation security;

(2) a report on the implementation status of any recommendations made by the ASAC; and

(3) regular updates about the insider threat environment as new information becomes available and as needed.

SEC. _105. OVERSIGHT.

(a) ENHANCED REQUIREMENTS.—

(1) IN GENERAL.—Subject to public notice and comment, and in consultation with airport operators, the Administrator shall update the rules on access controls issued by the Secretary under chapter 449 of title 49, United States Code.

(2) CONSIDERATIONS.—As part of the update under paragraph (1), the Administrator shall consider—

(A) increased fines and advanced oversight for airport operators that report missing more than 5 percent of credentials for unescorted access to any SIDA of an airport;

(B) best practices for Category X airport operators that report missing more than 3 percent of credentials for unescorted access to any SIDA of an airport;

(C) additional audits and status checks for airport operators that report missing more than 3 percent of credentials for unescorted access to any SIDA of an airport;

(D) review and analysis of the prior 5 years of audits for airport operators that report missing more than 3 percent of credentials for unescorted access to any SIDA of an airport;

(E) increased fines and direct enforcement requirements for both airport workers and their employers that fail to report within 24 hours an employment termination or a missing credential for unescorted access to any SIDA of an airport; and

(F) a method for termination by the employer of any airport worker that fails to report in a timely manner missing credentials for unescorted access to any SIDA of an airport.

(b) TEMPORARY CREDENTIALS.—The Administrator may encourage the issuance by airport and aircraft operators of free one-time, 24-hour temporary credentials for workers who have reported their credentials missing, but not permanently lost, stolen, or destroyed, in a timely manner, until replacement of credentials under section 1542.211 of title 49 Code of Federal Regulations is necessary.

(c) NOTIFICATION AND REPORT TO CONGRESS.—The Administrator shall—

(1) notify the appropriate committees of Congress each time an airport operator reports that more than 3 percent of credentials for unescorted access to any SIDA at a Category X airport are missing or more than 5 percent of credentials to access any SIDA at any other airport are missing; and

(2) submit to the appropriate committees of Congress an annual report on the number of violations and fines related to unescorted access to the SIDA of an airport collected in the preceding fiscal year.

SEC. _106. CREDENTIALS.

(a) LAWFUL STATUS.—Not later than 90 days after the date of enactment of this Act, the Administrator shall issue guidance to airport operators regarding placement of an expiration date on each airport credential issued to a non-United States citizen no longer than the period of time during which that non-United States citizen is lawfully authorized to work in the United States.

(b) REVIEW OF PROCEDURES.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator shall—

(A) issue guidance for transportation security inspectors to annually review the procedures of airport operators and air carriers for applicants seeking unescorted access to any SIDA of an airport; and

(B) make available to airport operators and air carriers information on identifying suspicious or fraudulent identification materials.

(2) INCLUSIONS.—The guidance shall require a comprehensive review of background checks and employment authorization documents issued by the Citizenship and Immigration Services during the course of a review of procedures under paragraph (1).

SEC. _107. VETTING.

(a) ELIGIBILITY REQUIREMENTS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, and subject to public notice and comment, the Administrator shall revise the regulations issued under section 44936 of title 49, United States Code, in accordance with this section and current knowledge of insider threats and intelligence, to enhance the eligibility requirements and disqualifying criminal offenses for individuals seeking or having unescorted access to a SIDA of an airport.

(2) DISQUALIFYING CRIMINAL OFFENSES.—In revising the regulations under paragraph (1), the Administrator shall consider adding to the list of disqualifying criminal offenses and criteria the offenses and criteria listed in section 122.183(a)(4) of title 19, Code of Federal Regulations and section 1572.103 of title 49, Code of Federal Regulations.

(3) WAIVER PROCESS FOR DENIED CREDENTIALS.—Notwithstanding section 44936(b) of title 49, United States Code, in revising the regulations under paragraph (1) of this subsection, the Administrator shall—

(A) ensure there exists or is developed a waiver process for approving the issuance of credentials for unescorted access to the SIDA, for an individual found to be otherwise ineligible for such credentials; and

(B) consider, as appropriate and practicable—

(i) the circumstances of any disqualifying act or offense, restitution made by the individual, Federal and State mitigation remedies, and other factors from which it may be concluded that the individual does not pose a terrorism risk or a risk to aviation security warranting denial of the credential; and

(ii) the elements of the appeals and waiver process established under section 70105(c) of title 46, United States Code.

(4) LOOK BACK.—In revising the regulations under paragraph (1), the Administrator shall propose that an individual be disqualified if the individual was convicted, or found not guilty by reason of insanity, of a disqualifying criminal offense within 15 years before the date of an individual's application, or if the individual was incarcerated for that crime and released from incarceration within 5 years before the date of the individual's application.

(5) CERTIFICATIONS.—The Administrator shall require an airport or aircraft operator, as applicable, to certify for each individual who receives unescorted access to any SIDA of an airport that—

(A) a specific need exists for providing that individual with unescorted access authority; and

(B) the individual has certified to the airport or aircraft operator that the individual understands the requirements for possessing a SIDA badge.

(6) REPORT TO CONGRESS.—Not later than 90 days after the date of enactment, the Administrator shall submit to the appropriate committees of Congress a report on the status of the revision to the regulations issued under section 44936 of title 49, United States Code, in accordance with this section.

(7) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to affect existing aviation worker vetting fees imposed by the Administration.

(b) RECURRENT VETTING.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator and the Director of the Federal Bureau of Investigation shall fully implement the Rap Back service for recurrent vetting of eligible Administration-regulated populations of individuals with unescorted access to any SIDA of an airport.

(2) REQUIREMENTS.—As part of the requirement in paragraph (1), the Administrator shall ensure that—

(A) any status notifications the Administration receives through the Rap Back service about criminal offenses be limited to only disqualifying criminal offenses in accordance with the regulations promulgated by the Administration under section 44903 of title 49, United States Code, or other Federal law; and

(B) any information received by the Administration through the Rap Back service is provided directly and immediately to the relevant airport and aircraft operators.

(3) REPORT TO CONGRESS.—Not later than 60 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the implementation status of the Rap Back service.

(c) ACCESS TO TERRORISM-RELATED DATA.—Not later than 30 days after the date of enactment of this Act, the Administrator and the Director of National Intelligence shall coordinate to ensure that the Administrator is authorized to receive automated, real-time access to additional Terrorist Identities Datamart Environment (TIDE) data and any other terrorism related category codes to improve the effectiveness of the Administration's credential vetting program for individuals that are seeking or have unescorted access to a SIDA of an airport.

(d) ACCESS TO E-VERIFY AND SAVE PROGRAMS.—Not later than 90 days after the date of enactment of this Act, the Secretary shall authorize each airport operator to have direct access to the E-Verify program and the Systematic Alien Verification for Entitlements (SAVE) automated system to determine the eligibility of individuals seeking unescorted access to a SIDA of an airport.

SEC. __108. METRICS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall develop and implement performance metrics to measure the effectiveness of security for the SIDAs of airports.

(b) CONSIDERATIONS.—In developing the performance metrics under subsection (a), the Administrator may consider—

(1) adherence to access point procedures;

(2) proper use of credentials;

(3) differences in access point requirements between airport workers performing functions on the airside of an airport and airport workers performing functions in other areas of an airport;

(4) differences in access point characteristics and requirements at airports; and

(5) any additional factors the Administrator considers necessary to measure performance.

SEC. __109. INSPECTIONS AND ASSESSMENTS.

(a) MODEL AND BEST PRACTICES.—Not later than 180 days after the date of enactment of this Act, the Administrator, in consultation with the ASAC, shall develop a model and best practices for unescorted access security that—

(1) use intelligence, scientific algorithms, and risk-based factors;

(2) ensure integrity, accountability, and control;

(3) subject airport workers to random physical security inspections conducted by Administration representatives in accordance with this section;

(4) appropriately manage the number of SIDA access points to improve supervision of and reduce unauthorized access to these areas; and

(5) include validation of identification materials, such as with biometrics.

(b) INSPECTIONS.—Consistent with a risk-based security approach, the Administrator shall expand the use of transportation security officers and inspectors to conduct enhanced, random and unpredictable, data-driven, and operationally dynamic physical inspections of airport workers in each SIDA of an airport and at each SIDA access point—

(1) to verify the credentials of airport workers;

(2) to determine whether airport workers possess prohibited items, except for those that may be necessary for the performance of their duties, as appropriate, in any SIDA of an airport; and

(3) to verify whether airport workers are following appropriate procedures to access a SIDA of an airport.

(c) SCREENING REVIEW.—

(1) IN GENERAL.—The Administrator shall conduct a review of airports that have implemented additional airport worker screening or perimeter security to improve airport security, including—

(A) comprehensive airport worker screening at access points to secure areas;

(B) comprehensive perimeter screening, including vehicles;

(C) enhanced fencing or perimeter sensors; and

(D) any additional airport worker screening or perimeter security measures the Administrator identifies.

(2) BEST PRACTICES.—After completing the review under paragraph (1), the Administrator shall—

(A) identify best practices for additional access control and airport worker security at airports; and

(B) disseminate the best practices identified under subparagraph (A) to airport operators.

(3) PILOT PROGRAM.—The Administrator may conduct a pilot program at 1 or more airports to test and validate best practices for comprehensive airport worker screening or perimeter security under paragraph (2).

SEC. __110. COVERT TESTING.

(a) IN GENERAL.—The Administrator shall increase the use of red-team, covert testing of access controls to any secure areas of an airport.

(b) ADDITIONAL COVERT TESTING.—The Inspector General of the Department of Homeland Security shall conduct red-team, covert testing of airport access controls to the SIDA of airports.

(c) REPORTS TO CONGRESS.—

(1) ADMINISTRATOR REPORT.—Not later than 90 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committee of Congress a report on the progress to expand the use of inspections and of red-team, covert testing under subsection (a).

(2) INSPECTOR GENERAL REPORT.—Not later than 180 days after the date of enactment of this Act, the Inspector General of the Department of Homeland Security shall submit to the appropriate committee of Congress a report on the effectiveness of airport access controls to the SIDA of airports based on red-team, covert testing under subsection (b).

SEC. __111. SECURITY DIRECTIVES.

(a) REVIEW.—Not later than 180 days after the date of enactment of this Act, and annually thereafter, the Administrator, in consultation with the appropriate regulated entities, shall conduct a comprehensive review of every current security directive addressed to any regulated entity—

(1) to determine whether the security directive continues to be relevant;

(2) to determine whether the security directives should be streamlined or consolidated to most efficiently maximize risk reduction; and

(3) to update, consolidate, or revoke any security directive as necessary.

(b) NOTICE.—For each security directive that the Administrator issues, the Administrator shall submit to the appropriate committees of Congress notice of—

(1) the extent to which the security directive responds to a specific threat, security threat assessment, or emergency situation against civil aviation; and

(2) when it is anticipated that the security directive will expire.

SEC. __112. IMPLEMENTATION REPORT.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) assess the progress made by the Administration and the effect on aviation security of implementing the requirements under sections __104 through __111 of this Act; and

(2) report to the appropriate committees of Congress on the results of the assessment under paragraph (1), including any recommendations.

SEC. __113. MISCELLANEOUS AMENDMENTS.

(a) ASAC TERMS OF OFFICE.—Section 44946(c)(2)(A) is amended to read as follows:

''(A) TERMS.—The term of each member of the Advisory Committee shall be 2 years, but a member may continue to serve until the Assistant Secretary appoints a successor. A member of the Advisory Committee may be reappointed.''.

(b) FEEDBACK.—Section 44946(b)(5) is amended to read as follows:

''(5) FEEDBACK.—Not later than 90 days after receiving recommendations transmitted by the Advisory Committee under paragraph (2) or paragraph (4), the Assistant Secretary shall respond in writing to the Advisory Committee with feedback on each of the recommendations, an action plan to implement any of the recommendations with which the Assistant Secretary concurs, and a justification for why any of the recommendations have been rejected.''.

Subtitle B—TSA PreCheck Expansion Act

SEC. __201. SHORT TITLE.

This subtitle may be cited as the ''TSA PreCheck Expansion Act''.

SEC. __202. DEFINITIONS.

In this subtitle:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Transportation Security Administration.

(2) DEPARTMENT.—The term ''Department'' means the Department of Homeland Security.

(3) PRECHECK PROGRAM.—The term ''PreCheck Program'' means the trusted traveler program implemented by the Transportation Security Administration under section 109(a)(3) of the Aviation and Transportation Security Act (49 U.S.C. 114).

(4) TSA.—The term ''TSA'' means the Transportation Security Administration.

SEC. __203. PRECHECK PROGRAM AUTHORIZATION.

The Administrator shall continue to administer the PreCheck Program established under the authority of the Aviation and Transportation Security Act (Public Law 107–71; 115 Stat. 597).

SEC. __204. PRECHECK PROGRAM ENROLLMENT EXPANSION.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator shall publish PreCheck Program enrollment standards that add multiple private sector application capabilities for the PreCheck Program to increase the public's enrollment access to the program, including standards that allow the use of secure technologies, including online enrollment, kiosks, tablets, or staffed laptop stations at which individuals can apply for entry into the program.

(b) REQUIREMENTS.—Upon publication of the PreCheck Program enrollment standards under subsection (a), the Administrator shall—

(1) coordinate with interested parties—

(A) to deploy TSA-approved ready-to-market private sector solutions that meet the PreCheck Program enrollment standards under subsection (a);

(B) to make available additional PreCheck Program enrollment capabilities; and

(C) to offer secure online and mobile enrollment opportunities;

(2) partner with the private sector to collect biographic and biometric identification information via kiosks, mobile devices, or other mobile enrollment platforms to increase enrollment flexibility and minimize the amount of travel to enrollment centers for applicants;

(3) ensure that any information, including biographic information, is collected in a manner that—

(A) is comparable with the appropriate and applicable standards developed by the National Institute of Standards and Technology; and

(B) protects privacy and data security, including that any personally identifiable information is collected, retained, used, and shared in a manner consistent with section 552a of title 5, United States Code (commonly known as ''Privacy Act of 1974''), and with agency regulations;

(4) ensure that the enrollment process is streamlined and flexible to allow an individual to provide additional information to complete enrollment and verify identity; and

(5) ensure that any enrollment expansion using a private sector risk assessment instead of a fingerprint-based criminal history records check is evaluated and certified by the Secretary of Homeland Security, and verified by the Government Accountability Office or a federally funded research and development center after award to be equivalent to a fingerprint-based criminal history records check conducted through the Federal Bureau of Investigation, with respect to the effectiveness in identifying individuals who are not qualified to participate in the PreCheck Program due to disqualifying criminal history; and

(6) ensure that the Secretary has certified that reasonable procedures are in place with regard to the accuracy, relevancy, and proper utilization of information employed in private sector risk assessments.

(c) MARKETING OF PRECHECK PROGRAM.—Upon publication of PreCheck Program enrollment standards under subsection (a), the Administrator shall—

(1) in accordance with those standards, develop and implement—

(A) a continual process, including an associated timeframe, for approving private sector marketing of the PreCheck Program; and

(B) a long-term strategy for partnering with the private sector to encourage enrollment in such program;

(2) submit to Congress, at the end of each fiscal year, a report on any PreCheck Program application fees collected in excess of the costs of administering the program, including to access the feasibility of the program, for the preceding fiscal year; and

(3) include in the report under paragraph (2) recommendations for using such amounts to support marketing of the program under this subsection.

(d) IDENTITY VERIFICATION ENHANCEMENT.—Not later than 120 days after the date of enactment of this Act, the Administrator shall—

(1) coordinate with the heads of appropriate components of the Department to leverage department-held data and technologies to verify the citizenship of individuals enrolling in the PreCheck Program;

(2) partner with the private sector to use biometrics and authentication standards, such as relevant standards developed by the National Institute of Standards and Technology, to facilitate enrollment in the program; and

(3) consider leveraging the existing resources and abilities of airports to conduct fingerprint and background checks to expedite identity verification.

(e) PRECHECK PROGRAM LANES OPERATION.—The Administrator shall—

(1) ensure that PreCheck Program screening lanes are open and available during peak and high-volume travel times at appropriate airports to individuals enrolled in the PreCheck Program; and

(2) make every practicable effort to provide expedited screening at standard screening lanes during times when PreCheck Program screening lanes are closed to individuals enrolled in the program in order to maintain operational efficiency.

(f) VETTING FOR PRECHECK PROGRAM PARTICIPANTS.—Not later than 90 days after the date of enactment of this Act, the Administrator shall initiate an assessment to identify any security vulnerabilities in the vetting process for the PreCheck Program, including determining whether subjecting PreCheck Program participants to recurrent fingerprint-based criminal history records checks, in addition to recurrent checks against the terrorist watchlist, could be done in a cost-effective manner to strengthen the security of the PreCheck Program.

Subtitle C—Securing Aviation From Foreign Entry Points and Guarding Airports Through Enhanced Security Act of 2016

SEC. __301. SHORT TITLE.

This subtitle may be cited as the ''Securing Aviation from Foreign Entry Points and Guarding Airports Through Enhanced Security Act of 2016''.

SEC. __302. LAST POINT OF DEPARTURE AIRPORT SECURITY ASSESSMENT.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Transportation Security Administration shall conduct a comprehensive security risk assessment of all last point of departure airports with nonstop flights to the United States.

(b) CONTENTS.—The security risk assessment required under subsection (a) shall include consideration of the following:

(1) The level of coordination and cooperation between the Transportation Security Administration and the foreign government of the country in which the last point of departure airport with nonstop flights to the United States is located.

(2) The intelligence and threat mitigation capabilities of the country in which such airport is located.

(3) The number of known or suspected terrorists annually transiting through such airport.

(4) The degree to which the foreign government of the country in which such airport is located mandates, encourages or prohibits the collection, analysis, and sharing of passenger name records.

(5) The passenger security screening practices, capabilities, and capacity of such airport.

(6) The security vetting undergone by aviation workers at such airport.

(7) The access controls utilized by such airport to limit to authorized personnel access to secure and sterile areas of such airports.

SEC. __303. SECURITY COORDINATION ENHANCEMENT PLAN.

(a) IN GENERAL.—Not later than 240 days after the date of enactment of this Act, the Administrator of the Transportation Security Administration shall submit to Congress and the Government Accountability Office a plan—

(1) to enhance and bolster security collaboration, coordination, and information sharing relating to securing international-inbound aviation between the United States and domestic and foreign partners, including U.S. Customs and Border Protection, foreign government entities, passenger air carriers, cargo air carriers, and United States Government entities, in order to enhance security capabilities at foreign airports, including airports that may not have nonstop flights to the United States but are nonetheless determined by the Administrator to be high risk; and

(2) that includes an assessment of the ability of the Administration to enter into a mutual agreement with a foreign government entity that permits Administration representatives to conduct without prior notice inspections of foreign airports.

(b) GAO REVIEW.—Not later than 180 days after the submission of the plan required under subsection (a), the Comptroller General of the United States shall review the efforts, capabilities, and effectiveness of the Transportation Security Administration to enhance security capabilities at foreign airports and determine if the implementation of such efforts and capabilities effectively secures international-inbound aviation.

SEC. __304. WORKFORCE ASSESSMENT.

Not later than 270 days after the date of enactment of this Act, the Administrator of the Transportation Security Administration shall submit to Congress a comprehensive workforce assessment of all Administration personnel within the Office of Global Strategies of the Administration or whose primary professional duties contribute to the Administration's global efforts to secure transportation security, including a review of whether such personnel are assigned in a risk-based, intelligence-driven manner.

SEC. __305. DONATION OF SCREENING EQUIPMENT TO PROTECT THE UNITED STATES.

(a) IN GENERAL.—The Administrator of the Transportation Security Administration is authorized to donate security screening equipment to a foreign last point of departure airport operator if such equipment can be reasonably expected to mitigate a specific vulnerability to the security of the United States or United States citizens.

(b) REPORT.—Not later than 30 days before any donation of security screening equipment pursuant to subsection (a), the Administrator of the Transportation Security Administration shall provide to the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives a detailed written explanation of the following:

(1) The specific vulnerability to the United States or United States citizens that will be mitigated by such donation.

(2) An explanation as to why the recipient of such donation is unable or unwilling to purchase security screening equipment to mitigate such vulnerability.

(3) An evacuation plan for sensitive technologies in case of emergency or instability in the country to which such donation is being made.

(4) How the Administrator will ensure the security screening equipment that is being donated is used and maintained over the course of its life by the recipient.

(5) The total dollar value of such donation.

SEC. __306. NATIONAL CARGO SECURITY PROGRAM.

(a) IN GENERAL.—The Administrator of the Transportation Security Administration may evaluate foreign countries' air cargo security programs to determine whether such programs provide a level of security commensurate with the level of security required by United States air cargo security programs.

(b) APPROVAL AND RECOGNITION.—

(1) IN GENERAL.—If the Administrator of the Transportation Security Administration determines that a foreign country's air cargo security program evaluated under subsection (a) provides a level of security commensurate with the level of security required by United States air cargo security programs, the Administrator shall approve and officially recognize such foreign country's air cargo security program.

(2) EFFECT OF APPROVAL AND RECOGNITION.—If the Administrator of the Transportation

Security Administration approves and officially recognizes pursuant to paragraph (1) a foreign country's air cargo security program, cargo aircraft of such foreign country shall not be required to adhere to United States air cargo security programs that would otherwise be applicable.

(c) REVOCATION AND SUSPENSION.—

(1) IN GENERAL.—If the Administrator of the Transportation Security Administration determines at any time that a foreign country's air cargo security program approved and officially recognized under subsection (b) no longer provides a level of security commensurate with the level of security required by United States air cargo security programs, the Administrator may revoke or temporarily suspend such approval and official recognition until such time as the Administrator determines that such foreign country's cargo security programs provide a level of security commensurate with the level of security required by such United States air cargo security programs.

(2) NOTIFICATION.—If the Administrator of the Transportation Security Administration revokes or suspends pursuant to paragraph (1) a foreign country's air cargo security program, the Administrator shall notify the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate not later than 30 days after such revocation or suspension.

Subtitle D—Miscellaneous

SEC. __401. INTERNATIONAL TRAINING AND CAPACITY DEVELOPMENT.

(a) IN GENERAL.—In accordance with section 114 of title 49, United States Code, the Administrator of the Transportation Security Administration shall establish an international training and capacity development program to train the appropriate authorities of foreign governments in air transportation security.

(b) CONTENTS OF TRAINING.—If the Administrator determines that a foreign government would benefit from training and capacity development assistance, the Administrator may provide to the appropriate authorities of that foreign government technical assistance and training programs to strengthen aviation security in managerial, operational, and technical areas, including—

(1) active shooter scenarios;

(2) incident response;

(3) use of canines;

(4) mitigation of insider threats;

(5) perimeter security;

(6) operation and maintenance of security screening technology; and

(7) recurrent related training and exercises.

SEC. __402. CHECKPOINTS OF THE FUTURE.

(a) IN GENERAL.—The Administrator of the Transportation Security Administration, in accordance with chapter 449 of title 49, United States Code, shall request the Aviation Security Advisory Committee to develop recommendations for more efficient and effective passenger screening processes.

(b) CONSIDERATIONS.—In making recommendations to improve existing passenger screening processes, the Aviation Security Advisory Committee shall consider—

(1) the configuration of a checkpoint;

(2) technology innovation;

(3) ways to address any vulnerabilities identified in audits of checkpoint operations;

(4) ways to prevent security breaches at airports where Federal security screening is provided;

(5) best practices in aviation security;

(6) recommendations from airport and aircraft operators, and any relevant advisory committees; and

(7) ''curb to curb'' processes and procedures.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the results of the Aviation Security Advisory Committee review, including any recommendations for improving screening processes.

AMENDMENTS NOS. 3458, AS MODIFIED; 3495; AND 3524 EN BLOC TO AMENDMENT NO. 3464

Mr. THUNE. Mr. President, finally, I ask unanimous consent to set aside the pending amendment in order to call up the following amendments: Casey-Toomey No. 3458, as modified; Heller No. 3495; and Bennet No. 3524.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Florida.

Mr. NELSON. Mr. President, I obviously support the agreement. This is a good first step in moving this FAA bill along.

The PRESIDING OFFICER. The clerk will report the amendments en bloc.

The legislative clerk read as follows:

The Senator from South Dakota [Mr. THUNE], for others, proposes amendments numbered 3458, as modified; and 3495 en bloc to amendment No. 3464.

The Senator from Florida [Mr. NELSON], for Mr. BENNET, proposes an amendment numbered 3524 to amendment No. 3464.

The amendments are as follows:

AMENDMENT NO. 3458, AS MODIFIED

(Purpose: To protect passengers in air transportation, pilots, and flight attendants from terrorists and mentally unstable individuals by requiring the installation of secondary barriers to prevent cockpit intrusions)

Strike section 5010 and insert the following:

SEC. 5010. SECONDARY COCKPIT BARRIERS.

(a) SHORT TITLE.—This section may be cited as the ''Saracini Aviation Safety Act of 2016''.

(b) REQUIREMENT.—Not later than one year after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall issue an order requiring installation of a secondary cockpit barrier on each new aircraft that is manufactured for delivery to a passenger air carrier in the United States operating under the provisions of part 121 of title 14, Code of Federal Regulations.

AMENDMENT NO. 3495

(Purpose: To improve employment opportunities for veterans by requiring the Administrator of the Federal Aviation Administration to determine whether occupations at the Administration relating to unmanned aircrat systems technology and regulations can be incorporated into the Veterans Employment Program of the Administration)

At the appropriate place, insert the following:

SEC. _____. INCORPORATION OF FEDERAL AVIATION ADMINISTRATION OCCUPATIONS RELATING TO UNMANNED AIRCRAFT INTO VETERANS EMPLOYMENT PROGRAMS OF THE ADMINISTRATION.

Not later than 180 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration, in consultation with the Secretary of Veterans Affairs, the Secretary of Defense, and the Secretary of Labor, shall determine whether occupations of the Administration relating to unmanned aircraft systems technology and regulations can be incorporated into the Veterans Employment Program of the Administration, particularly in the interaction between such program and the New Sights Work Experience Program and the Vet-Link Cooperative Education Program.

AMENDMENT NO. 3524

(Purpose: To improve air service for families and pregnant women)

Strike section 3113 and insert the following:

SEC. 3113. LASTING IMPROVEMENTS TO FAMILY TRAVEL.

(a) SHORT TITLE.—This section may be cited as the ''Lasting Improvements to Family Travel Act'' or the ''LIFT Act''.

(b) ACCOMPANYING MINORS FOR SECURITY SCREENING.—The Administrator of the Transportation Security Administration shall formalize security screening procedures that allow for one adult family caregiver to accompany a minor child throughout the entirety of the security screening process.

(c) SPECIAL ACCOMMODATIONS FOR PREGNANT WOMEN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Transportation shall prescribe regulations under section 41705 of title 49, United States Code, that direct all air carriers to include pregnant women in their nondiscrimination policies, including policies with respect to preboarding or advance boarding of aircraft.

(d) FAMILY SEATING.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall prescribe regulations directing each air carrier to establish a policy that ensures that, if a family is traveling on a reservation with a child under the age of 13, that child is able to sit in a seat adjacent to the seat of an accompanying family member over the age of 13 at no additional cost.

AMENDMENT NO. 3512, AS MODIFIED

Mr. THUNE. Mr. President, if I might just speak to amendment No. 3512, which we will be voting on momentarily, I know Senator NELSON has already spoken on this issue. We worked very hard on a series of security bills that we could bring to the floor. We are trying to move them separately, but I think they fit nicely into the debate we are having on the FAA reauthorization.

Senators NELSON, AYOTTE, CANTWELL, and I have been leading oversight of airport and airline workers abusing their secure area access badges. This oversight led our committee to approve bipartisan legislation—S. 2361, Airport Security Enhancement and Oversight Act—to tighten the vetting of airport workers with ties to terrorists and serious criminal behavior that should disqualify them from accessing sensitive airport areas.

Just in the past few weeks, a number of badged aviation industry workers have been caught in the act of helping criminal organizations. On March 18, a flight attendant abandoned a suitcase with 68 pounds of cocaine after being confronted by transportation security officers in California. On March 26 in Florida, an airline gate agent was arrested with a backpack containing $282,400 in cash that he intended to hand off to an associate.

As we work to address the threat of an aviation insider helping terrorists,

criminals who break laws for financial gain and those with a history of violence are a really good place to start. It is high time that we start cracking down on these types of offenses for people who are working in sensitive areas of our airports.

U.S. terrorism experts believe that ISIS is recruiting criminals to join its ranks in Europe, and some of the perpetrators in the deadly attacks in Brussels were previously known to authorities as criminals. Ensuring that airport workers with security credentials are trustworthy is especially important, considering that experts believe an ISIS affiliate may have planted a bomb on a Russian Metrojet flight leaving Egypt with the help of an airport employee, which killed 224 people on board. The recent attacks by ISIS in the unsecured area of the Brussels Airport also underscore the vulnerability of airport areas outside of TSA security screening checkpoints.

The House of Representatives and the Commerce Committee also approved legislation—H.R. 2843, the PreCheck Expansion Act—in December of 2015 to expand the PreCheck program by developing private sector partnerships and capabilities to vet and enroll more individuals. These private sector partners would be required to use an assessment equivalent to a fingerprint-based criminal history record check conducted through the FBI. These changes would increase the number of passengers who are vetted before they get to the airport. As a result, more passengers would receive expedited airport screening and get through security checkpoints more quickly, ensuring they don't pose the kind of easy target that the ISIS suicide bombers exploited at the Brussels Airport.

In addition to the bills approved by our committee on March 23, the House Homeland Security Committee approved H.R. 4698, the SAFE GATES Act of 2016, which would strengthen security at international airports with direct flights to the United States. Specifically, the bill would require TSA to conduct a comprehensive risk assessment of all last-point-of-departure airports, a security coordination enhancement plan, and a workforce assessment. It would authorize the TSA to donate security screening equipment to foreign last-point-of-departure airports and to evaluate foreign countries' air cargo security programs to prevent any shipment of nefarious materials via air cargo.

I believe these bills will help make air travel more secure, and they should advance in the full Senate in this amendment to the FAA bill. I encourage my colleagues to support the Thune-Nelson amendment and then also follow-on with the Heinrich amendment, which will come up shortly after a vote on that amendment. I think the Heinrich amendment also makes a number of important security improvements that will also strengthen airport security.

There has been a discussion about whether there ought to be more VIPR teams. I think there are 30 or so at this point, and the amendment would allow that number to go up to 60. Yesterday we had the opportunity to question the TSA Administrator, Admiral Neffenger, about whether additional VIPR teams would be useful. He said they could put to use anything they were given in terms of additional units that might be deployed to places around the country where they think there is a need. So that is the principal component of the Heinrich amendment, which also addresses some of the security issues.

I don't think we can understate how important security is in light of everything that is going on in the world today. We have people who want to harm Americans, and it is our job to make sure we are giving those authorities who are there to prevent those types of attacks against Americans all the tools they need in order to do their jobs effectively.

I encourage our colleagues here in the Senate—when we have an opportunity to vote here momentarily on both of these security amendments—to support those amendments. They improve and strengthen security at our airports around this country, and I think they fit nicely within the context of the FAA reauthorization bill and the debate we are currently having on the floor of the U.S. Senate.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from Florida.

AMENDMENT NO. 3483 TO AMENDMENT NO. 3464

Mr. NELSON. Mr. President, I ask unanimous consent to call up Schumer amendment No. 3483 and ask that the Schumer and Bennet amendments be NELSON for SCHUMER and BENNET.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from Florida [Mr. NELSON], for Mr. SCHUMER, proposes an amendment numbered 3483 to amendment No. 3464.

Mr. NELSON. Mr. President, 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 require the Federal Aviation Administration to establish minimum standards for space for passengers on passenger aircraft)

At the end of subtitle A of title III, add the following:

SEC. 3124. REGULATIONS RELATING TO SPACE FOR PASSENGERS ON AIRCRAFT.

(a) MORATORIUM ON REDUCTIONS TO AIRCRAFT SEAT SIZE.—Not later than 30 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall prohibit any air carrier from reducing the size, width, padding, or pitch of seats on passenger aircraft operated by the air carrier, the amount of leg room per seat on such aircraft, or the width of aisles on such aircraft.

(b) REGULATIONS RELATING TO SPACE FOR PASSENGERS ON AIRCRAFT.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall prescribe regulations—

(1) establishing minimum standards for space for passengers on passenger aircraft, including the size, width, padding, and pitch of seats, the amount of leg room per seat, and the width of aisles on such aircraft for the safety, health, and comfort of passengers; and

(2) requiring each air carrier to prominently display on the website of the air carrier the amount of space available for each passenger on passenger aircraft operated by the air carrier, including the size, width, padding, and pitch of seats, the amount of leg room per seat, and the width of aisles on such aircraft.

(c) CONSULTATIONS.—In prescribing the regulations required by subsection (b), the Administrator shall consult with the Occupational Safety and Health Administration, the Centers for Disease Control and Prevention, passenger advocacy organizations, physicians, and ergonomic engineers.

(d) AIR CARRIER DEFINED.—In this section, the term ''air carrier'' means an air carrier (as defined in section 40102 of title 49, United States Code) that transports passengers by aircraft as a common carrier for compensation.

Mr. NELSON. Mr. President, in just 5 minutes we will have our first series of votes on amendments on this bill. This is a good start to the FAA bill. It is improving the underlying bill that has a lot of attention to security already in it. But these are clearly amendments that will improve the bill.

I spoke about it earlier today. I certainly commend these amendments to the Senate.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. FISCHER). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

VOTE ON AMENDMENT NO. 3512, AS MODIFIED.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on amendment No. 3512, as modified, offered by the Senator from South Dakota.

Mr. THUNE. Madam President, I yield back whatever time remains.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified.

Mr. THUNE. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN) and the Senator from Texas (Mr. CRUZ).

Further, if present and voting the Senator from Texas (Mr. CORNYN) would have voted ''yea.''

Mr. REID. I announce that the Senator from Illinois (Mr. DURBIN), the Senator from Vermont (Mr. SANDERS), and the Senator from New Mexico (Mr. UDALL) are necessarily absent.

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

The result was announced—yeas 85, nays 10, as follows:

[Rollcall Vote No. 41 Leg.]

YEAS—85

Alexander	Franken	Paul
Ayotte	Gardner	Perdue
Baldwin	Gillibrand	Peters
Barrasso	Graham	Portman
Bennet	Grassley	Reed
Blumenthal	Hatch	Reid
Blunt	Heinrich	Risch
Boozman	Heitkamp	Roberts
Boxer	Heller	Rounds
Burr	Hoeven	Rubio
Cantwell	Inhofe	Sasse
Capito	Isakson	Schatz
Cardin	Johnson	Schumer
Carper	Kaine	Scott
Cassidy	King	Sessions
Coats	Kirk	Shaheen
Cochran	Klobuchar	Shelby
Collins	Lankford	Stabenow
Coons	Lee	Sullivan
Corker	Manchin	Tester
Cotton	McCain	Thune
Crapo	McCaskill	Tillis
Daines	McConnell	Toomey
Donnelly	Menendez	Vitter
Enzi	Mikulski	Warner
Ernst	Moran	Whitehouse
Feinstein	Murkowski	Wicker
Fischer	Murphy	
Flake	Nelson	

NAYS—10

Booker	Leahy	Warren
Brown	Markey	Wyden
Casey	Merkley	
Hirono	Murray	

NOT VOTING—5

Cornyn	Durbin	Udall
Cruz	Sanders	

The amendment (No. 3512), as modified, was agreed to.

AMENDMENT NO. 3482, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on amendment No. 3482, as modified, offered by the Senator from New Mexico.

The Senator from New Mexico.

Mr. HEINRICH. Madam President, airports, bus depots, and train stations are things that we all rely on every day to have the freedom of movement we enjoy in this country.

In the wake of the recent terror attacks in the Brussels Airport and Metro, Americans are worried about their security, and they want to feel safe when traveling with their loved ones.

While we relentlessly target terrorists overseas, we must also do all we can to intelligently protect Americans here at home. My amendment would increase the number of TSA VIPR teams, who provide a visible deterrent to terrorist threats in high-priority locations. These teams are recognizable as they often have bomb-sniffing canines. My amendment would also provide active shooter training for law enforcement and strengthen security in nonsecure so-called soft-target areas, such as check-in and baggage claim areas.

By employing these additional commonsense safeguards, we will intelligently respond to these threats. Most importantly, by preserving our freedom to go about our daily lives, we will ensure that the terrorists have failed to change how we live and who we are.

The PRESIDING OFFICER. Who yields time?

The Senator from South Dakota.

Mr. THUNE. Madam President, I urge my colleagues to support the Heinrich amendment.

I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3482, as modified.

Ms. KLOBUCHAR. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN) and the Senator from Texas (Mr. CRUZ). Further, if present and voting, the Senator from Texas (Mr. CORNYN) would have voted ''yea.''

Mr. REID. I announce that the Senator from Illinois (Mr. DURBIN) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

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

The result was announced—yeas 91, nays 5, as follows:

[Rollcall Vote No. 42 Leg.]

YEAS—91

Alexander	Gillibrand	Nelson
Ayotte	Graham	Perdue
Baldwin	Grassley	Peters
Bennet	Hatch	Portman
Blumenthal	Heinrich	Reed
Blunt	Heitkamp	Reid
Booker	Heller	Risch
Boozman	Hirono	Roberts
Boxer	Hoeven	Rounds
Brown	Inhofe	Rubio
Burr	Isakson	Sasse
Cantwell	Johnson	Schatz
Capito	Kaine	Schumer
Cardin	King	Sessions
Carper	Kirk	Shaheen
Casey	Klobuchar	Shelby
Cassidy	Lankford	Stabenow
Coats	Leahy	Sullivan
Cochran	Lee	Tester
Collins	Manchin	Thune
Coons	Markey	Tillis
Corker	McCain	Toomey
Cotton	McCaskill	Udall
Crapo	McConnell	Vitter
Daines	Menendez	Warner
Donnelly	Merkley	Warren
Ernst	Mikulski	Whitehouse
Feinstein	Moran	Wicker
Fischer	Murkowski	Wyden
Franken	Murphy	
Gardner	Murray	

NAYS—5

Barrasso	Flake	Scott
Enzi	Paul	

NOT VOTING—4

Cornyn	Durbin
Cruz	Sanders

The amendment (No. 3482), as modified, was agreed to.

The PRESIDING OFFICER. The Senator from Arkansas.

IRANIAN ACCESS TO U.S. FINANCIAL SYSTEM

Mr. COTTON. Mr. President, when Obama administration officials sold the President's nuclear deal last summer to the American people, they were clearly sensitive to charges that they gave too much away. They knew that giving Iran $100 billion that we could never get back in exchange for a mere temporary deal that expired in 10 to 15 years would be viewed with deep skepticism.

They knew that an inspection system that gives the ayatollahs a 24-day heads-up before an inspection would not pass the laugh test. They knew that granting the ayatollahs massive sanctions relief while still allowing them to develop an industrial-scale nuclear enrichment program would invite accusations that the President was, to put it frankly, swindled.

So in their sales pitch, these administration officials sought to blunt these expected criticisms. They repeatedly stated that the United States would maintain certain tough sanctions, even after the deal became effective. They said the United States would hold the line on measures that punish and suppress Iran's nonnuclear malign activities. They emphatically stated that in no way would the U.S. economy be allowed to bolster an Iranian economy that is significantly controlled by the Iranian regime, tainted by illicit financing of terrorism, and used by the ayatollahs to fund domestic oppression and international aggression—including blowing up hundreds of American soldiers in Iraq with roadside bombs.

In particular, these administration officials were emphatic that the United States would never, ever, ever grant Iran access to the U.S. financial system and U.S. dollars to facilitate Iran's trade in oil and other goods.

For instance, when testifying before the Senate Foreign Relations Committee in July, Treasury Secretary Jack Lew stated:

> Iranian banks will not be able to clear U.S. dollars through New York, hold correspondent account relationships with U.S. financial institutions, or enter into financing arrangements with U.S. banks. Iran, in other words, will continue to be denied access to the world's largest financial and commercial market.

Likewise, Adam Szubin, the Acting Under Secretary for Terrorism and Financial Intelligence, echoed that sentiment and was even more precise. In September he stated:

> Iran will not be able to open bank accounts with U.S. banks, nor will Iran be able to access the U.S. banking sector, even for that momentary transaction to, what we call, dollarize a foreign payment. . . . That is not in the cards. That is not part of the relief offered under the JCPOA. So, the U.S. sanctions on Iran, which, of course, had their origins long before Iran had a nuclear program, will remain in place.

It is difficult to overstate the importance of these statements uttered just a few months ago. The U.S. dollar is the standard currency in which international trade is conducted. Because the ayatollahs can't deal in dollars, they haven't fully opened their economy to the world—thankfully. In addition, the U.S. financial system hasn't yet been tainted by Iran's terror financing, its international aggression, and its crackdown on domestic democratic dissent.

But now, a mere 7 months into a 15-year agreement, the Obama administration is shedding the resolve its officials tried to so hard to display before Congress. According to numerous reports, the administration intends to backtrack on the statements of Secretary Lew and Adam Szubin. It is looking for some way, somehow to give Iran access to U.S. dollars to boost Iranian trade and investment.

I want to be very clear. If the President moves to grant Iran access to the U.S. dollar—whether directly or indirectly—there will be consequences. If there is any statement, guidance, regulation, or Executive action that opens the U.S. banking sector to Iran even a crack, the Senate will hold hearings with each official who assured the American people last summer that the ayatollahs would never access the dollar. We will explore whether they lied back then or whether they intend to resign in protest now.

If this policy change moves forward, I will dedicate myself to working with my colleagues to pass legislation blocking the change. If the Obama administration proceeds with this massive concession to the ayatollahs, every Member of the Senate who voted to accept the Iranian deal will have to go home and explain why the U.S. economy is now complicit in Iran's financing of terrorist attacks against Americans and American allies.

That the Obama administration would even consider allowing Iran access to the U.S. banking sector is extremely disconcerting, but it is not surprising. It follows a steady pattern that has become increasingly clear since the conclusion of the nuclear deal. Time and again, Iran provokes the United States, commits brazen acts to destabilize its neighbors, and threatens to undo the Iran deal. In response, the United States rushes to grant the ayatollahs more concessions in order to placate them.

Iran has tested ballistic missiles, captured U.S. sailors, and fueled conflicts in Syria and Yemen with fresh arms and troops—all while employing ''Death to America'' as a rallying cry.

But in the face of Iran's continued aggression, the President has displayed only weakness. Instead of steeling himself for a fight with the ayatollahs, he has laid down and rolled over for them.

He has repeatedly refused to designate Iran's tests of ballistic missiles as the violations of U.N. Security Council resolutions they so clearly are.

The President also agreed to send an additional $1.7 billion to the ayatollahs, ostensibly to settle outstanding claims. For good measure, that $1.7 billion includes $1.3 billion in gratuitous interest payments.

The President granted clemency to seven convicted Iranian criminals and dismissed arrest warrants for 14 Iranian fugitives who faced charges for sanctions violations. Now the President may be on the verge of granting the largest concession yet—dollarizing Iran's international trade and declaring Iran truly open for business.

We should call this for what it is—concession creep. In the same manner that no Member of the Senate should trust Iran to abide by its commitments made in the Iranian nuclear deal, we can no longer trust the administration to hold fast to the specific concessions contained in the four corners of that deal. The ink is hardly dry on the deal, and the President has already shown himself all too susceptible to the temptations of appeasement.

The ayatollahs reportedly have complained to U.S. officials that it is too hard to transact business without access to U.S. dollars. The answer to that should be ''too bad.''

It should not be easy for the world's worst sponsor of terrorism to do business with the global economy. It should not be easy for industries dominated by the Iranian Revolutionary Guard Corps to trade in financial markets. International business leaders, directors, CEOs, and general counsels should not rush into Iran for fear of the grave reputational, financial, political, and legal consequences of doing business with this outlaw regime.

The Iranians know the Obama administration is desperate to preserve the nuclear deal. They hold the possibility of walking away from the agreement as a sword of Damocles over the President's head in order to extract concession after concession. They lord it over him in order to forestall any U.S. action that would meaningfully stop their regional aggression and campaign of terror. So intense is President Obama's fear that the Ayatollah will rip up the nuclear agreement, he has completely upended U.S. strategy in the Middle East to the point where adversaries are allies and allies are becoming adversaries.

This parade of concessions must stop, and it must stop now. The administration must fully implement all new sanctions passed by Congress to punish Iran's development of ballistic missiles, its sponsorship of terrorism, and its human rights abuses. It must work with our traditional allies in the Middle East to neutralize Iran's attempt to foment instability throughout the region. The President should issue a very clear order that Iran will not be granted any direct or indirect access to the U.S. banking system and the dollar.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

(The remarks of Mr. MERKLEY pertaining to the introduction of S. 2760 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. MERKLEY. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

AMENDMENT NO. 3490 TO AMENDMENT NO. 3464

Ms. CANTWELL. Mr. President, I call up my amendment No. 3490.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Washington [Ms. CANTWELL] proposes an amendment numbered 3490 to amendment No. 3464.

Ms. CANTWELL. 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 extend protections against physical assault to air carrier customer service representatives)

Strike section 5009 and insert the following:

SEC. 5009. INTERFERENCE WITH AIR CARRIER EMPLOYEES.

(a) IN GENERAL.—Section 46503 is amended by inserting after ''to perform those duties'' the following '', or who assaults an air carrier customer representative in an airport, including a gate or ticket agent, who is performing the duties of the representative or agent,''.

(b) CONFORMING AMENDMENT.—Section 46503 is amended in the section heading by inserting ''**or air carrier customer representatives**'' after ''**screening personnel**''.

(c) CLERICAL AMENDMENT.—The analysis for chapter 465 is amended by striking the item relating to section 46503 and inserting the following:

''46503. Interference with security screening personnel or air carrier customer representatives.''.

Ms. CANTWELL. Mr. President, I call up this amendment and offer it because the issue is making sure that those who work in the air transportation system are safe and secure. This is an important issue to the men and women who work at Sea-Tac and at other airports and are part of the delivery system of making sure air transportation is safe. They are an integral part of air transportation at every airport in the United States of America.

This issue is something that has been considered in the House of Representatives as part of the transportation package as well, and it is part of what we think should be in this package in the Senate; that is, making sure that those who are part of the delivery system—ticket counter agents, agents who are aiding and assisting in getting passengers through the terminals and onto planes at the gate, assisting, as many of the challenging days go by, in delivering good air transportation service. What has happened is that these individuals have become victims—the victims of physical, violent abuse; that is, the public has taken to bodily harm against these individuals. So this amendment puts in similar safeguards

that are in line with other transportation officials who are protected from this kind of physical abuse.

I will have more to say on it, but I know my colleague is trying to get to the floor to speak as well. I will put into the RECORD examples of individuals who are ticketing agents, baggage agents, air transportation delivery system workers who have been hurt, and they deserve to have protection.

Mr. President, I yield the floor.

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

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

AMENDMENT NO. 3483

Mr. SCHUMER. Mr. President, I rise today to urge a ''yes'' vote on the upcoming amendment to require the FAA to set a minimum standard seat size.

This amendment would ensure that airlines can't keep chopping down on seat size and legroom until consumers are packed in like sardines in a can on every flight.

Over the last few decades, between the size of the seat and the distance between the seats, the flying public has lost half a foot of their space. Flying is not pleasant anymore. You are crammed in. I am not that tall—a little under 6-foot-1. What I do when I fly is I take out the magazine and the airsickness bag and the little folder that shows you where the exits are to gain one-sixteenth of an inch more legroom. Moms with kids have a lot of trouble in those very narrow seats. Have you ever been in the situation where you are in the middle and there are two sort of large people on either side of you? It is not the most pleasant flying experience.

We don't have too much competition anymore. We have very few airlines. This is a place where the public is clamoring for change. When I said I was going to offer this amendment, I got more feedback on it than most other things. And you don't have to be 6-foot-4 to understand the problem.

You would think that by cramming in more and more passengers on each flight, the airlines could lower their prices. Instead, several major airlines went in the other direction: They started charging for the extra inches and legroom that were once considered standard. So it practically costs you an arm and a leg just to have space for your arms and legs.

At a time when airlines are making record profits, at a time when fuel costs are extremely low, we need this amendment to protect consumers' safety and comfort.

This amendment would do three things. It doesn't set a standard seat size; it freezes the current seat size in place so they can't shrink it any further. It directs the FAA to set minimum standard seat size and pitch for all commercial flights. And some of this involves comfort, but some of it involves safety. God forbid there is something terrible happening on a plane—the seats are so narrow, it is harder for people to get out. Finally, we focus on transparency. We require airlines to post their seat sizes on their Web sites, providing at least a commercial incentive for airlines to offer more comfortable seat arrangements.

Most folks travel under the expectation that the airlines are going to set the guidelines and that is that; there is nothing they can do about it. We actually had to put in the underlying bill that airlines should refund bag fees charged to consumers if the airline lost their bags. And I would say to my good friends on the other side, if we can mandate that bag fees be returned—not leave it up to the free market—we can mandate that the FAA at least set a proper seat size. They can't say: Well, leave it up to the free market on one but not on the other. It is not a little fair.

Now we see why we need these amendments. The bag fee—and I agree that if they lose your bags or delay your bags, they shouldn't keep the extra bag fee. It should be refunded. In most industries, that would be a standard practice. If you fail to deliver a service somebody paid for, they should get their money back. But sometimes in the airline industry you have to require basic courtesy.

In conclusion, the great Abraham Lincoln was once asked how long a man's legs should be, and he famously answered: Long enough to reach from the body to the ground. If you asked a major airline today how long a man's legs should be, they would say: Short enough to miss the tray table. That is no way to fly.

I urge my colleagues to support this amendment and move this bill in a more consumer-friendly direction.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCHUMER. 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. SCHUMER. Mr. President, some of my colleagues have to catch planes, and it takes extra time for them to squeeze into those small seats with no legroom. So I yield back my time, and I ask unanimous consent that we move the vote up to right now.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is on agreeing to amendment No. 3483.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN) and the Senator from Texas (Mr. CRUZ).

Further, if present and voting, the Senator from Texas (Mr. CORNYN) would have voted ''nay.''

Mr. REID. I announce that the Senator from Illinois (Mr. DURBIN) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

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

The result was announced—yeas 42, nays 54, as follows:

[Rollcall Vote No. 43 Leg.]

YEAS—42

Baldwin	Gillibrand	Murray
Bennet	Heinrich	Nelson
Blumenthal	Heitkamp	Peters
Booker	Hirono	Reed
Boxer	Kaine	Reid
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Leahy	Shaheen
Casey	Manchin	Stabenow
Collins	Markey	Udall
Coons	Menendez	Warner
Donnelly	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Franken	Murphy	Wyden

NAYS—54

Alexander	Flake	Paul
Ayotte	Gardner	Perdue
Barrasso	Graham	Portman
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Burr	Heller	Rounds
Capito	Hoeven	Rubio
Carper	Inhofe	Sasse
Cassidy	Isakson	Scott
Coats	Johnson	Sessions
Cochran	Kirk	Shelby
Corker	Lankford	Sullivan
Cotton	Lee	Tester
Crapo	McCain	Thune
Daines	McCaskill	Tillis
Enzi	McConnell	Toomey
Ernst	Moran	Vitter
Fischer	Murkowski	Wicker

NOT VOTING—4

Cornyn	Durbin
Cruz	Sanders

The amendment (No. 3483) was rejected.

The PRESIDING OFFICER. The Senator from Ohio.

COMPREHENSIVE ADDICTION AND RECOVERY BILL

Mr. PORTMAN. Mr. President, I rise today to urge my colleagues in the House of Representatives to pass the legislation we passed here in the Senate a few weeks ago called the Comprehensive Addiction and Recovery Act, or CARA. We passed it on March 10, which was 27 days ago—almost a month. It is estimated that we lose about 120 Americans every day to drug overdoses. That means that during that time period—those 27 days—we lost about 3,240 additional Americans who we represent to substance abuse and death from heroin and prescription drug overdoses.

Since 2007, drug overdoses have killed more people in Ohio than any other cause of accidental death, even surpassing car accidents. It is probably

true nationally now as well. Addiction is treatable, but 9 out of 10 people who need treatment aren't getting it. That is a tragedy. It shows that the system we have right now just isn't working, and that is what our legislation addresses, among other things. In one 5-day span since we passed CARA, just in the last month, we had five people die from heroin and Fentanyl overdoses in one of the cities I represent—Cleveland, OH.

I was in Athens, OH, more than 2 weeks after we passed CARA, and received a tour of the Rural Women's Addiction Recovery Bassett House facility. Dr. Joe Gay and Ruth Tarter took me around so I could meet some of the brave women who stepped forward to treat their addiction issues. Some of them were there with their kids. They have an amazing success rate.

I will tell you that 3 days after I left Athens, OH, $40,000 of heroin was seized at a traffic stop very close to this treatment facility. It is everywhere. It knows no ZIP code. It is in rural areas, suburban areas, and inner cities. States are starting to take action. Ohio is taking action, your States are taking action, and communities are taking action. Local leaders know this is a problem, but they want the Federal Government to be a better partner. That is what CARA provides. It provides best practices from around the country. It provides more funding for some critical elements that are evidence-based—based on research and what actually works. Our States and local communities are desperate for this right now.

By the way, this legislation is not just bipartisan. It is also bicameral. In other words, not only have Republicans and Democrats worked across the aisle here in the Senate over the last 3 years putting this bill together, but our colleagues in the House have worked together as well. I am encouraged by the fact that the CARA legislation in the House has 113 cosponsors. It is bipartisan. It is based on good evidence. It is based on a lot of work and effort. Today I heard through a media account that one of the House leaders said there is interest in moving something even this month. That is great. But he also talked about hearings and markups and so on. Let's be sure the hearings and markups don't delay what we know we should do, which is to pass the CARA legislation. It has been bicameral and bipartisan. It passed the Senate with a 94-to-1 vote. That never happens around here—94 to 1. This is legislation which we know will make a difference right now in our communities that are dealing with a crisis we all face. Let's move this legislation.

I say to my friends in the House with all due respect, this legislation has been carefully crafted and we have done the hard work. I mentioned that we spent 3 years of factfinding on this bill. We didn't think we had all the right answers, so we went out to experts all over the country. We took time to listen. We consulted with them. We listened to experts, doctors, law enforcement, and patients in recovery. We listened to the drug experts in the Obama administration, such as the White House Office of National Drug Control Policy, ONDCP. They have been very helpful. We brought in people from Health and Human Services and listened to them. We brought in people from my home State of Ohio and other States around the country.

We heard from family members, many of whom have channelled their grief at losing a loved one into advocacy for the CARA legislation because they know it is going to help. One testified in the Judiciary Committee when we marked up the legislation. Tonda DaRe from Carrollton, OH, talked about having lost her daughter, who was a very successful high school student and engaged to be married. Everything was going great. When she turned 21, she made a mistake: She tried heroin. She went into recovery. She relapsed. She ended up dying of an overdose.

Unfortunately, this is a story that is retold all over our country. There are moms, there are dads, there are aunts and uncles and brothers and sisters who come forward to tell us these tragic stories about losing a loved one. They want this legislation to pass because they know it is going to help another family member or a friend or a coworker or someone whom they have never met but whom they want to help so they don't have to go through the grief they have gone through.

Senator SHELDON WHITEHOUSE—a Democrat—and I have worked on this legislation together, along with many other people in this Chamber. We have also worked, as I said, with many on the House side. We worked with folks on both sides of the aisle and both sides of the Capitol because this has become an issue that affects us all. It is a nonpartisan issue. We have to move it forward.

We held five forums here in Washington, DC, and brought in experts to get counsel and advice. They helped us develop a legislative proposal that was thoughtful because it actually addressed the real problem.

In April 2014, we had a forum on the criminal justice system which included alternatives to incarceration, and you will see that in our legislation. The notion is, for users who get arrested for possession, let's not just throw them in jail because that hasn't worked. Let's get them into treatment and get them into a recovery program that works.

In July 2014, we held a forum on how women are impacted by this drug epidemic, looking particularly at addiction and treatment responses. Some new data that is out there now shows that most of the people who are suffering from heroin and prescription drug addiction are women.

In December 2014, we held a forum on the science of addiction—how we could get at this from a medical point of view, how we could come up with better medical approaches to this to be able to stop the craving, to deal with the addiction problem, to get people through withdrawal. We also talked about how to address some of the collateral consequences of addiction.

In April of 2015, we held a forum on our youth and how we can better promote drug prevention. After all, keeping people from getting into the funnel of addiction in the first place has to be a priority. To help people avoid going down that funnel of addiction, we need better prevention, better education. That is part of our legislation. We also had input about what is working in recovery and what is not working in recovery.

We held a forum in July of 2015 to talk about our veterans, to talk about the very sad situation with veterans who are coming back to our shores who have PTSD—post-traumatic stress disorder—and who have brain injuries. Some recent data shows that about 20 percent of returning veterans with those issues are becoming addicted to prescription drugs or heroin; therefore, veterans courts are a major part of our legislation. These are drug courts that are focused on mental health and addiction specifically for our veterans. I have seen them in Ohio. They are working great. It is unbelievable.

I talked to a guy who has been in and out of the system his whole life. He is about 45 years old now. He finally found this court that was going to help him—took him out of jail and got him into treatment. Hanging over his head was the possibility of incarceration if he didn't do the right thing and stay clean. He is now a senior at Ohio State University and is about to get his degree, and he reunited with his family for the first time in many years. He is clean. It can work.

The final result was the legislative text that reflected this open and deliberative process I am talking about. This bill—just like the research it supports—is evidence-based. We didn't ask who had the idea; we just asked whether it was a good idea.

It is no wonder that CARA now has support from 130 national groups, from the Fraternal Order of Police, to stakeholders in public health—doctors and nurses, those in recovery, experts in the field, people who actually know what is going on because they are in the trenches working on this. They want this bill passed. They know it will help them and help them now.

As I said, that vote was 94 to 1, which means 94 Senators say this bill is ready to go. These are Senators from every State in the Union who support this legislation, therefore representing every congressional district in the United States of America. It makes sense. It expands prevention and educational efforts to prevent opiate abuse, the use of heroin and prescription drugs.

It increases drug-disposal sites to get medications out of people's hands and get it into the right hands. It takes

this medication off the bathroom shelves.

It has a drug-monitoring program to get at the overprescribing issue. So many people who are currently addicted to heroin started with prescription drugs. In fact, the majority did. There is different data out there, but it is very clear that prescription drugs are a huge part of heroin addiction.

It also authorizes law enforcement task forces to combat heroin and meth. Law enforcement has an important role to play here. It expands training and the availability of naloxone, or Narcan, to law enforcement. This is for our firefighters. When you go to a firehouse in your State—for those listening in the House, in your district—ask them: Are you going on more fire runs or are you going on more runs to help people with overdoses? They will tell you what they tell me: overdoses. That is what it has come to. That is happening in your fire department in your community.

By the way, to tell you how much this law can make a difference—because we do help get the training for them to be able to use Narcan and get the Narcan or naloxone into the right hands—Ohio public safety officials have administered naloxone over 16,000 times since 2015—16,000 overdoses that might otherwise have resulted in death. For the most part, this miracle drug works. First responders know how important it is. That is why the Fraternal Order of Police supports this bill. They want to equip their officers, but so do the firefighters.

CARA also supports recovery programs, including those focused on youth and building communities of recovery. To avoid people getting into addiction in the first place, it also creates a national task force on recovery because there is a lot of information out there we need to bring together to find out what works and what doesn't work precisely in terms of dealing with the collateral consequences imposed by addiction.

CARA expands treatment for pregnant women who struggle with addiction and provides support for babies who suffer from what is called neonatal abstinence syndrome. What does that mean? That means babies who are born addicted. In Ohio, tragically, we had a 750-percent increase in the number of babies born with addiction in the last 12 years. I have been to the hospitals. I have been to St. Rita's in Lima. I have been to Rainbow Babies in Cleveland. I have been to Cincinnati Children's Hospital. I have seen these babies. These are tiny babies who are addicted, and they have to be taken through withdrawal.

The compassionate nurses and doctors who are doing it—God bless them—I asked them: What is going to happen to these babies?

They told me: ROB, we don't know. We don't know the long-term consequences because it is so new.

But it is dramatic and it is happening in all of your hospitals. These neonatal units are now taking on a whole other task, which is helping babies through withdrawal.

I visited folks who are not only pregnant but are addicted, and I talked to them about what they are going through and what the consequences are going to be, and it is sad. Many say: ROB, the grip of addiction is so great. I am now in treatment, but I worry about what is going to happen to my baby.

We also expand treatment for expectant and postpartum women for that reason. And these expectant and postpartum women who need this help can make the right decision with more help from us. It expands residential treatment programs for pregnant women who are struggling with addiction. It creates a pilot program to provide family-based services to women who are addicted to opiates.

CARA also helps veterans, as I said. It allows those veterans to get into a veterans court, where they can get help to walk through how they get out of this addiction, how they get into recovery. They can get support from other veterans around them to provide the kind of help they need to get out of this cycle of incarceration and addiction.

What do we say to the 40 million Americans who are struggling with addiction when they ask ''Why don't you guys act?'' The Senate acted 94 to 1. Why can't we get this done? It is time to move. They shouldn't have to wait. We shouldn't have to wait.

To those 40 million who struggle, to those who think they can't overcome this addiction, to those who believe there is no one out there to help them, the message is, you are not alone. There is hope. You can beat this. I have seen it. There are people who care and want to help.

There are so many heartbreaking stories of addiction, but there are also so many stories of hope. I think about Vanessa Perkins from Nelsonville, OH. Vanessa became addicted to heroin. Once she became addicted, she also became a victim of sex trafficking.

Those two are related. In Ohio, they tell me that most sex trafficking has now to do with heroin addiction. In other words, the trafficker gets these women—usually women—addicted to heroin, and that is one way they become dependent on their trafficker.

What Vanessa tells me is that it took her a long time to turn her life around, but she was courageous and brave enough to seek treatment, and she is now back on track. For the last 6 years she has been helping others, taking her experience and using it to help others deal with their addiction. She is on the board of a group called Freedom a la Cart, which is a company in Columbus, OH, that I visited last month that provides job opportunities for trafficking victims. They do a heck of a job and teach these women a trade, too—culinary arts. Now so many of these women who had been trafficked, who had been heroin addicts, are back on their feet, reunited with their families, and know the dignity and self-respect that come from the work they are doing and from helping others.

There is hope. Treatment can work.

Mr. President, leaders in the House say they want to move anti-heroin legislation through regular order. Again, I heard today that one of the leaders said they are planning to take action. I had conversations with Speaker RYAN on this issue. I had conversations with other leaders in the House on it. I take them at their word. I am hopeful we will see the House begin to act next week when that Chamber returns, but I will say this: The House must act, and they must act soon. I am not going to be patient on this. This is urgent, and people's lives are at stake. The House must pass this bill so the President can sign it and so it can begin to make a real difference in the lives of the people we represent. This is our responsibility. We need to take advantage of this opportunity that the Senate has given us by this huge vote—94 to 1—to get this legislation to the President and get it enacted into law.

Mr. President, I yield back my time.

The PRESIDING OFFICER. The Senator from Michigan.

FLINT, MICHIGAN, WATER CRISIS

Ms. STABENOW. Mr. President, today I would like to speak about two different subjects. Both are connected in the sense that they involve lack of action and people counting on us to act as a Senate.

The first involves the fact that today in the city of Flint, MI, we still have people who can't drink the water coming out of the tap. I think any one of us would have trouble if that happened for 1 day, but we are talking about months and months—going on 2 years now—that we have seen a system completely broken down because of decisions, because of lack of treating the water, a whole range of things.

From my perspective, the most important thing is the fact that people still don't have access to clean, safe water. They can't bathe their babies. They can't take a shower themselves. I can't imagine what it must be like for families in Flint who are waiting and waiting for help.

I want to thank President Obama for doing what he can do through the administration to help from the standpoint of health and nutrition and education, but the fundamental problem is replacing the damaged pipes.

As my colleagues know, we have been working very hard and we have developed a bipartisan proposal. I wish to thank the chair and ranking member of the Energy and Natural Resources Committee, Senator MURKOWSKI and Senator CANTWELL, for working with us, and so many colleagues who are now bipartisan cosponsors on a bill with myself and Senator PETERS. I wish to thank Senator INHOFE as chair of EPW and ranking member Senator BOXER and so many people who have

come together to support this effort, not only for Flint, but we now are seeing headlines across the country about other areas where lead poisoning in water is a serious issue and where we have all kinds of communities with water infrastructure needs.

We have put together a proposal. We have a bipartisan proposal. We are ready to move forward. We need a vote on this proposal. As people in this building know, the junior Senator from Utah is holding us up from being able to get that vote. We have spent weeks now—weeks—trying to find a way to get beyond this objection. We thought we had an agreement, and then the bar just keeps changing.

This is not a game. These are real people, and we are trying to solve a real problem. We have put forward a proposal fully paid for that actually reduces the deficit, paid for out of a program that I care deeply about because I authored it in 2007, and prior to Senator PETERS being a Senator, when he was in the House, he was the champion of the program that we are offering to use as a payfor.

So I just want to remind everyone—and I am going to continue to come to the floor and remind colleagues every day—that a group of Americans in a city of 100,000 where there has been a Federal emergency declared are still waiting for us to act to help them—not to do the whole thing, not to pay for all of what needs to be done in terms of water infrastructure, but to do our part as a Federal Government, as we have done in communities across the country for other kinds of emergencies.

We need to help the children of Flint. Nine thousand children under the age of six are being exposed to lead poisoning; some homes have exposure higher than a toxic waste dump. I can tell my colleagues as a mother and now as a grandmother, I would never tolerate something like that. I can't imagine what is happening for families.

We have the opportunity to do something. It is easy. It is fully paid for. It is fully paid for by something that colleagues on the other side of the aisle have wanted to eliminate—fully paid for. It helps communities across the country. Now we have a situation where one Member has indicated, well, it is not his problem. He doesn't care; it is not his problem.

I hope as Americans we are willing to say that other people's problems—I would think we care about them, whether it is our own children, our own grandchildren, people we know or not. That is what we expect when there are emergencies and disasters across the country. And whether it is in the farm bill that I worked on with the distinguished Presiding Officer where we strengthened livestock disaster assistance—even though that is not a huge issue to me in the State of Michigan, but I know it is for a lot of States and a lot of communities. That is what we do as Americans. We care about people and communities.

We have a group of people right now who are not being seen. I want my colleagues to see this baby and the picture this represents of a group of people who are waiting for help and deserve help.

FILLING THE SUPREME COURT VACANCY

Mr. President, I wish to address something else now and turn to history to talk about somebody else who is waiting. He can drink his water and take a shower. That is a good thing. But we have a very distinguished jurist, the Chief Judge of the DC Court of Appeals, nominated by the President of the United States to be a Supreme Court Justice, who is waiting for the opportunity to be heard, to have a hearing, to meet with people, to have a vote, yes or no.

We have spoken a lot about the Constitution, about responsibilities, about debates. Our three branches of government are sworn to uphold both the written word of the Constitution and the spirit of the Constitution. This spirit was expressed in a series of articles beginning in 1787. I wasn't there at the time. But in reading what our Founding Fathers said—those who framed the Constitution—I think it is important to look at what they intended through the Federalist Papers.

On April 1, 1788, Alexander Hamilton, writing in Federalist Paper No. 76, outlined two specific roles for Supreme Court nominees: that the President nominate Justices and the Senate provide advice and consent. Hamilton explained how the Senate held the power to reject a nominee, to prevent the appointment of unfit characters from family connection, from personal attachment, or from other biases.

As my colleagues know, Senators can investigate the character of a nominee by meeting the nominee in person, by holding hearings, and by looking at their writings. At the Senate Judiciary Committee they can ask the nominee questions in full view of the public. Based on responses, if they believe a nominee does not have the appropriate character, they can reject the nomination. They can vote no. That is our right as Senators.

But Senators in the current Republican majority are refusing to do any of that. They have said they will not hold hearings. Most of them will not even meet with the nominee, Judge Merrick Garland. I want to commend Republican Senators who are, in fact, meeting with Judge Garland. This is their job. This is our job—the job established for us by America's Founding Fathers—and a majority of the majority is refusing to do it.

Now, according to the average time for moving a Supreme Court nominee through the process, if the Republican majority did their job, as previous Senates did, then there would be a hearing of the Judiciary Committee by April 27, but there is none scheduled. The Judiciary Committee would hold a vote by May 12, but there is no vote coming. And based on historical precedent, the Supreme Court nominee would then come to the floor for a vote on confirmation before Memorial Day. But because my colleagues across the aisle are refusing to do their job, that vote will not happen.

My Republican colleagues like to say that the Senate does not confirm Supreme Court nominees during a Presidential year, but that doesn't square with the facts. More than a dozen Supreme Court nominees have been confirmed by the Senate in an election year. In 1988, also a Presidential year, the Senate did its job by confirming President Reagan's Supreme Court nominee, Justice Anthony Kennedy, with a Democratically controlled Senate. In 1940, another Presidential election year, the Senate did its job by confirming President Franklin Roosevelt's nominee, Justice Frank Murphy. In 1932, the Senate did its job by confirming President Hoover's Supreme Court nominee. In 1916, the Senate did its job twice by confirming President Wilson's two nominees for the Supreme Court.

The U.S. Constitution was ratified in June 1788, just a few months after Hamilton published the Federalist Paper I mentioned a few minutes ago. And for nearly 228 years—228 years—during times of war, times of peace, periods of prosperity, and periods of economic hardship, America has balanced the powers between the executive and the legislative branches in selecting who would serve in the third branch of government. We have done it during Democratic majorities and Republican majorities for 228 years.

To those who are refusing to hold hearings on a nomination, my question is this: What has changed? What has changed this year? What is it about this President that causes him to be treated this way? What is it that is leading my colleagues to question the judgment and the wisdom of Alexander Hamilton and the rest of the Founding Fathers who signed the Constitution and gave us the responsibility for advice and consent?

In short, why now are you refusing to do your job? Just do your job. Do what we are paid to do.

Last month, I went over in front of the Supreme Court on a beautiful, sunny day when a lot of people were here visiting, and I talked to a number of citizens and asked them what they thought about what was happening, the debate going on about filling a vacancy on the Supreme Court. I also asked them what would happen to you if during a year you told your employer that a major part of your job—a very big responsibility that you have in your job—you were going to refuse to do for a year or so. What would happen? Well, the answer is pretty easy. People said: I would be fired.

People say: Why aren't you doing your job? Why isn't the majority doing its job? Because if you are not willing to do the work, why should you have the job? Nobody else can do that in their job.

That is why the polls show overwhelmingly that the American people side with those of us on the Democratic side, with all of us who stand together as Democratic Senators to say: Do your job. We are willing to do our job. People stand with the Constitution and with the overwhelming history of our country.

It is very simple. It is a very simple idea. It is a phrase we say all the time in all kinds of circumstances. We say to our children, we say to people we work with: Just do your job. Well, this is our job. Hold a hearing, meet with the nominee, have a vote. You can vote yes; you can vote no. You could skip that day. But this judge deserves a vote, and it is our responsibility to vote and to fill the vacancy on the highest Court in the land. That is what the American people expect us to do. That is what they deserve.

It is time that the Senate do its job.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CASSIDY. 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. CASSIDY. Mr. President, I rise today to discuss several provisions in an amendment to the FAA reauthorization bill that is currently before the Senate and that specifically benefits my home State of Louisiana.

There are more than 253 air traffic control towers throughout the country operating through a successful public-private partnership called the Federal Contract Tower Program. This program is especially critical to rural areas—as I have in Louisiana and as does the Presiding Officer—to ensure that America's airspace and the traveling public are safe. However, there are currently 30 towers awaiting the FAA to finalize an internal agency formula called the benefit-cost analysis, referred to as the BCA, which will allow eligible towers to enter the Federal Contract Tower Program. One of these airports is the Hammond Northshore Regional Airport in Hammond, LA.

The Federal Contract Tower Program has been in place for more than 30 years and is a prime example of an effective public-private partnership between government and the private sector. Contract towers handle approximately 28 percent of the Nation's air traffic control tower operations but account for only 14 percent of the FAA's total tower operations budget. Repeated studies by the U.S. Department of Transportation inspector general have shown that the Contract Tower Program increases aviation safety while reducing costs to taxpayers and the Federal Government. It is also important to note that approximately 80 percent of the contract controller workforce are veterans.

Congress has demonstrated numerous times in bipartisan fashion the merit and need for the Federal Contract Tower Program. Given the success of the program and the increasing likelihood of further FAA delays, I am pleased the Commerce Committee included language in the FAA reauthorization bill to strengthen and improve the Federal Contract Tower Program. Senators CORNYN, VITTER, PORTMAN, and WICKER have been leaders on this issue, and their work is greatly appreciated.

Currently, America's trade and economy are being hampered because many cargo planes from other countries are prohibited from flying into U.S. airports because they have not been upgraded to newer types of technology. Some aircraft are what is called ''Stage 2 aircraft.'' These aircraft were phased out following the passage of the Airport Noise and Capacity Act of 1990, which mandated the phaseout for Stage 2 aircraft over 75,000 pounds. I have introduced an amendment that would permit flights to a small number of airports under limited circumstances for revenue and nonrevenue flights of Stage 2 aircraft over 75,000 pounds.

One of the airports that meets the criteria is the Acadiana Regional Airport in New Iberia, LA. This airport is located in a heavy industrial complex and surrounded by agricultural land. The Acadiana Regional Airport has an advantage over other types of airports because it is surrounded by land use compatible with airport operations. Additionally, it is situated near the Port of Iberia, which is home to more than 100 companies employing close to 5,000 people in industries such as construction, energy, equipment rental, and trucking. This would bolster Louisiana's economy, help working families, and improve America's ability to trade with the world.

Louisiana's economy relies on the thriving maritime industry. In 2014 a study from the Transportation Institute showed that 54,850 maritime-related jobs contribute more than $11 billion annually to Louisiana's economy. One in every 83 Louisiana jobs is connected to the domestic maritime industry, nearly twice that of any other State.

With ports along the Mississippi and Red Rivers, our State sees vessels of varying sizes and types. While loading cargo, these ships must drain ballast water that they have taken on to maintain the balance of the ship. This can have varying degrees of environmental effects, with costly and confusing State and Federal regulations making compliance difficult.

Senator RUBIO is sponsoring the Vessel Incidental Discharge Act, which creates a uniform, enforceable, and scientifically based national standard on ballast water discharges. This is needed in order to simplify the highly complicated and overly burdensome patchwork of State and Federal regulations that are in place today.

Everyone I talk to in Louisiana's maritime industry and also in the inland marine, which would take the agriculture products from States such as the State the Presiding Officer represents, says it is necessary for these regulations to be harmonized, and they emphasize the importance of passing this bill. I am a cosponsor of this bill, and I am glad to see that Senator RUBIO has filed the amendment to the bill we are considering on the floor today.

The FAA Reauthorization Act contains many measures that will protect Americans, improve our economy, and protect our environment. I urge all my fellow Senators to support the bill and these amendments.

I yield the floor.

AMENDMENT NO. 3512, AS MODIFIED

Mr. LEAHY. Mr. President, Aviation safety, as much as all national security, must be of paramount importance. I am increasingly concerned with reports from across the country that Secure Identification Display Area, SIDA, badges have gone missing, either through loss or theft. These badges, which grant access to secure areas of airports, allow employees to bypass traditional security checkpoints and, in the wrong hands, can pose a considerable security threat.

An amendment considered and adopted earlier today by the Senate, Thune amendment No. 3512, is aimed at addressing this problem and would implement additional accountability and oversight methods to ensure that these SIDA badges do not fall into the wrong hands. It would provide for further employer accountability and allow for increased fines and enforcement actions against workers that fail to report the loss or theft of a badge. These are well-intentioned goals and ones that I support.

I opposed this amendment, however, because extraneous provisions included in the amendment directly contradict bipartisan efforts in this Congress to reform our criminal justice system, including by reducing unnecessary barriers to employment for people with criminal records. The amendment will require the TSA Administrator to propose increasing the lookback period from 10 years to 15 years for background checks of airport and airline workers who have or are seeking SIDA badges. Under current regulations, there are a number of offenses that disqualify a potential employee, if the individual was convicted of the offense during the 10-year lookback period.

The amendment would also require the TSA Administrator to consider adding more offenses to the list of disqualifying crimes. Disqualifying offenses already include a number of low-level offenses, such as felony drug possession. These provisions would exacerbate barriers to reentry. The scope of the changes will still exclude many potential employees and lead to the firing of a number of current employees.

I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks a letter from Transport Workers Union of America, the AFL–CIO, the Association of Flight Attendants, CWA—the Communication Workers of America, the International Association of Machinists and Aerospace Workers, the Transportation Trades Department—AFL–CIO, the Leadership Conference on Civil and Human Rights, and the National Employment Law Project in opposition to this amendment.

I am committed to working with Senator THUNE to ensure greater accountability for Secure Identification Display Area badges. It must be a priority. I hope that he and others will work with me through the conference of this bill to eliminate these barriers to employment for individuals with certain criminal records.

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

APRIL 6, 2016.

OPPOSE THE AIRPORT SECURITY ENHANCEMENT AND OVERSIGHT ACT (S. 2361) AS AN AMENDMENT TO THE FAA REAUTHORIZATION ACT (H.R. 636)

DEAR SENATOR: On behalf of the undersigned organizations, we write to oppose any efforts to expand background checks on aviation workers as proposed in the Airport Security Enhancement and Oversight Act (S. 2361). In particular, we are opposed to the inclusion of S. 2361 as an amendment to H.R. 636, the FAA Reauthorization Act, which is currently under consideration in the Senate. As drafted, S. 2361 would undermine reforms around the nation that have reduced barriers to employment of people with criminal records, thus representing a serious setback for the bipartisan criminal justice reform movement.

The Airport Security Enhancement and Oversight Act would alter the requirements for airport workers to obtain Secure Identification Display Area (SIDA) badges by instructing the Transportation Security Administration (TSA) Administrator to propose increasing the lookback period on many aviation workers' employment background checks from 10 years to 15 years. This provision undermines the goal of promoting rehabilitation, and it conflicts with the substantial research documenting that criminal history lookback periods should not extend back more than seven years.

The bill also instructs the TSA Administrator to consider increasing disqualifying criminal offenses to include crimes that do not appear to be related to transportation security. These reforms would have far reaching impact and exacerbate barriers to reentry. As many as one in three Americans have a criminal record and nearly half of U.S. children have a parent with a criminal record, creating life-long barriers to opportunity, including employment, for entire families. This change will also have an overwhelming discriminatory impact on communities of color, who have been hardest hit by a flawed criminal justice system. Moreover, this proposal does not account for the compelling evidence documenting the impact of gainful employment on those who have previously been convicted of a crime. Full integration into society is essential to successful anti-terror programs and efforts to lower recidivism rates. By requiring the dismissal of many current employees who have worked in a position for years, the legislation ignores these widely accepted principles.

We do support some elements of this legislation. The bill would create a waiver process for those who are denied credentials. This would ensure the consideration of circumstances from which it may be concluded that an individual does not pose a risk of terrorism or to security. The waiver process would consider the circumstances surrounding an offense, restitution, mitigation remedies, and other factors. This provision is modeled on a very successful program in the Transportation Worker Identification Credential (TWIC), a credential that is similar to a SIDA, which is used at secure areas of port facilities.

We strongly encourage you oppose the inclusion of any amendment providing blanket categorical exclusions that would increase background checks on aviation workers and act as additional barriers to the employment of people with criminal records. Thank you for your consideration. If you have any questions, please feel free to contact Brendan Danaher, Director of Government Affairs at the Transport Workers Union, or Greg Regan, Senior Legislative Representative at the Transportation Trades Department, AFL–CIO.

Sincerely,

TRANSPORT WORKERS UNION OF AMERICA.
AFL–CIO.
ASSOCIATION OF FLIGHT ATTENDANTS—CWA.
COMMUNICATION WORKERS OF AMERICA.
INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS.
THE LEADERSHIP CONFERENCE ON CIVIL AND HUMAN RIGHTS.
NATIONAL EMPLOYMENT LAW PROJECT.
TRANSPORTATION TRADES DEPARTMENT, AFL–CIO.

VOTE EXPLANATION

● Mr. DURBIN. Mr. President, I was absent from today's votes on three amendments to the pending business, H.R. 636, the vehicle for a bill to reauthorize the Federal Aviation Administration, due to events I attended with President Obama in Illinois. Had I been present, my votes would have been as follows.

On rollcall vote No. 41, Thune amendment No. 3512, as modified, I would have voted against adoption. I am concerned about the impact that a provision in this amendment will have on formerly incarcerated individuals who have successfully reintegrated into society after completing sentences for low-level crimes unrelated to transportation security. The provision, which will make it more difficult for these individuals to obtain certain aviation jobs years after a criminal conviction, undermines efforts to reduce barriers to reentry, lower recidivism rates, and reform our criminal justice system.

On rollcall vote No. 42, Heinrich amendment No. 3482, as modified, I would have voted in favor of adoption. This amendment will further strengthen the homeland by increasing security in soft targets at airports, in areas like check-ins and baggage claims, where terrorists recently carried out deadly attacks in Brussels. The amendment will expand and enhance visible deterrents, create a new eligible use under Homeland Security grants for training exercises to enhance preparedness for active shooter incidents, and authorize and make explicit that Homeland Security grants can be used for airport and surface transportation in these nonsecure soft target areas. I am proud to have cosponsored this amendment.

On rollcall vote No. 43, Schumer amendment No. 3483, I would have voted in favor of adoption. This amendment would establish consumer safeguards like minimum standards for space for passengers on aircrafts, including the size and pitch of seats, the amount of leg room, and the width of aisles.

As these votes demonstrate, after a series of temporary extensions, the Senate is finally considering a long-term FAA reauthorization bill. In light of recent threats both here and abroad, it is important that we get this right. I look forward to continuing to work with my colleagues on a bipartisan basis on these important security reforms, consumer protections, and other pressing aviation-related issues in the coming days and weeks.●

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that on Monday, April 11, at 5 p.m., the Senate proceed to executive session to consider the following nomination: Calendar No. 215; that there be 30 minutes for debate only on the nomination, equally divided in the usual form; that upon the use or yielding back of time, the Senate vote on the nomination without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table, the President be immediately notified of the Senate's action, and the Senate then resume legislative session without any intervening action or debate.

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

OLDER AMERICANS ACT REAUTHORIZATION ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask that the Chair lay before the Senate a message from the House to accompany S. 192.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate (S. 192) entitled ''An Act to reauthorize the Older Americans Act of 1965, and for other purposes,'' do pass with an amendment.

Mr. MCCONNELL. Mr. President, I move to concur in the House amendment and know of no further debate.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the motion to concur.

The motion was agreed to.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

EXPRESSING THE SENSE OF THE SENATE REGARDING THE PROSECUTION AND CONVICTION OF FORMER PRESIDENT MOHAMED NASHEED WITHOUT DUE PROCESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 402, S. Res. 392.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 392) expressing the sense of the Senate regarding the prosecution and conviction of former President Mohamed Nasheed without due process and urging the Government of the Maldives to take all necessary steps to redress this injustice, to release all political prisoners, and to ensure due process and freedom from political prosecution for all the people of the Maldives.

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

Mr. MCCONNELL. Mr. President, I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and 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.

The resolution (S. Res. 392) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 8, 2016, under ''Submitted Resolutions.'')

AMERICA'S SMALL BUSINESS TAX RELIEF ACT OF 2015—Continued

The PRESIDING OFFICER. The Senator from Iowa.

FILLING THE SUPREME COURT VACANCY

Mr. GRASSLEY. Mr. President, we have a unique opportunity for the American people to have a voice in the direction of the Supreme Court. The American people should be afforded the opportunity to weigh in on this very important matter.

Our side, meaning the Republican side, believes very strongly that the people deserve to be heard, and they should be allowed to decide through their vote for the next President the type of person who should be on the Supreme Court.

As I have stated previously, this is a reasonable approach, it is a fair approach, and it is a historical approach—one echoed by then-Chairman BIDEN, Senator SCHUMER, and other Senators.

The other side, meaning the Democratic side, has been talking a great deal about the so-called pressure campaign to try to get Members to change their position. It is no secret that the White House strategy is to put pressure on this chairman of the Judiciary Committee and other Republicans in the hopes that we can be worn down and ultimately agree to hold hearings on the nominee.

This pressure campaign, which is targeted at me and a handful of my colleagues, is based on the supposition that I and they will crack and move forward on the consideration of President Obama's pick.

This strategy has failed to recognize that I am no stranger to political pressure and to strong-arm tactics—not necessarily just from Democratic Presidents but also from Republican Presidents.

When I make a decision based on sound principle, I am not about to flip-flop because the left has organized what they call a pressure campaign.

As many of my colleagues—and especially my constituents—know, I have done battle with administrations of both parties. I have fought over irresponsible budgets, waste, fraud, and policy disagreements. I have made tough decisions. I have stuck with those tough decisions regardless of what pressure was applied.

The so-called pressure being applied to me now is nothing. It is absolutely nothing compared to what I withstood from heavyhanded White House political operations in the past.

Let me say, by the way, that most of that has come from Republican White Houses. To just give a few examples, in 1981, as a new Member of the Senate and a brand-new member of the Senate Budget Committee, I voted against President Reagan's first budget proposal because we were promised a balanced budget and it didn't balance. I remember very specifically the Budget Committee markup in April 1981 on President Reagan's first budget.

It happened to be that I wasn't alone on this. I was one of three Republicans to vote against that resolution because it did not put us on a path to a balanced budget. You can imagine that when a budget has to come out on a party-line vote, you cannot lose three Republicans, and three Republicans who were elected in 1980 on a promise to balance the budget did not go along with it.

What a loss this was for this new President Reagan—that his budget might not get adopted by the Budget Committee. We were under immense pressure to act on the President's budget regardless of the deficits that it would cause. But we stood on principle and didn't succumb to the pressure.

As an example, right after that vote where the President's budget wasn't voted out of the Budget Committee, I was home on a spring recess. I remember calls from the White House. I remember threats from the Chamber of Commerce while I was home for Easter break, even interrupting my town meetings. Four years later, I led the charge to freeze spending and to end the Reagan defense buildup as a way to get the Federal budget under control. In 1984 I teamed up with Senator BIDEN, a Democrat, and Senator Kassebaum of Kansas, a Republican, to propose a freeze of the defense budget that would have cut hundreds of billions of dollars from the annual deficit.

At the time, it was known as the Kassebaum-Grassley Budget or the KGB defense freeze. We were going to make sure that across-the-board budgets were responsible.

For months, I endured pressure from the Reagan administration and from my Republican colleagues who argued a freeze on defense spending would constitute unilateral disarmament. President Reagan had put together a less aggressive deficit reduction plan. We didn't think it went far enough. My bipartisan plan was attacked for being dangerous and causing draconian cuts to the defense budget. I knew it was realistic and a responsible approach. I didn't back down.

We forced a vote that year in the Budget Committee. We forced a vote on the Senate floor on May 2, 1984, and that particular year we were not successful. However, this effort required the Senate and the Nation to have a debate about a growing defense budget. We started that debate, about the waste and inefficiency in the Pentagon and the growing Federal fiscal deficits. Despite the weeks-long pressure from conservatives in the Reagan administration, I did not back down because I knew the policy was on my side.

In this process I stood up to pressure from President Reagan, Defense Secretary Casper Weinberger, Secretary Barry Goldwater, Senator John Tower, Chairman of the Budget Committee, and many others. I remember a meeting at the White House where I reminded the President that he had been talking through the campaign about the Welfare queens impacting the budget. It happens that I reminded him there were Defense queens as well.

I started doing oversight on the Defense Department. It wasn't long before the evidence of waste and fraud began appearing. We uncovered contractors that billed the Defense Department $435 for a claw hammer, $750 for toilet seats, $695 for ashtrays. We even found a coffee pot that cost $7,600.

I had no problem finding Democrats to join my oversight effort back then, but it is interesting how difficult it is to find bipartisan help when doing oversight in the current Democrat administration. Nevertheless, 12 months later, on May 2, 1985, after a year of

work to make the case that the Defense Department needed structural reforms and slower spending growth, I was successful. My amendment to freeze the defense budget and allow for increases based on inflation was agreed to when a motion to table failed by a vote of 48 to 51.

A majority of the Republicans opposed me, and a majority of the Democrats were with me. That didn't matter because I knew we were doing the right thing. I went against my own party, my own President, to hold the Pentagon accountable, and I never backed off.

I had a similar experience with President George W. Bush in 1991. In January 1991, the Senate debated a resolution to authorize the use of U.S. Armed Forces to remove Saddam Hussein's forces from Kuwait. I opposed the resolution because I felt the economic and diplomatic sanctions that I voted for should have been given more time to work. I was not ready to give up on sanctions in favor of war.

In the end, I was one of just two Republicans, along with Senator Hatfield of Oregon, to oppose the resolution. I was under pressure from President Bush, Vice President Quayle, and White House Chief of Staff John Sununu. I was even pressured by Iowa Governor Terry Branstad. I heard from a lot of Iowans, particularly Republicans, who were disappointed and even angry with my position. Some were even considering a public rebuke because of my vote. As one of just two Republicans, it was difficult to differ with a Republican President on such a major issue. But as I stated at the time, my decision was above any partisanship. It was a decision of conscience rather than a matter of Republican versus Democrat.

After a tremendous amount of soul-searching, I did what I thought was right, regardless of the political pressure. The same is true today with regard to the Supreme Court vacancy.

Under President George W. Bush, I faced another dilemma. The President and the Republican congressional leadership determined that they wanted to provide $1.6 trillion in tax relief in 2001.

I was chairman of the Senate Committee on Finance. The problem is, we had a Senate that was divided 50–50 at the time. The parties' numbers also equal, on the Senate Finance Committee. I had two members on my side who were reluctant to support a huge tax cut because they had concerns about the deficit and the debt.

As we saw a few years later, their concerns were not totally unwarranted. But, at the time, the administration leadership would have nothing to do with anything except what the President wanted—$1.6 trillion in tax relief. Obviously, the White House wasn't thinking about how many Republicans might vote against it, and when you have a 50–50 Senate, you can't lose a lot of Republicans.

After very difficult negotiations, I finally rounded up enough votes to support $1.3 trillion in tax relief. A hailstorm of criticism followed. There were Republican House Members who held press conferences denouncing the fact that the Committee wasn't able get enough votes for the whole $1.6 trillion. Those House Members were more professional in their criticism of my position, than what we currently witness almost every day from the current minority leader about my role as chairman of the Judiciary Committee. But, it was still a very contentious and difficult period that included both the budget and the reconciliation process.

Minority Leader REID has already recently brought up the pressure I came under in regard to ObamaCare back in 2009. Of course, his version is his usual attempt to rewrite the actual history. At that time, I was the ranking member of the Finance Committee. I was involved in very in-depth negotiations to try to come up with a health care solution. We started in November of 2008. We had negotiations between three Republicans and three Democrats on the Finance Committee. We met for hours and hours at a time.

We met between November 2008 and mid-September 2009, and then the other side decided they ought to go political and not worry about Republicans. The minority leader, in his usual inaccurate statement of facts has tried to say that Republicans walked out of those negotiations on ObamaCare. The fact is, we were given a deadline and told that if we didn't agree with the latest draft of the bill, then Democrats would have to move on.

I would suggest that anybody in the Senate who wants some reference on this should talk to Senator Snowe or Senator ENZI. I was the other Republican. Talk to Senator Baucus, talk to Senator Conrad and the then-Senator from New Mexico. The President called six of us to the White House in early August of 2009. The first question I got was this: Would you, Senator GRASSLEY, be willing to go along with two or three Republicans to have a bipartisan bill with ObamaCare at that point? And I said: Mr. President, the answer is no. What do you think we have been working on for 9 months? We have been working, trying to get a broad bipartisan agreement. It's something like 70 to 75 votes you need to get if you really want to have a changed social policy and have it stick.

We didn't abandon this until 2009. But my idea is that probably it was that meeting at the White House in early August 2009 where this President decided: we don't want to mess around with those Republicans anymore. We have 60 votes; we are going to move ahead. Well, that happened then in that September.

The fact is, we were given that deadline, and we were shoved out of the room. So when we didn't bow to this pressure and agree to Democratic demands, it ended up being a partisan document. That is why it still doesn't have the majority support of the American people.

I want the minority leader to know that is what happened, not what he described a couple of weeks ago. Eventually, as we all know, the former majority leader—now minority leader—had his staff rewrite the bill that came out of the HELP Committee and in secret in the back rooms of his leadership office. And we ended up with the disaster called ObamaCare that we have today.

The Senate minority leader also recently proclaimed that rather than follow Leader MCCONNELL—and these are Senator REID's words—''Republicans are sprinting in the opposite direction.'' The minority leader also wishfully claimed that the Republican facade was cracking on the issue. Senator SCHUMER fancifully stated that ''because of the pressure, Republicans are beginning to change.''

You can almost hear the ruby slippers on the other side clicking while they wish this narrative they describe were true. The fact is, the pressure they have applied thus far has had no impact on this Senator's principled position or the principled position of almost everybody on this side of the aisle. Our side knows and believes that what we are doing is right, and when that is the case, it is not hard to withstand the outrage and the pressure they and the White House have manufactured.

The pressure we are now getting on this issue pales in comparison to the pressure I have endured and withstood from both Democrats and Republicans in the past.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I rise today to speak in support of the bill that is on the floor, the Federal Aviation Administration Reauthorization Act. I thank Senator THUNE and Senator NELSON for their leadership.

I serve on the Commerce Committee. I am proud of this bill. Our State has a long history of aviation. It was the childhood home of Charles Lindbergh. We are home to the Minneapolis-St. Paul International Airport, the 13th busiest airport in the United States. We are home to Cirrus Design Corporation in Duluth, which makes planes and is a very successful company, as well as many people whose jobs and ways of life depend on the aviation industry, not to mention the 148th Fighter Wing National Guard base, as well as the one in the Twin Cities and the one in Duluth.

I see my colleague from Arizona is here, so I will focus on one issue, and that is aviation security.

Mr. President, 9/11 was our country's wake-up call that our transportation system is a target, and the attacks in Brussels last month remind us that we must continue to do everything we can to strengthen security, and not just in our security lines at the airports but also in places like baggage claim areas and other forms of transportation, like train stations. We need to make sure

our soft-target areas, as they are called—like the security lines, baggage claims, and ticketing counters at the airport—are safe.

I am a cosponsor of the amendment that passed today that will help address the issue by doubling the number of visible intermodal prevention and response teams from 30 to 60. These teams help provide important deterrent security at potential air and ground transportation targets across our country.

This amendment which passed today will also improve existing security systems in airports and train stations by expanding bomb-sniffing dog patrols, law enforcement training for emergency situations, and security in all perimeter areas of the airport.

We must also improve the secure areas of airports where airline employees have secure access to what are called sterile areas. In March, as we all know, an airline employee was arrested after attempting to use his badge to enter the boarding area of a terminal from the tarmac, bypassing security gates. He had a backpack with $282,000 in it. In the same month, we saw another employee try to smuggle 70 pounds of cocaine in her suitcase at LAX, and she was caught at a security checkpoint. The most egregious breach of security happened at the Atlanta airport, where airline employees helped to facilitate a gun-smuggling ring and were successful at getting guns on at least 20 flights from Atlanta to New York. Needless to say, there continues to be significant concern, as much as we know that the vast majority of our airline employees are hard-working and good employees.

Eighty-five Senators just voted in support of the Airport Security Enforcement and Oversight Act, a bill I cosponsored that would help address this issue of security at the airport, but I would like to add our own story out of Minnesota-St. Paul.

First of all, it is a story of inefficiency, so we made a reconfiguration at our airport. There were lines at one point where the average time was 45 to 50 minutes—average time. That was just a month ago. There were passengers waiting for 2 hours and missing their flights. There were simply not enough TSA agents. They were out at a training, which was, of course, necessary because of the inspector general's report that came out this June and showed some severe problems in security at our airports. So we had a perfect storm of people out for training, a new reconfiguration, and finally the spring break travel. But it was simply unacceptable when our taxpayers are paying for TSA. In fact, this Congress authorized $100 million—$90 million more than they asked for in the last budget year.

I have appreciated TSA Administrator Neffenger coming to Minnesota, saying that it was unacceptable, saying that they were hiring people with the budget money that was provided.

There are also plans to use these K–9 units not just in the perimeters of the bill we passed today but also on these lines. Not only do these dog teams add more security, by working a line of passengers, they actually speed up that line because then those passengers essentially become precheck passengers and they don't have to be prechecked. They become prechecked because of the dogs, and that speeds up everything for all airport passengers.

I think we have seen enough of these terrorist attacks across the country, planes with bombs going down in other places. We know this is a danger. We don't want this in our homeland.

I appreciate the support of my colleagues on these amendments. We will continue to work on security issues.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

PERMANENT VA CHOICE CARD ACT

Mr. MCCAIN. Mr. President, I rise today to discuss the urgent need for Congress to reform how the Department of Veterans Affairs delivers health care to our Nation's veterans. One of the great scandals and shameful aspects of the greatest Nation in the world is the way we treat our veterans. I believe important progress has been made since the scandal in which veterans died, waiting on nonexisting wait-lists for care at the Phoenix VA medical center and VA hospitals around the country, but we have a long way to go to fulfill our solemn promise to every veteran who has served and sacrificed.

In the matter of that terrible scandal, I was proud that Congress quickly acted to pass the bipartisan Veterans Access, Choice, and Accountability Act. That bill was an important first step—and I emphasize ''first step''—in reforming the gross mismanagement and lack of accountability at the VA.

In my view, the hallmark of the bill is the Choice Card Program, which for the first time allows any veteran who is waiting more than 30 days for an appointment or who lives more than 40 miles from a VA health care facility to receive a Choice Card that they can use to visit a participating doctor in their community instead of being forced to wait with no recourse.

So how is the VA Choice Card working? My colleagues in the Senate and I continue to hear from veterans in Arizona and across the country about their ongoing problems receiving care. Veterans find that VA staff don't know about the Choice Card or how to authorize care through it. Veterans are forced to wait on hold for hours with a call center in order to schedule an appointment. Community doctors and hospitals that volunteered to participate in the Choice Program are not getting paid for their services. Veterans who are able to use the Choice Card once and need to use it again have to start all over from scratch. Veterans still have to drive long distances to get prescription medications.

There should be no doubt that the VA is failing to fully and effectively implement the Choice Card. In doing so, it is preventing our veterans from receiving the flexible care they have earned and deserve.

We know that when implemented correctly, the Choice Card Program is improving care for our veterans. After an extremely difficult start, the VA Choice Card is now authorizing more than 110,000 appointments for veteran care per month—over 5,000 per workday. Each of these appointments represents a veteran's appointment that would otherwise be delayed and pending for months in the VA scheduling system. It also frees up appointments at the VA for veterans who do not use the Choice Card, helping countless veterans receive an appointment faster.

We have also seen what can happen when the VA properly reimburses community doctors for their services. In the western region alone, community doctors participating in the VA Choice Program have increased from around 95,000 to nearly 160,000. More than 90 percent of all doctors are being paid within 30 days, and the vast majority of doctors are choosing to stay in the VA Choice Program—mainly because of their love of country—to treat our Nation's veterans.

Moreover, we have seen that when the VA is equipped to handle the demand for Choice Program appointments made through call centers, veterans are getting their appointments faster. Recent openings of new call centers have greatly reduced wait and on-hold times among our veterans. Today, wait time averages for veterans calling into the western region call centers for Choice Card appointments are less than 1 minute.

As a result of a positive VA policy change last year, contractors are now able to contact veterans and ensure that their authorizations for care are approved ahead of time so that appointments can be made much faster over the phone.

While we are seeing important progress as a result of the Choice Card, far too many veterans are still experiencing long wait and on-hold times with call centers and confronting difficulties getting an appointment. Unfortunately, some veterans, veterans service organizations, and opponents of the VA Choice Card cite these shortcomings as evidence that the whole Choice Card Program is broken and needs to be eliminated. These opponents are wrong, and they know it. The problem isn't the Choice Card; it is that the VA refuses to implement it correctly.

Instead of working to solve the problems at the VA head-on, the same bureaucrats who have completely bungled the implementation of the VA Choice Card are using their own failures as an excuse to shut down the entire program. Allowing them to do so would only send veterans back to the unacceptable status quo of never-ending

wait times for appointments. Does anybody want to return to the status quo?

I refuse to send our veterans back to the nonexistent wait-lists that led to the scandal of denied and delayed care in the first place. Every representative in Congress and every official at the VA should too. According to a poll recently released by Gallup, the American people overwhelmingly agree. Ninety-one percent of survey respondents believe that veterans should be allowed to get health care from any provider who accepts Medicare, not just the VA.

This chart describes the main problems with VA health care before the Choice Program. Today, military and civilian retirees; Federal employees, including VA employees; ObamaCare enrollees; civilians on employer insurance plans; and refugees and illegal immigrants have the ability to choose their doctors. The only group of Americans who is still being denied universal choice in health care is disabled veterans. How is it that we have created a system where virtually everyone in America gets to choose their doctor except for our Nation's disabled veterans?

Our veterans want and need the opportunity to choose the health care that works best for them. It is simply unacceptable that half a million veterans nationwide today are waiting for a medical appointment that is scheduled more than 30 days from now. We can address this crisis now by making simple changes to the law. Under the law, the VA Choice Card pilot program expires next year. We cannot and will not go back to the way our VA operated before the scandal.

While some senior VA leaders are aggressively implementing the Choice Program, many others believe veterans should be forced to stay within the walls of the VA no matter what. Making the program permanent will send a clear message that we refuse to send veterans back to the days of denied and delayed care. That is why I introduced legislation to make the VA Choice Card permanent and universal. I believe every veteran—no matter where they live or how long they are waiting for an appointment—should have the ability to see a doctor of their choice in their community.

Last week I held a townhall meeting with veterans in Phoenix, AZ, along with Mike Broomhead, a distinguished leader in our community. With tears in their eyes and frustration in their voices, veterans described the unending wait times for appointments and difficulty obtaining and using the Choice Card to receive the care they want and need. More than 2 years after the scandal in care first arose in Phoenix, AZ, and more than a year after reform legislation was signed into law, the VA is still failing our veterans.

It doesn't have to be this way. There are additional steps we can take now to reform this broken health care system. That is why I recently announced my Care Veterans Deserve action plan. The elements of my plan address some of the most urgent problems still plaguing the VA.

First, the action plan proposes keeping the VA open later during the week and opening the VA on weekends for local doctors and nurses to treat our veterans. This would address the most common complaint we hear that wait times for appointments are still too long. In Arizona, wait times have gotten worse—not better—over the last year, with more than 10 percent of all the Arizona veterans having to wait more than 30 days for care at the VA.

Despite these long wait times, veterans are still not allowed to make appointments past 3 p.m. during the week and have very few appointment options on weekends. VA employees abruptly close clinics no matter what a veteran needs at the end of the day. By keeping the VA open later and adding hours on weekends, we can address these unacceptably high wait times and maximize the use of our VA facilities.

I have also proposed in the Care Veterans Deserve action plan that the VA allow community walk-in clinics to treat veterans for minor injuries and illnesses such as a cold, the flu, allergies, sinus infections, immunizations, vaccines, sore throats, and minor headaches. Again, this would greatly reduce the need for veterans to visit VA emergency rooms after hours and would free up appointments for everyone waiting for care at the VA.

The plan also proposes that we require VA pharmacies to stay open until 8 p.m. during the week and for at least 8 hours on Saturday and Sundays. This would tackle a common complaint among our working veterans who cannot visit VA pharmacies during their limited workday hours to obtain a prescription. It is absurd that a civilian can go to a pharmacy 24 hours a day in most cities in America, but VA pharmacies close early on weekdays and completely on the weekends.

I also propose in this action plan that individual VA hospitals undergo peer review from the best in health care: Mayo Clinic, Cleveland Clinic—there is a long line of them—and other top-tier health care networks. I was disappointed that the independent review required by the Veterans Access, Choice and Accountability Act only resulted in a high-level review of the VA health care system. Its findings were so broad and general that they provided Congress with very little guidance on what is happening at individual VA hospitals in our States. By requiring the VA to undergo peer reviews from the best in health care, we will have better insight into how to fully reform the VA health care system.

I intend to include the elements of that action plan in a bill I will introduce in this Congress. By enacting legislation as soon as possible, we can fix the serious inequity in veterans health care. It is absurd to me and many others that virtually every American receives Federal subsidies for choice and freedom in health care while veterans are forced to wait in line and ask permission from a VA bureaucrat before getting access to care.

I thank my colleagues for working with me on these and other measures that will help finish the work we started nearly 2 years ago with the Veteran Access, Choice and Accountability Act and urge passage of my commonsense reforms as soon as possible.

Before I close, I want to take a moment to applaud the efforts of my friend from Georgia, the chairman of the Senate Veterans' Affairs Committee, JOHNNY ISAKSON, for his leadership, particularly on the issue of accountability at the VA. One of the most disgraceful aspects of the scandal at the VA is that only a small number of senior VA executives responsible for the wait-time scandal were fired. This was despite the fact that Congress provided the VA Secretary broad authority to hold corrupt executives accountable for wrongdoing. I look forward to working with Chairman ISAKSON and my colleagues in the Senate to pass legislation that would ensure we hold all those responsible for denied and delayed care, even the deaths of some, accountable.

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

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

EUREKA ACT

Mr. WICKER. Mr. President and my fellow colleagues, I once again come to the floor to talk about Alzheimer's and the efforts being made in this country and in this Senate and in this city to find a cure and find better treatments for the scourge of Alzheimer's. Many of you know this is the most expensive disease our country has ever seen; one-half trillion dollars a year in costs to programs that we need to protect like Medicare, Medicaid. This will rise to $1 trillion per year in the lifetime of many people within the sound of my voice unless something is done.

I am so appreciative of the some 1,200 people who descended on Washington this week advocating on behalf of the millions of Americans living with Alzheimer's and their family members. I was honored to be invited to their conference and to speak to over 1,000 people in the hotel where they were meeting earlier this week. They then came to Capitol Hill to visit in the offices of Senators and Members of the House of Representatives, and I had a great meeting on Wednesday in my office. We want to reaffirm our dedication to putting an end to this terrible disease. My mom died with dementia. Most of us have family members who have had Alzheimer's or who have been impacted by Alzheimer's.

I appreciate the support of my colleagues in this Congress for NIH funding. It is very important to continue funding, to continue increasing the funding for the excellent work done by the National Institutes of Health to fight Alzheimer's disease and fund Alzheimer's research.

I appreciate my colleagues voting for a $350 million increase in research for Alzheimer's disease, but of course this falls far short. This is funding that experts say is needed to reach our goal of curing Alzheimer's within the next decade. Along those lines, I have introduced legislation that I think gives us a different way to approach the disease of Alzheimer's. My bill is called the EUREKA Act that involves a prize competition, in addition to everything we are doing in research, everything NIH is doing, and all the research being done around the country. It is a prize competition inviting innovators, inviting people to think outside the box, come forward, and give us their ideas.

EUREKA stands for ''Ensuring Useful Research Expenditures is Key for Alzheimer's.'' Of course, the Greek translation for Eureka is ''I found it.'' That is what we are trying to do—trying to find a cure for Alzheimer's, trying to find milestones that will lead to a cure, and trying to find treatments to help those suffering from the disease.

The goal of my EUREKA Act is to find the best and brightest minds in the country, the best and brightest minds in the world, to come forward and use their ingenuity to solve this complex problem. As I have reiterated in visits with Member after Member, and I have reiterated on the floor, with a prize competition, we pay only for success. Regardless of the amount of money we put on the prize, you don't pay the money until we have success, which is one of the reasons this EUREKA provision wouldn't come out of NIH funding. It would add to it, and we would only pay the money if we got the result, which of course would be far more valuable than the prize.

The numbers associated with Alzheimer's are daunting—even worse, chilling. The disease affects 5 million Americans. The number of people with Alzheimer's is on the rise, as we all know. It is the sixth leading cause of death in America and, again, it is the most expensive disease in America: $236 billion this year and $1 trillion per year by the year 2050. Of course, there is a huge burden for the caregivers also.

There is good news, to be sure. It was announced last week that there's been an analysis by UsAgainstAlzheimer's, and it showed some 17 drugs for Alzheimer's could be launched in the next 5 years. In Mississippi, the University of Mississippi Medical Center in Jackson has developed a service called TeleMIND as part of its MIND Center. Telehealth technology is being used to attack Alzheimer's, to treat Alzheimer's patients, and make life better for them and their family.

Let us try the concept of EUREKA also. Let us try the concept of offering a prize to young minds. Perhaps people from around the world might come to the United States. This might be someone in a basement or in his mom's garage or might be some major international corporation. We don't care. We want to offer an incentive for somebody to come around, think outside the box, and get us to a cure quicker.

Prizes have a history of success. In 1927, Charles Lindbergh achieved a nonstop flight between New York and Paris. He won a prize of $25,000 in so doing. In 2004, the XPRIZE—sponsored by the XPRIZE Foundation—offered $10 million for the first reusable manned spacecraft. You know what happened. It drew down $100 million in investments, this $10 million prize. In 2011, $1 million was awarded for a breakthrough in oilspill cleanup. So prizes work. It can work, in addition to the research NIH is doing around the country.

Let me say, in addition to myself as principal sponsor of this act, we now have 39 cosponsors among this 100-person Senate. We are day-by-day, step-by-step getting toward a majority. It is my hope the leadership of the HELP Committee that is now working on the 21st Century Cures Act that came over from the House with an overwhelming bipartisan vote—I hope we can, in a bipartisan fashion, with the leadership of Senator ALEXANDER, with the leadership of Senator MURRAY—his lead Democrat on the committee—I hope we can make a decision to add the EUREKA bill to the 21st Century Cures Act, to have this extra opportunity, in addition to everything we are doing, to cure Alzheimer's.

I would urge my colleagues, I would urge the staff members who might be listening to this, to check and see if their Members have cosponsored this and to help us with an additional tool to attack the problem of Alzheimer's.

Thank you very much, Mr. President.

I thank my colleague from Michigan for deferring for a moment or two while I make these remarks.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

FLINT, MICHIGAN, WATER CRISIS

Mr. PETERS. Mr. President, it is very hard for me to believe I am once again standing on this floor. I have to come before my colleagues in the Senate to report that despite the fact that we have been building bipartisan support for legislation that will address the catastrophic situation in Flint, we still have one Senator standing in the way of this coming to a vote.

It has been now nearly 2 months since Senator STABENOW and I introduced legislation to deal with the catastrophic crisis in the city of Flint, MI. Since that time, we have been able to build a broad coalition of folks on both sides of the aisle, Republican cosponsors who have joined with us to say it is time for this body, it is time for the Senate, to stand and help those in need in the city of Flint, as well as issues all across this country. Senator STABENOW and I offered legislation, along with Senator INHOFE, and a long list of Democrats and Republicans, including Senators BURR, CAPITO, KIRK, and PORTMAN, have been working very closely with Senator MURKOWSKI as chair of the committee as well.

Yet we have one Senator, one Senator who says that is not enough. He wants to have more, and he is standing in the way of the people of Flint getting the help they desperately need. He is standing in the way of children like this young infant who appeared on the cover of Time magazine. To me, those eyes are very compelling, and I think those eyes are very compelling to every American who has witnessed what has happened in that city, who has witnessed the horror and the tragedy of having poisoned water going into people's bodies for many months while the State government dropped the ball.

I will say folks around the country have responded. There has been an outpouring of help from people in every corner of this great country of ours. People have sent bottled water. They have sent filters and are providing resources. It is what our country does. It is what our people do when we see people in crisis. We stand and lend that helping hand. We know any one of us at any time could be in that situation. The wonderful thing about being an American is that as Americans we look out for each other. We know we are a community, a very special place in this world, and we look out for each other.

That is why people back home in Michigan—and as I travel around the country—people are at a loss and wondering why the U.S. Congress hasn't done something to address this issue. When I tell them we have legislation that will help deal with infrastructure, not just in Flint but in communities all across the country, that will plus-up public health programs to deal with lead poisoning at a time when we realize lead poisoning is not just an issue for Flint but is an issue for communities all across this country and one we need to focus on and probably ignored for far too long, they wonder why we have not acted. When I tell them we have one Senator—just one Senator—standing in the way, it only adds to their belief that this is a dysfunctional place; that partisanship and polarization have prevented this body from doing what is right.

We can't forget the people of Flint, and I know many of my colleagues on the Senate floor have not. That is why we have been able to get broad support from both Democrats and Republicans, who have come together and said to both my senior Senator, Ms. STABENOW, and me: We understand it is a problem in Flint, but we also understand it is a problem in other communities around the country. Let us design legislation to deal with that.

That is what we have before us. We have legislation that will provide money for those cities that may be in

a declared emergency, which is where we are with the city of Flint, but we also know there may be other communities in this country—in fact, we think there will be a community very soon—that will also have a declared water emergency that will be able to access those funds. We also know aging infrastructure is not unique to the city of Flint. It is with cities all across the country, especially older urban areas that have lead surface lines, but there are certainly many rural areas that have that as well. Those pipes need to be taken out.

In this legislation, we create a fund that will allow money to be loaned to those communities—oftentimes, communities that don't have a lot of resources but desperately need infrastructure improvement. It is a loan fund that will be paid back to the taxpayers but will extend the money necessary to make improvements that truly will be lifesaving improvements for the citizens in those cities.

We also plus-up a number of public health programs from the CDC that deal with lead poisoning in children.

The insidious thing about lead poisoning is that once it gets into the brain of a young child—like this child who is looking at us right now in this picture I have in the Chamber—it has lasting effects. It has lifetime effects. We need not only to embrace that child with our love but understand that the child is going to need health care for decades. That child is going to need educational support to be able to pursue his or her version of the American dream that he or she may have. They are going to need to have, in addition to education and health care, good nutrition, making sure the food they eat will provide their bodies with the nourishment that can counter some of the impacts of lead.

But it is not just the children; it is everybody in the city of Flint. Senior citizens have also been impacted. I have gone door to door in Flint and worked with volunteers, including the American Red Cross, delivering bottled water to the people of Flint. I never thought I would have to go with the American Red Cross to deliver bottled water to a community because the water they were getting out of their pipes was poisoned—not in this country, not in the United States of America. But that is what people are doing, and filters as well are being given door to door.

The people of Flint are appreciative. Please know they are extremely appreciative of the generosity they have seen from people across this country and from FEMA response as well, but they are also frustrated. People can't bathe with bottled water. They are cooking and cleaning food—all of the basic things we take for granted each and every day. It is simply impossible to live just on bottled water and have that bottled water delivered to them every few days. It is not a workable system. It is unacceptable, and it certainly should be unacceptable to everybody in this country.

That is why we need to have a long-term solution. It has to be a long-term solution that will fix the problem permanently by making sure the infrastructure improvements are there, lead pipes are pulled out, but makes sure other support services are going to be there for decades.

My fear for the people of the city of Flint is that although they have been the beneficiaries of a great outpouring of love and support from people around the country, they have been able to get that because the spotlight has been on Flint and the TV cameras are in Flint. We all know in today's media world that those cameras will eventually go away. There won't be media attention for Flint. There won't be the bright lights of publicity motivating people to do what is needed in the city of Flint. When those lights go down and when it goes dark, the people of the city of Flint will still be confronted with this absolutely catastrophic situation that is impacting them in their homes. It is impacting businesses—businesses that have been rocked as a result of this. People don't want to go to restaurants because they are not sure of the water there. Real estate values have plummeted. This is a different kind of a disaster than a natural disaster if a hurricane goes through or a tornado goes through. Then we can rebuild, and it can be as good as new.

Our concern with Flint is that there will always be this stigma attached to the city as a result of this, and if that stigma is there, it is going to make it even more difficult.

The people of Flint are resilient and courageous and brave and strong. They will survive, but we need to be there to lend that helping hand. That is why it is even more frustrating to me, given the fact that when we have natural disasters across this country, this body—the Senate—acts. We send money. We help those local governments. The State governments provide help.

Now, I know some colleagues have said that this is not a natural disaster, that this is a manmade disaster. All I can say is to ask that child when he or she grows up: Does it make a difference that it was a manmade disaster or a natural disaster? Ask the senior citizen in Flint right now. Ask the parent who is concerned about that child. Does it make any difference? I don't think any American here thinks it makes a difference. There isn't anybody in this country who thinks it makes a difference. A disaster is a disaster.

Now, it is true the State government messed up horribly in Michigan. In fact, the Governor's own task force that he appointed to look into it clearly points the finger at the State of Michigan and the incompetence that was shown by the government of the State of Michigan. That is a given. They are primarily responsible and need to step up, and they have. But they need to do a whole lot more than what they have done so far.

But even though the State has to do that and must do that, that doesn't prevent us, the Federal Government, from also standing up and saying: We can help as well because that is what we do. It is what the American people expect us to do. I certainly hope my colleagues will help Senator STABENOW and I move this legislation forward. If we can't get around this one Senator who wants to constantly move the goalpost, who wants to change the basis of negotiations even though this legislation is completely paid for—we have used a pay-for that Senator STABENOW fought for, authored to help manufacturers in the Midwest. I fought aggressively to keep that fund when I was a Member of the House. This is something that is important to us, but we know that dealing with a catastrophic situation in Flint and water infrastructure across this country so that we don't have any more Flints is more important. That money will be used to help the people of Flint and communities across this country. Not only does it pay for this, but it actually reduces the deficit at the same time.

I think it is important to say that usually when a disaster hits this country, we don't look for pay-fors. We step up and provide money for people in need. We have been asked to come up with a pay-for, and we did—completely paid for while reducing the Federal deficit at the same time. Yet we have one Senator who wants more. He wants more.

I don't know how that one Senator can hold up something that has been able to get this kind of bipartisan support and can hold up something that is so important to this child in this picture. How can you stand in the way? If that one Senator does not like this legislation, that is fine. They can vote against it. But allow the other 99 Senators in this body an opportunity to have their say. That is the way this institution is supposed to work.

I still believe in this institution. I still believe the Senate can do better than allowing one Member to stand in the way of helping this child and other children just like this one.

It is now our task as Members of this body to come together and say: Enough is enough. We are going to help somebody in this country no matter who you are, no matter where you live, no matter the circumstances. If you have been hit by a major disaster, we will stand with you. We will help you. That is who we are as Americans. It goes to the very core of our values.

It is now up to my colleagues here in the Senate to please join Senator STABENOW and me and our long list of both Democratic and Republican cosponsors. Put this legislation on the floor. Let's vote on it, let's pass it, and let's help the people of Flint and other folks all across the country.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

TRIBUTE TO TRENT HARMON AND LA'PORSHA RENAE

Mr. WICKER. Mr. President, I don't know what other Members of the Senate will be doing at 8 p.m. eastern time, but I can tell you I will be in front of my television set watching ''American Idol.'' We all take pride in people from our own States, but I want to boldly predict that the winner of ''American Idol'' tonight will be a contestant from my State of Mississippi. The reason I am so certain of this is that two talented Mississippians are the two finalists remaining in the ''American Idol'' competition tonight.

They say this will be the final season of ''American Idol.'' Perhaps we are only going to have a timeout for a few years, and we will see it back. This is the 15th season of ''American Idol.'' I am so proud to announce to my colleagues in the Senate and to the Presiding Officer that the two finalists are none other than Trent Harmon of Amory, MS, and La'Porsha Renae of McComb, MS.

Now, in Mississippi we proudly call ourselves the Birthplace of America's Music, and I think we do that with some justification. From blues to country to rock and roll, our State has produced more Grammy award winners per capita than any other State in the Nation. Elvis Presley comes from Mississippi, as well as Robert Johnson, B.B. King, Jimmie Rodgers, Charley Pride, Faith Hill, and the list goes on and on and on.

Last month, I was honored to participate in the opening of the Grammy Museum in Cleveland, MS. There are now two Grammy museums in the country. One is in Los Angeles and the other is in the Mississippi Delta in Cleveland. The Mississippi Delta is a testament to the many musical inspirations that have emerged there.

In 1986, Paul Simon sang: ''The Mississippi Delta is shining like a National guitar.'' He sang that line 20 years before the first Mississippi Blues Trail marker was placed, but he was correct. We now have some 200 Blues Trail markers across our State, and I invite each and every Member and all the rest of you to come and visit those locations in Mississippi.

But tonight, the entire State of Mississippi will be shining like a national guitar with talents like La'Porsha Renae and Trent Harmon. They are keeping our legacy alive. They represent the wide range of Mississippi's musical influences. It was wonderfully touching to watch the video of their hometown visits, where the people came out to support them, showing off their Mississippi talent and the dedication of their fans.

Trent Harmon is from Amory, MS. He grew up on his family's farm, working in his parents' restaurant, the Longhorn Fish and Steakhouse. Growing up in Amory is truly a small town beginning. The town has a population of around 7,500 people. Trent's interest in music was apparent from early on, as he spent his time in high school and college performing in musicals. My wife and I have numerous times been to Amory High School to see Trent Harmon perform in programs such as ''Joseph and the Amazing Technicolor Dreamcoat,'' ''Forever Plaid,'' and other performances. He was a star then, and he is going to be a star in the future. Trent's powerful voice and versatility seem effortless. He can do it all, from southern soul to R & B.

La'Porsha Renae comes from McComb, MS, down in the southwestern part of our State. She worked for a call center before auditioning for ''American Idol.'' She has shared with America the details about her story of survival from an abusive relationship in which she had to seek refuge in a women's shelter. Her soulful voice has been compared to Aretha Franklin, and the emotion she pours into every performance is truly show-stopping. She credits her former high school algebra teacher, Angelia Johnson, as one of her biggest mentors who encouraged her to embrace her own signature style. La'Porsha dedicated last night's moving performance of ''Diamonds'' to her young daughter who was in the audience.

So when it comes to talent, I believe ''American Idol'' may have saved the best for last, and I very much anticipate a great performance tonight. Millions of Americans will choose one of these outstanding young Mississippians as the latest, but perhaps not the last, ''American Idol.''

Trent and La'Porsha have made Mississippi proud. They have made me proud, and I wish them all the best tonight and in their future musical careers. I am quite certain that both of them will be incredibly successful.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENTS NOS. 3499, AS MODIFIED; 3508; AND 3505 TO AMENDMENT NO. 3464

Mr. THUNE. Mr. President, I ask unanimous consent that the following amendments be called up and reported by number: Wyden No. 3499, as modified; Collins No. 3508; and Tester No. 3505.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendments by number.

The senior assistant legislative clerk read as follows:

The Senator from South Dakota [Mr. THUNE], for others, proposes amendments numbered 3499, as modified; 3508; and 3505 to amendment No. 3464.

The amendments are as follows:

AMENDMENT NO. 3499, AS MODIFIED

(Purpose: To require a review of heads-up guidance system displays)

At the end of subtitle D of title II, add the following:

SEC. 2405. HEADS-UP GUIDANCE SYSTEM TECHNOLOGIES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a review of heads-up guidance system displays (in this section referred to as ''HGS'').

(b) CONTENTS.—The review required by subsection (a) shall—

(1) evaluate the impacts of single- and dual-installed HGS technology on the safety and efficiency of aircraft operations within the national airspace system;

(2) review a sufficient quantity of commercial aviation accidents or incidents in order to evaluate if HGS technology would have produced a better outcome in that accident or incident; and

(3) update previous HGS studies performed by the Flight Safety Foundation in 1991 and 2009.

(c) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report containing the results of the review required by subsection (a).

AMENDMENT NO. 3508

(Purpose: To continue the contract weather observers program through the end of fiscal year 2017 and to require the FAA report to identify the process through which the FAA analyzed the safety hazards associated with the elimination of the contract weather observer program)

On page 40, line 15, strike ''and'' and all that follows through line 25, and insert the following:

(3) indicating how airports can comply with applicable Federal Aviation Administration orders governing weather observations given the current documented limitations of automated surface observing systems; and

(4) identifying the process through which the Federal Aviation Administration analyzed the safety hazards associated with the elimination of the contract weather observer program.

(b) CONTINUED USE OF CONTRACT WEATHER OBSERVERS.—The Administrator may not discontinue the contract weather observer program at any airport until October 1, 2017.

AMENDMENT NO. 3505

(Purpose: To direct the Comptroller General of the United States to study the costs of deploying advanced imaging technologies at all commercial airports at which TSA security screening operations procedures are conducted)

At the appropriate place, insert the following:

SEC. ___. GAO STUDY OF UNIVERSAL DEPLOYMENT OF ADVANCED IMAGING TECHNOLOGIES.

(a) STUDY.—The Comptroller General of the United States shall conduct a study of the costs that would be incurred—

(1) to redesign airport security areas to fully deploy advanced imaging technologies at all commercial airports at which security screening operations are conducted by the Transportation Security Administration or through the Screening Partnership Program; and

(2) to fully deploy advanced imaging technologies at all airports not described in paragraph (1).

(b) COST ANALYSIS.—As a part of the study conducted under subsection (a), the Comptroller General shall identify the costs that would be incurred—

(1) to purchase the equipment and other assets necessary to deploy advanced imaging technologies at each airport;

(2) to install such equipment and assets in each airport; and

(3) to maintain such equipment and assets.

(c) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Comptroller General shall submit the results of the study conducted under subsection (a) to the appropriate committees of Congress.

VOTE ON AMENDMENTS NOS. 3499, AS MODIFIED; 3508; 3505; 3495; AND 3458, AS MODIFIED

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate now vote on these amendments, as well as the Heller amendment No. 3495 and the Casey-Toomey amendment No. 3458, as modified, en bloc.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. THUNE. Mr. President, I know of no further debate on these amendments.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the amendments en bloc.

The amendments (Nos. 3499, as modified; 3508; 3505; 3495; and 3458, as modified) were agreed to en bloc.

MORNING BUSINESS

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

OBSERVING CONGRESS WEEK

Mr. HATCH. Mr. President, I wish to call the attention of my colleagues to the 227th anniversary of Congress' first quorum, which the House of Representatives achieved on April 1, 1789, and which the Senate achieved 5 days later. In the first week of April, the Association of Centers for the Study of Congress remembers these milestones by observing Congress Week—an annual celebration which includes commemorative events at member institutions across the country.

The Association of Centers for the Study of Congress is composed of more than 40 universities that work to preserve the historical collections of Members of Congress. The organization's goal is to promote public understanding of the House and the Senate by focusing on the history of Congress and its role in our constitutional system of government. Having served as a member of this body for nearly four decades, I understand well the importance of keeping good records, which is why I am sincerely grateful for the Association of Centers for the Study of Congress and its efforts to help us in this endeavor.

While Presidents have Presidential libraries maintained by the National Archives, we—the Members of Congress—are responsible for preserving our own personal documents. Only by archiving these records will historians, students, and teachers be able to appreciate the vital role that Congress has played in our national history.

As President Pro Tempore, I am committed to upholding the reputation and dignity of this institution. Part and parcel to that effort is preserving the Senate's history. To this end, I strongly encourage my colleagues to keep comprehensive records of their work in Congress. Just as important as writing legislation is maintaining a thorough record of the bills we pass, so that future generations can appreciate the historical importance of our accomplishments.

Serving as a Member of the world's greatest deliberative body is no small honor; it is a tremendous privilege that none of us should take for granted. The American people have placed their confidence in our ability to effect meaningful change for the good of the country. May we honor this sacred trust by keeping detailed archives of the work we do here.

ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD–423.

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

DEFENSE SECURITY COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16–14, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to the Kingdom of Saudi Arabia for defense articles and services estimated to cost $200 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J. W. RIXEY,
Vice Admiral, USN, Director.

Enclosure.

TRANSMITTAL NO. 16–14

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Kingdom of Saudi Arabia.

(ii) Total Estimated Value:

Major Defense Equipment* $0 million.

Other $ 200 million.

Total $ 200 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: The Kingdom of Saudi Arabia has requested a possible sale of three years of support services by the United States Military Training Mission to Saudi Arabia (USMTM). USMTM is the Security Cooperation Organization (SCO) responsible for identifying, planning, and executing U.S. Security Cooperation training and advisory support for the Kingdom of Saudi Arabia Ministry of Defense.

(iv) Military Department: U.S. Army (ABT, Basic Case).

(v) Prior Related Cases, if any: SR–B–ABS–A01; $90M; implemented 30 Dec 13.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: None.

(viii) Date Report Delivered to Congress: February 17, 2016.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Kingdom of Saudi Arabia—Support Services

The Government of Saudi Arabia has requested a possible sale of support services by the United States Military Training Mission to Saudi Arabia (USMTM). USMTM is the Security Cooperation Organization (SCO) responsible for identifying, planning, and executing U.S. Security Cooperation training and advisory support for the Kingdom of Saudi Arabia Ministry of Defense. The estimated cost is $200 million.

This proposed sale will enhance the foreign policy and national security objectives of the United States by helping to improve the security of an important partner which has been and continues to be an important force for political stability and economic progress in the Middle East.

This proposed sale will provide the continuation of Technical Assistance Field Teams (TAFT) and other support for USMTM services to the Kingdom of Saudi Arabia. The proposed sale supports the United States' continued commitment to the Kingdom of Saudi Arabia's security and strengthens U.S.-Saudi Arabia strategic partnership. Sustaining the USMTM supports Saudi Arabia in deterring hostile action and increases U.S.–Saudi Arabia military interoperability. Saudi Arabia will have no difficulty absorbing this support.

The proposed sale will not alter the basic military balance in the region. It will support Combatant Command initiatives in the region by enabling Saudi Arabia's efforts to combat aggression and terrorism.

There is no prime contractor associated with this proposed sale. There are no known offset agreements in connection with this potential sale.

Implementation of this proposed sale will approve the permanent or temporary assignment of up to 202 case-funded U.S. Government or contractor personnel to the Kingdom of Saudi Arabia.

There will be no adverse impact on U.S. Defense readiness as a result of this proposed sale.

TRIBUTE TO HARRIS WOFFORD

Mr. CASEY. Mr. President, today I wish to extend my best wishes to former Pennsylvania Senator Harris Wofford as he celebrates his 90th birthday this April 9. Harris is a close friend and trusted adviser, and I would like to take this time to not only wish him the best on this milestone, but to reflect upon his remarkable life. His story is interwoven into the fabric of our Nation; from a young boy campaigning for Franklin D. Roosevelt during the Great Depression, to a pilot defending freedom in World War II; from a trusted adviser to the Reverend Dr. Martin Luther King, Jr., and President John F. Kennedy during the civil rights movement; to a participant in the 1965 march from Selma to Montgomery; from a peace activist arrested in protest of police brutality during the 1968 Democratic National Convention; to a Senator championing universal healthcare in the 1990s. The story of Harris Wofford is the story of the steady march of equality and progress. He answered President Kennedy's call on a cold inaugural day in 1961 to ''Ask not what your country can do for you; ask what you can do for your country.''

Harris's potential for leadership was evident early in high school amidst the chaos of World War II when he founded the Student Federalists, an organization which advocated for a united world government in order to bring about lasting peace. By the time he turned 18, the organization had grown to over 1,000 members in 30 chapters and led Newsweek to predict that the intrepid young man would one day rise to be President. He went on to graduate from the University of Chicago in 1948 and then enrolled in Howard University Law School, finishing his education with a degree from Yale Law School in 1954, just as the civil rights movement was truly picking up momentum.

In 1957, Harris joined the U.S. Commission on Civil Rights as a legal assistant to Reverend Theodore M. Hesburgh, the president of Notre Dame University. When Senator John Kennedy ran for President in 1960, he was asked to join the campaign as a civil rights coordinator. It was during that close election that Harris made one of his most lasting contributions to American history. In October 1960, Dr. King was arrested in Georgia while battling segregation, and in those tense hours after his arrest, Harris Wofford suggested to Sargent Shriver that Kennedy call Dr. King's wife, Coretta Scott King, and offer his support. Kennedy made the call despite the political risk. The news of the Democratic candidate for President—the nominee of a party that still held deep roots in the Jim Crow South—calling the wife of Dr. King was powerful and helped sway many African-American voters to Kennedy, which some feel decided the election.

After the election, Harris Wofford joined the Kennedy Administration as special assistant to the President for civil rights and the chairman of the Subcabinet group on civil rights. He helped Shriver in the founding of the Peace Corps in 1961, and, as was common for him, he not only advocated for the idea, but also served as the director of operations in Ethiopia and the organization's special representative to Africa. In 1964, he was named associate director of the Peace Corps.

He reentered the world of academia in 1966 as president of the State University of New York at Old Westbury. His career brought him to Pennsylvania as president of Bryn Mawr College in 1970. Later he practiced law in Philadelphia. After 16 years in Pennsylvania, he was asked to reenter the political world in June 1986 as chairman of the Pennsylvania Democratic Party. When my father was elected Governor of Pennsylvania that year, he asked Harris Wofford to serve as the Secretary of the Department of Labor and Industry for the Commonwealth. In May 1991, after the tragic death of Senator John Heinz in a plane crash, my father appointed Harris Wofford to fill the vacancy until a special election could be held. After winning a surprise victory in the special election under the banner of universal healthcare, Senator Wofford used his time in the Senate to foster the development of national service and to push for health insurance. He was a key sponsor in the establishment of the Corporation for National and Community Service and worked closely with Representative JOHN LEWIS to establish Martin Luther King, Jr., Day as a National Day of Service.

Although Senator Wofford was defeated in his reelection attempt in 1994, President Bill Clinton appointed him as the chief executive officer of the Corporation for National and Community Service, CNCS. His lifelong advocacy for national and community service made him an ideal choice to lead the CNCS into an influential organization, and, under his leadership, the organization's volunteer branches grew to over 50,000 members. After leaving the CNCS in 2001, he continued his dedication to public service and civil rights through his work on the boards of the America's Promise Alliance, Malaria No More, Youth Service America, the Points of Light Foundation, and as a trustee of the Martin Luther King, Jr., Center for Non-Violent Social Change.

Throughout his life, Harris Wofford has left an indelible mark on our Nation's history and the lives of those who have had the privilege to work with him. When I took the oath of office for the U.S. Senate in 2007 to fill the seat he once held, I was honored and humbled to have him with me at the ceremony. For over 90 years, he has stood for courage, idealism, and a steadfast defense of equal rights for all Americans. As we look back on the growth of community service and the march of civil rights in our Nation's history, we see the steady, guiding hand of Harris Wofford. I am grateful for his experienced counsel and support on the many issues facing our Nation today, and I am pleased that he shows no signs of slowing down. On behalf of the Commonwealth of Pennsylvania and a grateful Nation, I am pleased to once again wish Harris Wofford a happy birthday and many more years of health and happiness.

HONORING CARL ALLEN KOONTZ

Mr. DONNELLY. Mr. President, today, on the eve of what would have been his 27th birthday, I rise to recognize and honor the extraordinary service and ultimate sacrifice of Howard County, IN, deputy Carl Koontz. Dedicated, loyal, and, above all, compassionate to those in need, Deputy Koontz served with the Howard County Sheriff's Department for nearly 3 years.

A native of Kokomo, IN, and a graduate of Western High School and Indiana University Kokomo, Carl served his community with dedication as a corrections officer prior to attending the Indiana Law Enforcement Academy and achieving his dream of becoming a sheriff's deputy. Those who served alongside Deputy Koontz describe him as selfless, dedicated, and determined. A respected friend, leader, and mentor, he touched the lives of all who had the privilege to know him, including the students and staff of the Northwestern School Corporation, where he served as a school resource officer.

On March 20, 2016, while serving a search warrant, Deputy Koontz and Sergeant Jordan Buckley were shot in the line of duty. We mourn the loss of Deputy Koontz, who succumbed to his injuries, and we wish Sergeant Buckley a quick recovery. Every day, our law enforcement professionals and first responders get up, go to work, and put their lives on the line to keep our communities safe. That is exactly what Deputy Koontz, Sergeant Buckley, and their fellow officers were doing in the early hours of that Sunday morning—their job. They put their lives on the line so that we have the chance to live in safety, and we are eternally grateful.

Deputy Koontz is survived and deeply missed by his wife, Kassie; son, Noah; parents, Allen and Jackie; sister, Alice; grandparents, Ann and Allen Koontz and Alice and Carl Durham, as well as the entire Koontz and Floyd family and the Howard County Sheriff's Department. No words or sentiment can adequately express our sadness and grief. As a community, we can only offer our prayers, our support, and our continued commitment to honor his service.

Deputy Koontz loved his work, and he gave his life to serve and protect the citizens of Howard County. Although he would not have considered himself a hero, Deputy Koontz demonstrated his character daily by conducting himself with compassion, honor, courage, and

integrity. Let us always remember and emulate the shining example this brave man set for us and honor him for his selfless commitment to serving his fellow citizens. May God welcome Carl home and give comfort to his family and friends.

ADDITIONAL STATEMENTS

TRIBUTE TO ZEESY BRUK

● Mr. DAINES. Mr. President, I am happy to acknowledge a very special little girl from Montana who was named Montana's 2016 Children's Miracle Network Hospitals Champion Child.

Five-year-old Zeesy Bruk is a very courageous little girl who battles GLUT–1 deficiency, which I have learned is a rare genetic metabolic disorder.

Zeesy is a fellow Bozemanite and lives there with her parents—Rabbi Chaim and Chavie Bruk, who are co-directors of Chabad-Lubavitch of Montana and leaders in Montana's Jewish community, and her brother and sister.

Zeesy has been bravely battling this disease all her life, but it took some time—and a lot of determination from her family—to find the right diagnosis. Now, thanks to a dedicated team at Shodair Children's Hospital in Helena, MT, I hear that Zeesy is doing wonderful and facing her diagnosis head on.

During her time as a Champion Child, Zeesy and her parents will travel across the country—serving as an ambassador for the Treasure State and bringing awareness to the various medical challenges facing many young people across our country today.

Thank you to Zeesy and the Bruk family for what you will do as ambassadors for this great State and for what you do every day for Montana's Jewish community. Zeesy, I look forward to following your year as a Champion Child—safe travels and God bless.●

TRIBUTE TO PAUL KANNING

● Mr. DAINES. Mr. President, today I wish to recognize Paul Kanning of Daniels County, a fourth-generation Montana farmer. This week, Paul testified before the Senate Committee on Appropriations about the importance of assisting veterans find employment opportunities in agriculture.

Paul is the current owner and operator of 103-year-old TomTilda farm, where he produces small grains, pulses, and oilseed crops through no-till, continuous cropping practices. He began his farm career in 2013 following his retirement as an Air Force lieutenant colonel after 20 years of Active-Duty service.

During the hearing, I heard Paul speak about his experiences as a veteran starting a career in the agriculture industry and how programs like those offered through the U.S. Department of Agriculture helped provide the training and education he needed on the farm. Throughout his career, he has displayed incredible leadership both in our agriculture community and in our Armed Forces.

He is a living success story of a man who has combined his leadership, dedication, and discipline for both defending our country and providing food security for Montanans and our Nation. It was truly an honor to hear Paul testify this week, and I am proud to honor his terrific testimony and hard work for Montana.●

CONGRATULATING ADAM GARCIA

● Mr. HELLER. Mr. President, today I wish to congratulate University of Nevada, Reno, UNR, chief of police services Adam Garcia on being named Police Director of the Year by the National Association of Campus Safety Administrators. It gives me great pleasure to see him receive this prestigious award after years of hard work within the university system and local community.

Police Chief Garcia assumed the role of director at UNR police services in 2001. Since then, he has worked to expand both the size and diversity of police services and create a safe campus environment where students are engaged with the department. Police Chief Garcia spearheaded the development of services for public notification in the event of an active shooter or emergency situation, a service critical to ensuring the safety of UNR students. Due to the great success of police services, Police Chief Garcia has successfully integrated the department into a regional partnership, serving an even greater community. His dedication to keeping students across the UNR campus safe is invaluable to our great State. I am grateful to have someone like Police Chief Garcia leading this incredibly important department.

The Police Director of the Year award is given each year to an individual who goes above and beyond to ensure safety on campus, as well as maintaining a professional and healthy relationship between the department and the university it serves. Without a doubt, Police Chief Garcia's actions warrant only the greatest recognition, including this significant accolade. I am pleased to see Police Chief Garcia recognized on a national level, representing our great State as role model to other departments.

It is the brave men and women who serve in local police departments that keep our communities safe. These heroes selflessly put their lives on the line every day. I extend my deepest gratitude to Police Chief Garcia for his courageous contributions to students across the UNR campus and to the people of Reno. His sacrifice and courage earn him a place among the outstanding men and women who have valiantly put their lives on the line to benefit others.

Throughout his tenure with UNR police services, Police Chief Garcia has demonstrated professionalism, commitment to excellence, and dedication to the highest standards of UNR police services. I am honored by his service and am proud to call him a fellow Nevadan. Today I ask all of my colleagues to join me in congratulating Police Chief Garcia on receiving this award, and I give my deepest appreciation for all that he has done to ensure safety on the UNR campus. I offer him my best wishes as he continues in his role as police chief.●

RECOGNIZING COMMUNITY HEALTH ALLIANCE'S CENTER FOR COMPLEX CARE

● Mr. HELLER. Mr. President, today I wish to recognize the Community Health Alliance's Center for Complex Care, which offers innovative and complex health care services to those in need. The advanced health care this facility provides is invaluable to northern Nevada, bringing an improved quality of life and well-being to those with chronic health conditions.

The Center for Complex Care is the only facility out of several Community Health Alliance centers located throughout the Truckee Meadows that offers a team-based approach to health care for patients with chronic care conditions. A health care team, consisting of a primary care provider, social worker, care coordinator, psychiatric nurse specialist, medical assistant, clinical pharmacist, and support staff, address both the primary health care and behavioral health care of each patient. This team serves as a singular, collaborative unit in order to make a comprehensive patient assessment. Effective communication within the facility connects the physical, social, and emotional health of patients, creating a better understanding of the patient's needs. Those leading the way at this center stand as role models to our local community, demonstrating a genuine concern for improving the health of Nevadans. The Silver State is fortunate to have a facility like this available to our local community.

In addition to the Center for Complex Care, the Community Health Alliance offers a variety of care options, including pediatric care, women's health care, dental care, behavioral health care, a school-based health center, a supplemental nutrition program for women, infants, and children, and health care for the homeless. I would like to congratulate this alliance on recently reaching an important milestone, its 20th anniversary. This achievement is well deserved, and I am grateful to have this significant health care resource available to residents across northern Nevada.

Those serving at this center have gone above and beyond to provide high-quality care to Nevadans. Today I ask my colleagues to join me in recognizing the Community Health Alliance's Center for Complex Care for all it does for the Silver State.●

CONGRATULATING THE AUGUSTANA UNIVERSITY MEN'S BASKETBALL TEAM

• Mr. THUNE. Mr. President, today I wish to congratulate the Augustana University men's basketball team as they celebrate winning their first National Collegiate Athletic Association, NCAA, Division II men's basketball championship.

The Augustana Vikings men's basketball team had an outstanding season, finishing with a school record 34 wins and only 2 losses. Their formidable opponents in the championship game, the Lincoln Memorial Railsplitters, were on a 24-game winning streak before facing Augustana. The first half of the game was close, with the two teams exchanging the lead. The Vikings maintained their lead throughout the entirety of the second half, however, and eventually won 90–81.

The Vikings are coached by Tom Billeter, who has led the Vikings to seven NCAA tournament appearances during his 13-year career with the school. Three senior Vikings players, Alex Richter, Daniel Jansen, and Casey Schilling, were named to the Elite Eight All-Tournament team, and all three scored more than 20 points during the championship game. Richter was named the Most Outstanding Player of the Tournament, and Jansen was recognized as the 2016 National Association of Basketball Coaches' Division II Player of the Year.

On behalf of the State of South Dakota, I am pleased to congratulate the Augustana Vikings men's basketball team on this impressive accomplishment. I commend the players and coaching staff for all of their hard work and wish them the best of luck in future seasons.•

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–4991. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Hexythiazox; Pesticide Tolerances'' (FRL No. 9942–32) received in the Office of the President of the Senate on April 5, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4992. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Pendimethalin; Tolerance Exemptions; Technical Correction'' (FRL No. 9943–79) received during adjournment of the Senate in the Office of the President of the Senate on March 30, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4993. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, the quarterly exception Selected Acquisition Reports (SARs) as of December 31, 2015 (OSS–2016–0443); to the Committee on Armed Services.

EC–4994. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to Support for Non-Federal Development and Testing of Material for Chemical Agent Defense; to the Committee on Armed Services.

EC–4995. A communication from the Principal Deputy Assistant Secretary of Defense (Readiness), transmitting, pursuant to law, the National Guard and Reserve Equipment Report (NGRER) for fiscal year 2017; to the Committee on Armed Services.

EC–4996. A communication from the Acting Assistant Secretary of the Army (Acquisition, Logistics and Technology), transmitting, pursuant to law, a report relative to Army Industrial Facilities Cooperative Activities with Non-Army Entities for Fiscal Year 2015; to the Committee on Armed Services.

EC–4997. A communication from the Secretary of Defense, transmitting a report on the approved retirement of General Philip M. Breedlove, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–4998. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Temporary General License'' (RIN0694–AG82) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC–4999. A communication from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Operations in Rural Areas Under the Truth in Lending Act (Regulation Z); Interim Final Rule'' (RIN3170–AA59) received during adjournment of the Senate in the Office of the President of the Senate on March 30, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC–5000. A communication from the President of the United States, transmitting, pursuant to law, a notice of the continuation of the national emergency with respect to South Sudan that was declared in Executive Order 13664 of April 3, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–5001. A communication from the Senior Counsel for Regulatory Affairs, Bureau of Engraving and Printing, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Conduct on Bureau of Engraving and Printing Property'' (31 CFR Part 605) received in the Office of the President of the Senate on April 5, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC–5002. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Assessments'' (RIN3064–AE40) received in the Office of the President of the Senate on April 4, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC–5003. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the Commission's fiscal year 2015 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–5004. A communication from the Assistant Director for Regulatory Affairs, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Burundi Sanctions Regulations'' (31 CFR Part 554) received in the Office of the President of the Senate on April 4, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC–5005. A communication from the Director of Congressional Affairs, Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Notice of Availability for Plant-Specific Adoption of TSTF–545, Revision 3, 'TS Inservice Testing Program and Clarify SR Usage Rule Application to Section 5.5 Testing''' (NUREG–1430; NUREG–1431; NUREG–1432; NUREG–1433; and NUREG–1434) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2016; to the Committee on Environment and Public Works.

EC–5006. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval and Designation of Areas; MS; Redesignation of the DeSoto County, 2008 8-Hour Ozone Nonattainment Area to Attainment'' (FRL No. 9944–74–Region 4) received in the Office of the President of the Senate on April 5, 2016; to the Committee on Environment and Public Works.

EC–5007. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Minnesota and Michigan; Revision to 2013 Taconite Federal Implementation Plan establishing BART for Taconite Plants'' (FRL No. 9944–22–Region 5) received in the Office of the President of the Senate on April 5, 2016; to the Committee on Environment and Public Works.

EC–5008. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; South Carolina; Transportation Conformity Update'' (FRL No. 9944–55–Region 4) received in the Office of the President of the Senate on April 5, 2016; to the Committee on Environment and Public Works.

EC–5009. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Attainment Plan and Base Year Inventory for the North Reading Area for the 2008 Lead National Ambient Air Quality Standards'' (FRL No. 9944–73–Region 3) received in the Office of the President of the Senate on April 5, 2016; to the Committee on Environment and Public Works.

EC–5010. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Texas; Control of Air Pollution from Nitrogen Compounds State Implementation Plan'' (FRL No. 9944–71–Region 6) received in the Office of the President of the Senate on April 5, 2016; to the Committee on Environment and Public Works.

EC–5011. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''OMB Approvals Under the Paperwork Reduction Act; Technical Amendment'' (FRL No. 9943–62) received in the Office of the President of the Senate on April 5, 2016; to the Committee on Environment and Public Works.

EC–5012. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Partial Approval and Partial Disapproval of Air Quality State Implementation Plans; California; South Coast; Moderate Area Plan for the 2006 PM2.5 NAAQS'' (FRL No. 9944–16–Region 9) received in the Office of the President of the Senate on April 5, 2016; to the Committee on Environment and Public Works.

EC–5013. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Promulgation of Air Quality Implementation Plans; Arizona; Regional Haze Federal Implementation Plan; Reconsideration'' (FRL No. 9944–68–Region 9) received in the Office of the President of the Senate on April 5, 2016; to the Committee on Environment and Public Works.

EC–5014. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Partial Approval and Partial Disapproval of Air Quality State Implementation Plans; California; Infrastructure Requirements for Ozone, Fine Particulate Matter (PM2.5), Lead (Pb), Nitrogen Dioxide (NO2), and Sulfur Dioxide (SO2)'' (FRL No. 9939–89–Region 9) received during adjournment of the Senate in the Office of the President of the Senate on March 30, 2016; to the Committee on Environment and Public Works.

EC–5015. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Priorities List'' (FRL No. 9944–36–OLEM) received during adjournment of the Senate in the Office of the President of the Senate on March 30, 2016; to the Committee on Environment and Public Works.

EC–5016. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Clean Air Plans; 1-Hour and 1997 8-Hour Ozone Nonattainment Area Requirements; San Joaquin Valley, California'' (FRL No. 9943–78–Region 9) received during adjournment of the Senate in the Office of the President of the Senate on March 30, 2016; to the Committee on Environment and Public Works.

EC–5017. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval of Air Plan Revisions; Arizona; Rescissions and Corrections'' (FRL No. 9944–56–Region 9) received during adjournment of the Senate in the Office of the President of the Senate on March 30, 2016; to the Committee on Environment and Public Works.

EC–5018. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Empowerment Zone Designation Extension'' (Notice 2016–28) received during adjournment of the Senate in the Office of the President of the Senate on March 30, 2016; to the Committee on Finance.

EC–5019. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Disclosures of Return Information Reflected on Returns to Officers and Employees of the Department of Commerce for Certain Statistical Purposes and Related Activities'' ((RIN1545–BL59) (TD 9754)) received during adjournment of the Senate in the Office of the President of the Senate on March 30, 2016; to the Committee on Finance.

EC–5020. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''2016 Calendar Year Resident Population Figures'' (Notice 2016–24) received during adjournment of the Senate in the Office of the President of the Senate on March 30, 2016; to the Committee on Finance.

EC–5021. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Applicable Federal Rates—April 2016'' (Rev. Rul. 2016–09) received during adjournment of the Senate in the Office of the President of the Senate on March 30, 2016; to the Committee on Finance.

EC–5022. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Limitations on the Importation of Net Built-In Losses'' (TD 9759) received during adjournment of the Senate in the Office of the President of the Senate on March 30, 2016; to the Committee on Finance.

EC–5023. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Indirect Stock Transfers and the Coordination Rule Exceptions; Transfers of Stock or Securities in Outbound'' ((RIN1545–BJ74) (TD 9760)) received during adjournment of the Senate in the Office of the President of the Senate on March 30, 2016; to the Committee on Finance.

EC–5024. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15–113); to the Committee on Foreign Relations.

EC–5025. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15–136); to the Committee on Foreign Relations.

EC–5026. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(d) of the Arms Export Control Act (DDTC 15–099); to the Committee on Foreign Relations.

EC–5027. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(d) of the Arms Export Control Act (DDTC 15–133); to the Committee on Foreign Relations.

EC–5028. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15–107); to the Committee on Foreign Relations.

EC–5029. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15–103); to the Committee on Foreign Relations.

EC–5030. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15–061); to the Committee on Foreign Relations.

EC–5031. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15–148); to the Committee on Foreign Relations.

EC–5032. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to overseas surplus property; to the Committee on Foreign Relations.

EC–5033. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(d) of the Arms Export Control Act (DDTC 15–088); to the Committee on Foreign Relations.

EC–5034. A communication from the Executive Analyst (Political), Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Commissioner of Food and Drugs, Food and Drug Administration, Department of Health and Human Services, received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC–5035. A communication from the Assistant Secretary for Occupational Safety and Health, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Updating OSHA Standards Based on National Consensus Standards; Eye and Face Protection'' (RIN1218–AC87) received during adjournment of the Senate in the Office of the President of the Senate on March 29, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC–5036. A communication from the Assistant Secretary for Occupational Safety and Health, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Occupational Exposure to Respirable Crystalline Silica'' (RIN1218–AB70) received during adjournment of the Senate in the Office of the President of the Senate on March 30, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC–5037. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, the Office of Personnel Management's Fiscal Year 2015 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–5038. A communication from the Chief Human Resources Officer, United States Postal Service, transmitting, pursuant to law, the Postal Service's fiscal year 2015 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–5039. A communication from the President and Chief Executive Officer, Overseas Private Investment Corporation, transmitting, pursuant to law, the Corporation's fiscal year 2015 annual report relative to the

Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–5040. A communication from the President, Inter-American Foundation, transmitting, pursuant to law, the Foundation's fiscal year 2015 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–5041. A communication from the Chairperson, Council of the Inspectors General on Integrity and Efficiency, transmitting, pursuant to law, the Commission's fiscal year 2015 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–5042. A communication from the Chairman of the National Endowment for the Arts, transmitting, pursuant to law, the Commission's fiscal year 2015 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–5043. A communication from the Director, U.S. Trade and Development Agency, transmitting, pursuant to law, the Agency's fiscal year 2015 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–5044. A communication from the Chairman, National Indian Gaming Commission, transmitting, pursuant to law, the Commission's fiscal year 2015 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–5045. A communication from the Chairman of the Federal Labor Relations Authority, transmitting, pursuant to law, the Authority's fiscal year 2015 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–5046. A communication from the Diversity and Inclusion Programs Director, Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the Board's fiscal year 2015 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–5047. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission's fiscal year 2015 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–5048. A communication from the Director, Court Services and Offender Supervision Agency for the District of Columbia, transmitting, pursuant to law, the Agency's fiscal year 2015 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–5049. A communication from the Staff Director, Federal Election Commission, transmitting, pursuant to law, the Commission's fiscal year 2015 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–5050. A communication from the Chairman, National Credit Union Administration, transmitting, pursuant to law, the National Credit Union Administration's fiscal year 2015 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–5051. A communication from the Equal Employment Opportunity and Inclusion Director, Farm Credit System Insurance Corporation, transmitting, pursuant to law, the Farm Credit System Insurance Corporation's fiscal year 2015 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–5052. A communication from the Equal Employment Opportunity Director, Farm Credit Administration, transmitting, pursuant to law, the Farm Credit Administration's fiscal year 2015 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–5053. A communication from the Director, Court Services and Offender Supervision Agency for the District of Columbia, transmitting, pursuant to law, the Agency's fiscal year 2015 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–5054. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–2966)) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5055. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–2963)) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5056. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–5815)) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5057. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–4816)) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5058. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Defense and Space S.A. (Formerly Known as Construcciones Aeronauticas, S.A.) Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–3636)) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5059. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Quest Aircraft Design, LLC Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–5318)) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5060. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt and Whitney Canada Corp. Turboprop Engines'' ((RIN2120–AA64) (Docket No. FAA–2015–3732)) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5061. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2016 Gulf of Alaska Pollock and Pacific Cod Total Allowable Catch Amounts'' (RIN0648–XE383) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5062. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Central Regulatory Area of the Gulf of Alaska'' (RIN0648–XE523) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5063. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf, and South Atlantic; Shrimp Fishery of the Gulf of Mexico; Amendment 15'' (RIN0648–BE93) received during adjournment of the Senate in the Office of the President of the Senate on March 4, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5064. A communication from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the 54th Annual Report of the activities of the Federal Maritime Commission for fiscal year 2015; to the Committee on Commerce, Science, and Transportation.

EC–5065. A communication from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Closed Captioning of Video Programming; Telecommunications for the Deaf and Hard of Hearing, Inc., Petition for Rulemaking'' ((FCC 16–17) (CG Docket No. 05–231)) received in the Office of the President of the Senate on April 4, 2016; to

the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–141. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the United States Congress to extend Louisiana's seaward boundary in the Gulf of Mexico to three marine leagues; to the Committee on Energy and Natural Resources.

SENATE CONCURRENT RESOLUTION NO. 4

Whereas, in *United States of America v. States of Louisiana, Texas, Mississippi, Alabama, and Florida*, 363 U.S. 1 (1960), the seaward boundary of the state of Louisiana in the Gulf of Mexico was judicially determined by the United States Supreme Court to be three geographical miles, despite evidence showing that Louisiana's seaward boundary historically consisted instead of three marine leagues, a distance equal to nine geographic miles or 10.357 statute miles; and

Whereas, the seaward boundaries in the Gulf of Mexico for the states of Texas and Florida were determined to be three marine leagues; and

Whereas, the unequal seaward boundary imposed upon Louisiana has resulted in (1) economic disparity and hardship for Louisiana citizens and entities; (2) economic loss to the state of Louisiana and its political subdivisions; and (3) the inability of the state of Louisiana and its political subdivisions to fully exercise their powers and duties under the federal and state constitutions and state laws and ordinances, including but not limited to protection and restoration of coastal lands, waters, and natural resources, and regulation of activities affecting them; and

Whereas, in recognition of all of the above the Legislature of Louisiana in the 2011 Regular Session enacted Act No. 336, which amended Louisiana statutes to provide that the seaward boundary of the state of Louisiana extends a distance into the Gulf of Mexico of three marine leagues from the coastline, and further defines ''three marine leagues'' as equal to nine geographic miles or 10.357 statute miles; and

Whereas, Act No. 336 further provides that the jurisdiction of the state of Louisiana or any political subdivision thereof shall not extend to the boundaries recognized in such Act until the United States Congress acknowledges the boundary described therein by an Act of Congress or any litigation resulting from the passage of Act No. 336 with respect to the legal boundary of the state is resolved and a final nonappealable judgment is rendered; and

Whereas, through the federal Submerged Lands Act of 1953, Congress has the power to fix the unequal disparity of the lesser seaward boundary forced upon Louisiana by recognizing and approving that Louisiana's seaward boundary extends three marine leagues into the Gulf of Mexico; and

Whereas, as shown by the national impact of natural and manmade disasters such as hurricanes Katrina and Rita in 2005 and the Deepwater Horizon BP Oil Spill in 2010, the seaward boundary of Louisiana is vital to the economy and well-being of the entire United States, since among other benefits the Louisiana coastal area: (1) serves as both host and corridor for significant energy and commercial development and transportation; (2) serves as a storm and marine forces buffer protecting ports and the vast infrastructure of nationally significant oil and gas facilities located in such area; (3) provides critical environmental, ecological, ecosystem, and fish, waterfowl, and wildlife habitat functions; (4) provides protection from storms for more than 400 million tons of water-borne commerce; and (5) offers recreational and ecotourism opportunities and industries that are known and appreciated throughout the world; and

Whereas, the Louisiana coastal area accounts for 80% of the nation's coastal land loss, with its valuable wetlands disappearing at a dramatically high rate of between 25–35 square miles per year; and

Whereas, hurricanes Katrina and Rita turned approximately 100 square miles of southeast Louisiana coastal wetlands into open water, and destroyed more wetlands east of the Mississippi River in one month than experts estimated to be lost in over 45 years; and

Whereas, the economic, environmental, and ecological damage of the Deepwater Horizon BP Oil Spill is already calculated in terms of billions of dollars, and potential longer-lasting impacts are still being determined; and

Whereas, adopted in 2006, the federal Gulf of Mexico Energy Security Act (GOMESA) would provide ongoing revenues to Louisiana from federal oil revenue derived from gulf leasing and drilling, with the first payment in 2017 estimated to be approximately $176 million, and with such monies dedicated to coastal restoration, hurricane protection and coastal infrastructure; and

Whereas, despite strenuous objection, efforts are now underway to repeal or amend GOMESA that would result in depriving Louisiana and other gulf coast states of such monies; and

Whereas, the extension of Louisiana's seaward boundary into the Gulf of Mexico for three marine leagues will provide a much-needed stream of revenue for use in the state's ongoing efforts to clean up, rebuild, protect and restore the Louisiana coastal area from losses suffered due to both natural and manmade disasters, and will benefit both the state and the entire nation: Now, therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to extend Louisiana's seaward boundary in the Gulf of Mexico to three marine leagues; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the President of the United States, to the secretary of the United States Senate and the clerk of the United States House of Representatives, and to each member of the Louisiana delegation to the United States Congress.

POM–142. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the United States Congress to maintain the Outer Continental Shelf revenue sharing arrangements established under the Gulf of Mexico Energy Security Act of 2006 for the creation of a recurring funding stream in support of Louisiana's coastal program; to the Committee on Energy and Natural Resources.

SENATE CONCURRENT RESOLUTION NO. 7

Whereas, the Gulf of Mexico Energy Security Act of 2006 (GOMESA) provides for the sharing of qualified Outer Continental Shelf (OCS) revenues to Gulf Coast states and their political subdivisions that host energy production in order to help mitigate the demands associated with that production on infrastructure and natural resources; and

Whereas, GOMESA stipulates that funds can only be used for the purposes of coastal protection including conservation, restoration, hurricane protection, the mitigation of damage to wildlife and natural resources, and the mitigation of effects from Outer Continental Shelf activities through onshore infrastructure projects, and associated administrative costs; and

Whereas, in 2006, the people of Louisiana voted overwhelmingly to constitutionally dedicate the revenues received through GOMESA to the Coastal Protection and Restoration Fund for the purposes of coastal wetlands conservation, coastal restoration, hurricane protection, or infrastructure directly impacted by coastal wetland losses; and

Whereas, revenues received by Louisiana and its eligible coastal parishes from 2009 to 2015 under phase one of GOMESA provided only $11.5 million to the state, but phase two is estimated to generate more than ten times as much revenue each year for coastal projects; and

Whereas, GOMESA revenues have long been seen as a crucial, reliable and recurring revenue stream to support Louisiana's coastal protection and restoration work; and

Whereas, since 2007, Louisiana has created a framework for its coastal protection and restoration program and set the national standard for utilizing world-class science and engineering and public outreach to meet the challenges of a vanishing coast through its Comprehensive Master Plan for a Sustainable Coast (Coastal Master Plan); and

Whereas, the 2012 Coastal Master Plan further evolved Louisiana's approach to coastal protection and restoration with the prioritization of projects in a resource-constrained funding and physical environment; and

Whereas, Louisiana's land loss crisis demands a robust and integrated coastal protection and restoration program that operates effectively and urgently for the safety, livelihood, culture, and enjoyment of its people; and

Whereas, the entire United States derives fantastic benefit from the natural assets of coastal Louisiana including its energy resources, the commerce and connections provided by its ports and waterways, its seafood production, and many other invaluable ecosystem services; and

Whereas, Louisiana's coastline has already lost twenty-five percent of its 1932 land area and without the implementation of large scale restoration projects it could lose an additional 1,750 square miles of land at the end of fifty years; and

Whereas, Louisiana has a science-based plan to meet these challenges that include massive public investments in the restoration of America's largest river delta, structural protection where necessary, and an extensive program to floodproof, elevate, and voluntarily acquire homes and businesses at greatest risk of flooding; and

Whereas, Louisiana aims to pioneer the engineered replication of natural processes such as the construction of sediment diversions off of the Mississippi River, and develop other expertise that can be exported around the globe to other cities, states, and countries adapting to climate change; and

Whereas, by maintaining GOMESA, Congress can follow through on a promise nearly ten years old, support Louisiana's efforts to provide for a sustainable coast, help to protect and maintain nationally significant economic and natural resources, and help reduce federal liabilities like insured properties in the National Flood Insurance Program and future hurricane disaster payouts: Now, therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to maintain the Outer Continental

Shelf revenue sharing arrangements established under the Gulf of Mexico Energy Security Act of 2006 for the creation of a recurring funding stream in support of Louisiana's coastal program; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM–143. A petition by a citizen from the State of Texas urging the United States Congress to propose, for ratification by special conventions held within the individual states, an amendment to the United States Constitution which would clarify that any agreement arrived at between the President of the United States and any foreign government or governments constitutes a ''treaty'' thereby necessitating a two-thirds affirmative vote of ''concurrence'' by the United States Senate as provided in Article II, Section 2, Clause 2 of the Constitution; to the Committee on the Judiciary.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. GRASSLEY for the Committee on the Judiciary.

Elizabeth J. Drake, of Maryland, to be a Judge of the United States Court of International Trade.

Jennifer Choe Groves, of Virginia, to be a Judge of the United States Court of International Trade.

Gary Stephen Katzmann, of Massachusetts, to be a Judge of the United States Court of International Trade.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. JOHNSON (for himself, Mr. MANCHIN, Mr. BARRASSO, and Mr. BLUMENTHAL):

S. 2758. A bill to amend title XVIII of the Social Security Act to remove consideration of certain pain-related issues from calculations under the Medicare hospital value-based purchasing program, and for other purposes; to the Committee on Finance.

By Mrs. ERNST (for herself, Mr. BENNET, Ms. AYOTTE, and Ms. WARREN):

S. 2759. A bill to amend the Internal Revenue Code of 1986 to provide a nonrefundable credit for working family caregivers; to the Committee on Finance.

By Mr. MERKLEY (for himself, Mr. UDALL, Mr. SANDERS, Mr. FRANKEN, Mrs. MURRAY, Mr. WYDEN, Mr. DURBIN, Mr. BLUMENTHAL, Ms. WARREN, Ms. BALDWIN, Mr. MARKEY, Mr. BOOKER, and Mr. HEINRICH):

S. 2760. A bill to amend the Truth in Lending Act to address certain issues related to the extension of consumer credit, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. WARREN:

S. 2761. A bill to direct the Administrator of the Federal Aviation Administration to improve the process for establishing and revising flight paths and procedures, and for other purposes; to the Committee on Commerce , Science, and Transportation.

By Mr. COATS (for himself and Mr. BARRASSO):

S. 2762. A bill to amend the Internal Revenue Code of 1986 to provide for full recapture of the refundable credit for coverage under a qualified health plan in the case of individuals who are not lawfully present in the United States or who are incarcerated; to the Committee on Finance.

By Mr. CORNYN (for himself, Mr. CRUZ, Mr. SCHUMER, and Mr. BLUMENTHAL):

S. 2763. A bill to provide the victims of Holocaust-era persecution and their heirs a fair opportunity to recover works of art confiscated or misappropriated by the Nazis; to the Committee on the Judiciary.

By Mr. MARKEY:

S. 2764. A bill to require the disclosure of information relating to cyberattacks on aircraft systems and maintenance and ground support systems for aircraft, to identify and address cybersecurity vulnerabilities to the United States commercial aviation system, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BOOKER (for himself, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BROWN, Mr. FRANKEN, Mrs. GILLIBRAND, Ms. HIRONO, Mr. MENENDEZ, Mrs. MURRAY, Mr. SANDERS, Ms. WARREN, and Mr. WYDEN):

S. 2765. A bill to provide for the overall health and well-being of young people, including the promotion of comprehensive sexual health and healthy relationships, the reduction of unintended pregnancy and sexually transmitted infections (STIs), including HIV, and the prevention of dating violence and sexual assault, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GRASSLEY:

S. 2766. A bill to strengthen penalties for tax return identity thieves, establish enhanced sentences for crimes against vulnerable and frequently targeted victims, clarify the state of mind proof requirement in identity theft prosecutions, and for other purposes; to the Committee on the Judiciary.

By Mr. MENENDEZ (for himself, Mr. PETERS, and Mrs. SHAHEEN):

S. 2767. A bill to provide that service of the members of the organization known as the United States Cadet Nurse Corps during World War II constituted active military service for purposes of laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BROWN:

S. 2768. A bill to amend the Federal Water Pollution Control Act to update a program to provide assistance for the planning, design, and construction of treatment works to intercept, transport, control, or treat municipal combined sewer overflows and sanitary sewer overflows, and to require the Administrator of the Environmental Protection Agency to update certain guidance used to develop and determine the financial capability of communities to implement clean water infrastructure programs; to the Committee on Environment and Public Works.

By Mr. SCHUMER (for himself, Mr. BLUMENTHAL, Mr. MARKEY, Mr. MENENDEZ, Mrs. GILLIBRAND, Mrs. FEINSTEIN, Mrs. BOXER, Mr. BOOKER, Mr. SCHATZ, and Ms. WARREN):

S. 2769. A bill to require the Federal Aviation Administration to establish minimum standards for space for passengers on passenger aircraft; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SCHATZ (for himself, Mr. ISAKSON, Ms. HIRONO, and Mr. PERDUE):

S. Res. 416. A resolution recognizing the contributions of Hawaii to the culinary heritage of the United States and designating the week beginning on June 12, 2016, as ''National Hawaiian Food Week'' ; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 185

At the request of Mr. BENNET, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 185, a bill to create a limited population pathway for approval of certain antibacterial drugs.

S. 386

At the request of Mr. THUNE, the names of the Senator from New Jersey (Mr. BOOKER) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 386, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 391

At the request of Mr. PAUL, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 391, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 689

At the request of Mr. THUNE, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 689, a bill to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State.

S. 849

At the request of Mr. ISAKSON, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 849, a bill to amend the Public Health Service Act to provide for systematic data collection and analysis and epidemiological research regarding Multiple Sclerosis (MS), Parkinson's disease, and other neurological diseases.

S. 857

At the request of Ms. STABENOW, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 857, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of an initial comprehensive care plan for Medicare beneficiaries newly diagnosed with Alzheimer's disease and related dementias, and for other purposes.

S. 860

At the request of Mr. THUNE, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 860, a bill to amend the Internal Revenue Code of 1986 to repeal the

estate and generation-skipping transfer taxes, and for other purposes.

S. 901

At the request of Mr. MORAN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 901, a bill to establish in the Department of Veterans Affairs a national center for research on the diagnosis and treatment of health conditions of the descendants of veterans exposed to toxic substances during service in the Armed Forces that are related to that exposure, to establish an advisory board on such health conditions, and for other purposes.

S. 1205

At the request of Mr. MERKLEY, the names of the Senator from Colorado (Mr. BENNET) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 1205, a bill to designate the same individual serving as the Chief Nurse Officer of the Public Health Service as the National Nurse for Public Health.

S. 1333

At the request of Mr. GARDNER, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1333, a bill to amend the Controlled Substances Act to exclude cannabidiol and cannabidiol-rich plants from the definition of marihuana, and for other purposes.

S. 1562

At the request of Mr. WYDEN, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 1562, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 1567

At the request of Mr. PETERS, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 1567, a bill to amend title 10, United States Code, to provide for a review of the characterization or terms of discharge from the Armed Forces of individuals with mental health disorders alleged to affect terms of discharge.

S. 1775

At the request of Mr. MURPHY, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 1775, a bill to direct the Secretary of Homeland Security to accept additional documentation when considering the application for veterans status of an individual who performed service as a coastwise merchant seaman during World War II, and for other purposes.

S. 1883

At the request of Mr. REED, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1883, a bill to maximize discovery, and accelerate development and availability, of promising childhood cancer treatments, and for other purposes.

S. 1895

At the request of Mr. MCCAIN, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 1895, a bill to amend the Radiation Exposure Compensation Act for purposes of making claims under such Act based on exposure to atmospheric nuclear testing.

S. 2067

At the request of Mr. WICKER, the names of the Senator from Colorado (Mr. GARDNER) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 2067, a bill to establish EUREKA Prize Competitions to accelerate discovery and development of disease-modifying, preventive, or curative treatments for Alzheimer's disease and related dementia, to encourage efforts to enhance detection and diagnosis of such diseases, or to enhance the quality and efficiency of care of individuals with such diseases.

S. 2125

At the request of Mrs. FEINSTEIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2125, a bill to make the Community Advantage Pilot Program of the Small Business Administration permanent, and for other purposes.

S. 2173

At the request of Ms. STABENOW, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2173, a bill to amend title XVIII of the Social Security Act to improve access to mental health services under the Medicare program.

S. 2236

At the request of Mr. CRAPO, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 2236, a bill to provide that silencers be treated the same as long guns.

S. 2289

At the request of Mr. KAINE, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2289, a bill to modernize and improve the Family Unification Program, and for other purposes.

S. 2441

At the request of Mr. RUBIO, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 2441, a bill to provide that certain Cuban entrants are ineligible to receive refugee assistance, and for other purposes.

S. 2467

At the request of Mr. WHITEHOUSE, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2467, a bill to reduce health care-associated infections and improve antibiotic stewardship through enhanced data collection and reporting, the implementation of State-based quality improvement efforts, and improvements in provider education in patient safety, and for other purposes.

S. 2494

At the request of Mr. MARKEY, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 2494, a bill to amend the Federal Power Act to provide that any inaction by the Federal Energy Regulatory Commission that allows a rate change to go into effect shall be treated as an order by the Commission for purposes of rehearing and court review.

S. 2536

At the request of Mr. SCHATZ, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 2536, a bill to require the Administrator of the Federal Aviation Administration to issue a notice of proposed rulemaking regarding the inclusion in aircraft medical kits of medications and equipment to meet the emergency medical needs of children.

S. 2540

At the request of Mr. REID, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 2540, a bill to provide access to counsel for unaccompanied children and other vulnerable populations.

S. 2649

At the request of Mr. ROUNDS, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 2649, a bill to modify the treatment of the costs of health care furnished under section 101 of the Veterans Access, Choice, and Accountability Act of 2014 to veterans covered by health-plan contracts.

S. 2650

At the request of Mr. THUNE, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 2650, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income any prizes or awards won in competition in the Olympic Games or the Paralympic Games.

S. 2694

At the request of Mr. TOOMEY, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 2694, a bill to ensure America's law enforcement officers have access to lifesaving equipment needed to defend themselves and civilians from attacks by terrorists and violent criminals.

S. 2725

At the request of Ms. AYOTTE, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 2725, a bill to impose sanctions with respect to the ballistic missile program of Iran, and for other purposes.

S. 2730

At the request of Mr. MARKEY, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 2730, a bill to award a Congressional Gold Medal to the 23rd Headquarters Special Troops, known as the ''Ghost Army'', collectively, in recognition of its unique and incredible service during World War II.

S. 2736

At the request of Mr. THUNE, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 2736, a bill to improve access to durable medical equipment for Medicare beneficiaries under the Medicare program, and for other purposes.

S. 2746

At the request of Ms. AYOTTE, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 2746, a bill to establish various prohibitions regarding the transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, and with respect to United States Naval Station, Guantanamo Bay, and for other purposes.

S. 2752

At the request of Mr. RUBIO, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 2752, a bill to prohibit the facilitation of certain financial transactions involving the Government of Iran or Iranian persons and to impose sanctions with respect to the facilitation of those transactions, and for other purposes.

S. 2755

At the request of Mr. BLUNT, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 2755, a bill to provide Capitol-flown flags to the immediate family of firefighters, law enforcement officers, members of rescue squads or ambulance crews, and public safety officers who are killed in the line of duty.

S.J. RES. 27

At the request of Ms. AYOTTE, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S.J. Res. 27, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Secretary of Agriculture relating to inspection of fish of the order Siluriformes.

S. RES. 349

At the request of Mr. ROBERTS, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. Res. 349, a resolution congratulating the Farm Credit System on the celebration of its 100th anniversary.

AMENDMENT NO. 3482

At the request of Mr. HEINRICH, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of amendment No. 3482 proposed to H.R. 636, a bill to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes.

AMENDMENT NO. 3485

At the request of Mr. BOOKER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 3485 intended to be proposed to H.R. 636, a bill to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes.

AMENDMENT NO. 3490

At the request of Ms. CANTWELL, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of amendment No. 3490 proposed to H.R. 636, a bill to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes.

AMENDMENT NO. 3492

At the request of Mr. INHOFE, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of amendment No. 3492 intended to be proposed to H.R. 636, a bill to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes.

AMENDMENT NO. 3493

At the request of Mr. INHOFE, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of amendment No. 3493 intended to be proposed to H.R. 636, a bill to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes.

AMENDMENT NO. 3500

At the request of Mr. HOEVEN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of amendment No. 3500 intended to be proposed to H.R. 636, a bill to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes.

AMENDMENT NO. 3508

At the request of Ms. COLLINS, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of amendment No. 3508 proposed to H.R. 636, a bill to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes.

AMENDMENT NO. 3516

At the request of Mr. CORNYN, the names of the Senator from Nevada (Mr. HELLER) and the Senator from Arizona (Mr. MCCAIN) were added as cosponsors of amendment No. 3516 intended to be proposed to H.R. 636, a bill to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MERKLEY (for himself, Mr. UDALL, Mr. SANDERS, Mr. FRANKEN, Mrs. MURRAY, Mr. WYDEN, Mr. DURBIN, Mr. BLUMENTHAL, Ms. WARREN, Ms. BALDWIN, Mr. MARKEY, Mr. BOOKER, and Mr. HEINRICH):

S. 2760. A bill to amend the Truth in Lending Act to address certain issues related to the extension of consumer credit, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. MERKLEY. Mr. President, an American historian, James Truslow Adams, wrote a book in 1931 entitled ''The Epic of America,'' and in this book he coined the term the ''American dream.'' He went on to say this: ''Ever since we have become an independent nation, each generation has seen an uprising of the ordinary Americans to save that dream from the forces which appeared to be overwhelming and dispelling it.''

One of those forces that has been overwhelming the effort of middle-class, hard-working Americans to be successful is predatory lending. Today I am specifically rising to discuss the introduction of the SAFE Lending Act. SAFE stands for stopping abuse and fraud in electronic lending.

The focus of this is short-term, high-interest loans, often referred to as ''payday'' loans. These loans often have interest rates of 300 percent, 400 percent, 500 percent. The debt a family has with one of those loans just grows and grows and grows. Consider this: If you take out $1,000 today, a year from now, at 500 percent interest, you owe $5,000. In 2 years you owe $25,000—an impossible sum for a family of modest means. So these payday loans pull families into a vortex of debt from which they cannot escape, and this vortex destroys them financially. These are huge consequences for the parents, certainly, but huge consequences for the children. It does a tremendous amount of damage to American families. This is why many major religions in the world have come out over time—over thousands a year—and said high-interest lending destroys and shouldn't be done, but here we have it, right here in America.

Many States, including my State of Oregon, have worked to end this vortex of debt. They have put a cap on the interest rate. They have stopped the every-2-week rollovers, and so they have returned, if you will, small-dollar lending to being an affordable instrument that doesn't destroy families. These tough State laws are under assault by new tactics of the payday loan industry, and we need to address those new tactics.

Specifically, the industry is starting to use an instrument called remotely created checks. How does this work? Let's say you have your bank account and you take out a payday loan. The dollars are put into your bank account, and you think they are going to stay there, but now this online payday loan company—and who knows where in the world these people really are; they may be overseas in any remote location, extremely difficult to find, extremely difficult to enforce our laws—has your bank account number, and that is all they need to write a check to themselves to withdraw the money from your account and put it in their account, an account that is likely to be so remotely located no one can enforce the State laws.

In other words—let me say this again—the payday lender, once they have your checking account number, can reach into your account without your permission and take your money out; thereby, having the ability to bypass the State laws. An Oregon law may say if you have interest rates over those established by Oregon law your loan is uncollectible; that it is illegal

in our State. Well, these online predatory payday lenders do not care that it is illegal in Oregon. They have your account number, and they are going to reach in and take your money illegally.

That is not the only predatory practice that is evolving. These payday loan companies have also established a practice whereby instead of putting money into your bank account, they give you a prepaid card. This prepaid card looks very convenient. You use it like a credit card, a debit card, and we are familiar with that in America, but here is the ringer. They put fees on these cards that add to the 300-percent, 400-percent, or 500-percent interest rate that is already destroying families, particularly over balance fees.

You may not know whether your card has $20 or $30 or $50 left on it. Some of these prepaid cards, in other parts of the financial industry, charge for all kinds of things. They charge you to call and ask what your balance is. They charge if you call and ask a question about how the card works or even what the fees are. They charge a fee just for asking what the fees are. Some of them charge a fee every time you use the card. Some might charge an additional monthly fee, but particularly these prepaid payday loan cards are notorious for their overbalance fees.

Let us assume you have perhaps $50 left in your account, you buy something for $52, and maybe immediately you get charged a $35 fee, which they can reach into your account and take, but then that is an overdraft fee on the bank, so the bank is now charging you a fee. Then, because you don't know it is an overdraft because they didn't turn down the transaction, you buy a pack of gum for 50 cents, and there is another $35 fee. You buy a hamburger at Burger King for lunch, and there is another fee. So you can see how these predatory fees line up very quickly on top of the 300-percent, 400-percent, or 500-percent interest rates.

So here is the thing. State after State has said these are destroying families and we are going to act. In fact, in the U.S. Senate years ago we acted to protect military families from these predatory loans. The admirals and generals came to Capitol Hill to testify. They said: At our military bases these predatory payday loans are destroying our military families, and it is not just their finances. When their finances are destroyed, relationships are frayed, children's opportunities are damaged. We cannot have this type of terrible impact on our military families. So we established a national cap of interest on these short-term loans.

It is good we did. It is good we protected our military families from these abusive, destructive practices, but if these practices are so damaging to families in the military, aren't they equally damaging to families who are not in the military? Shouldn't we apply the same protection to every American family we apply to a military family? Don't we value the success of every American family more than we value protection for legalized loan sharking? Certainly we should, in this Chamber, extend to all families in America the same protection we gave to military families. Until we do that, we should at least make sure the Federal framework requires honoring the tough laws passed by State after State after State to stop these practices. I think the total is about 19 States at this point.

That is why I introduced the SAFE Lending Act today. The SAFE Lending Act—stop the abuse and fraud in electronic lending. This act does a couple of key things. First of all, it says these remotely created checks in which a company reaches in and takes your money without your permission—those are banned. You regain control of your checking account. Second, the legislation bans the overdraft fees on these prepaid payday loan cards and other predatory fees established through the Commission. Third, it says that all small-dollar lenders have to register in order to be monitored by their States so they are not in an unregulated world out there without people even knowing they exist. Furthermore, it says that every lender of every type has to abide by the State laws. It doesn't matter whom they are regulated by. Finally, it bans lead generators.

Now, what is a lead generator? A lead generator is a fake Web site that pretends it is a payday loan company, offers you a product, and their whole goal is to get your bank account number. Again, once they have that bank account number, they can reach in and take funds out of your account. It is incredible that this is true; that you don't have to sign the check. They basically just use your number and ask to take away the money from John Consumer or Jane Consumer and give it to us, and the bank complies and does it. As amazing as that sounds, that is the way the banking system works. That is what these remotely created checks do.

So we to make sure that regardless of what your financial regulator is, you have to abide by the State rules, and we ban these lead generators that are fishing for these bank account numbers. Once they have them, they sell them to the lending industry, to the payday loan industry, and who knows what other hands these numbers end up in.

I was surprised a couple of years ago when I noticed a charge on my bank account that wasn't something that either my wife Mary or I had purchased from a store we don't go to. I looked at it carefully and discovered the number of the check was out of the order of my checkbook. So I pulled up the copy of the check on the computer, looking through my account on the computer, and I could see the number matched my account, but the name on the check didn't match my account, the address didn't match my account, and the signature didn't match my signature. None of it matched. The only thing on this check was the number of the bank account that matched my bank account, and that is all that is required for someone to reach in and take money out of your account.

That type of fraud is surprising as well, but it reinforces the point that once an online electronic payday loan company has your number, they can reach in. That is all they need to take the money out of your account. So we are going to ban these lead generators as another piece of this predatory profile of the electronic payday loan industry. It is why I am introducing the act.

I greatly appreciate my cosponsors on this act, and I would like to thank them all. They are Senator TOM UDALL, Senator BERNIE SANDERS, Senator PATTY MURRAY, Senator DICK DURBIN, Senator DICK BLUMENTHAL, Senator ELIZABETH WARREN, Senator TAMMY BALDWIN, Senator ED MARKEY, Senator RON WYDEN, and Senator CORY BOOKER. Thank you to all of my colleagues who care a lot about ending predatory financial transactions that strip billions of dollars out of hard-working Americans' accounts.

We have a lot of work to do on this. We have accomplished some. There is much more to be done. Certainly, when James Truslow Adams said that individuals of each generation will have to stand and fight against practices designed to destroy the American dream, he was talking about things such as this—practices that proceed to undermine the success of America's working families. Let us stop those predatory practices in their tracks and pass the SAFE Lending Act.

By Mr. CORNYN (for himself, Mr. CRUZ, Mr. SCHUMER, and Mr. BLUMENTHAL):

S. 2763. A bill to provide the victims of Holocaust-era persecution and their heirs a fair opportunity to recover works of art confiscated or misappropriated by the Nazis; to the Committee on the Judiciary.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2763

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Holocaust Expropriated Art Recovery Act of 2016''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) It is estimated that the Nazis confiscated or otherwise misappropriated as many as 650,000 works of art throughout Europe as part of their genocidal campaign against the Jewish people and other persecuted groups. This has been described as the ''greatest displacement of art in human history''.

(2) Following World War II, the United States and its allies attempted to return the stolen artworks to their countries of origin. Despite these efforts, many works of art

were never reunited with their owners. Some of the art has since been discovered in the United States.

(3) In 1998, the United States convened a conference with 44 nations in Washington, D.C., known as the Washington Conference, which produced Principles on Nazi-Confiscated Art. One of these principles is that ''steps should be taken expeditiously to achieve a just and fair solution'' to claims involving such art that has not been restituted if the owners or their heirs can be identified.

(4) The same year, Congress enacted the Holocaust Victims Redress Act (Public Law 105–158, 112 Stat. 15), which expressed the sense of Congress that ''all governments should undertake good faith efforts to facilitate the return of private and public property, such as works of art, to the rightful owners in cases where assets were confiscated from the claimant during the period of Nazi rule and there is reasonable proof that the claimant is the rightful owner.''.

(5) In 2009, the United States participated in a Holocaust Era Assets Conference in Prague, Czech Republic, with 45 other nations. At the conclusion of this conference, the participating nations issued the Terezin Declaration, which reaffirmed the 1998 Washington Conference Principles on Nazi-Confiscated Art and urged all participants ''to ensure that their legal systems or alternative processes, while taking into account the different legal traditions, facilitate just and fair solutions with regard to Nazi-confiscated and looted art, and to make certain that claims to recover such art are resolved expeditiously and based on the facts and merits of the claims and all the relevant documents submitted by all parties.''. The Declaration also urged participants to ''consider all relevant issues when applying various legal provisions that may impede the restitution of art and cultural property, in order to achieve just and fair solutions, as well as alternative dispute resolution, where appropriate under law.''.

(6) Numerous victims of Nazi persecution and their heirs have taken legal action to recover Nazi-confiscated art. These lawsuits face significant procedural obstacles partly due to State statutes of limitations, which typically bar claims within some limited number of years from either the date of the loss or the date that the claim should have been discovered. In some cases, this means that the claims expired before World War II even ended. (See, e.g., The Detroit Institute of Arts v. Ullin, No. 06–10333, 2007 WL 1016996 (E.D. Mich. Mar. 31, 2007)). The unique and horrific circumstances of World War II and the Holocaust make statutes of limitations and other time-based procedural defenses especially burdensome to the victims and their heirs. Those seeking recovery of Nazi-confiscated art must painstakingly piece together their cases from a fragmentary historical record ravaged by persecution, war, and genocide. This costly process often cannot be done within the time constraints imposed by existing law.

(7) Federal legislation is needed because the only court that has considered the question held that the Constitution prohibits States from making exceptions to their statutes of limitations to accommodate claims involving the recovery of Nazi-confiscated art. In Von Saher v. Norton Simon Museum of Art, 592 F.3d 954 (9th Cir. 2009), the United States Court of Appeals for the Ninth Circuit invalidated a California law that extended the State statute of limitations for claims seeking recovery of Holocaust-era artwork. The Court held that the law was an unconstitutional infringement of the Federal Government's exclusive authority over foreign affairs, which includes the resolution of war-related disputes. In light of this precedent, the enactment of a Federal law is the best way to ensure that claims to Nazi-confiscated art are adjudicated on their merits.

SEC. 3. PURPOSES.

The purposes of this Act are the following:

(1) To ensure that laws governing claims to Nazi-confiscated art further United States policy as set forth in the Washington Conference Principles on Nazi-Confiscated Art, the Holocaust Victims Redress Act, and the Terezin Declaration.

(2) To ensure that claims to artwork stolen or misappropriated by the Nazis are not barred by statutes of limitations and other similar legal doctrines but are resolved in a just and fair manner on the merits.

SEC. 4. DEFINITIONS.

In this Act—

(1) the term ''actual discovery'' does not include any constructive knowledge imputed by law;

(2) the term ''artwork or other cultural property'' includes any painting, sculpture, drawing, work of graphic art, print, multiples, book, manuscript, archive, or sacred or ceremonial object;

(3) the term ''persecution during the Nazi era'' means any persecution by the Nazis or their allies during the period from January 1, 1933, to December 31, 1945, that was based on race, ethnicity, or religion; and

(4) the term ''unlawfully lost'' includes any theft, seizure, forced sale, sale under duress, or any other loss of an artwork or cultural property that would not have occurred absent persecution during the Nazi era.

SEC. 5. STATUTE OF LIMITATIONS.

(a) IN GENERAL.—Notwithstanding any other provision of Federal law, any provision of State law, or any defense at law or equity relating to the passage of time (including the doctrine of laches), a civil claim or cause of action against a defendant to recover any artwork or other cultural property unlawfully lost because of persecution during the Nazi era or for damages for the taking or detaining of any artwork or other cultural property unlawfully lost because of persecution during the Nazi era may be commenced not later than 6 years after the actual discovery by the claimant or the agent of the claimant of—

(1) the identity and location of the artwork or cultural property; and

(2) information or facts sufficient to indicate that the claimant has a claim for a possessory interest in the artwork or cultural property that was unlawfully lost.

(b) POSSIBLE MISIDENTIFICATION.—For purposes of subsection (a)(1), in a case in which there is a possibility of misidentification of the artwork or cultural property, the identification of the artwork or cultural property shall occur on the date on which there are facts sufficient to determine that the artwork or cultural property is likely to be the artwork or cultural property that was unlawfully lost.

(c) APPLICABILITY.—

(1) IN GENERAL.—Subsection (a) shall apply to any civil claim or cause of action (including a civil claim or cause of action described in paragraph (2)) that is—

(A) pending on the date of enactment of this Act; or

(B) filed during the period beginning on the date of enactment of this Act and ending on December 31, 2026.

(2) INCLUSION OF PREVIOUSLY DISMISSED CLAIMS.—A civil claim or cause of action described in this paragraph is a civil claim or cause of action—

(A) that was dismissed before the date of enactment of this Act based on the expiration of a Federal or State statute of limitations or any other defense at law or equity relating to the passage of time (including the doctrine of laches); and

(B) in which final judgment has not been entered.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 416—RECOGNIZING THE CONTRIBUTIONS OF HAWAII TO THE CULINARY HERITAGE OF THE UNITED STATES AND DESIGNATING THE WEEK BEGINNING ON JUNE 12, 2016, AS ''NATIONAL HAWAIIAN FOOD WEEK''

Mr. SCHATZ (for himself, Mr. ISAKSON, Ms. HIRONO, and Mr. PERDUE) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 416

Whereas when individuals first came to the Hawaiian islands more than 1,500 years ago, there was little to eat other than birds and a few species of ferns, but the individuals found rich volcanic soil, a year-round growing season, and abundant fisheries;

Whereas the history of Hawaii is inextricably linked with—

(1) foods brought to the Hawaiian islands by the first individuals who came to Hawaii and successive waves of voyagers to the Hawaiian islands;

(2) the agricultural and ranching potential of the land of Hawaii; and

(3) the readily available seafood from the ocean and coasts of Hawaii;

Whereas the food cultures initially brought to Hawaii came from places including French Polynesia, China, Japan, Portugal, North Korea, South Korea, the Philippines, Puerto Rico, and Samoa;

Whereas the foods first brought to Hawaii were simple, hearty fare of working men and women that reminded the men and women of their distant homes;

Whereas individuals in Hawaii, in the spirit of Aloha, shared favorite dishes with each other, and as a result, the individuals began to appreciate new tastes and learned how to bring new ideas into their cooking;

Whereas the blend of styles in Hawaiian cooking evolves as new groups of individuals make Hawaii their home;

Whereas the fusion of dishes from around the world creates a unique cuisine for Hawaii that is as much a part of a visit to Hawaii as the welcoming climate, friendly individuals, and beautiful beaches in Hawaii;

Whereas the food of Hawaii is appealing because it came from hard-working communities of individuals that farmed, fished, or ranched for their livelihoods, which are core experiences of individuals throughout the United States;

Whereas the growing appreciation for the food of Hawaii comes from hard-working and ingenious farmers, fishers, educators, ranchers, chefs, and businesses that innovate and export the taste of Hawaii all over the world; and

Whereas as the taste for the food of Hawaii spreads across the United States, individuals in Hawaii proudly welcome individuals in the State of Georgia to partner and bring the cuisine of the individuals ''home'' to new communities: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning on June 12, 2016, as ''National Hawaiian Food Week''; and

(2) recognizes the contributions of Hawaii to the culinary heritage of the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3518. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table.

SA 3519. Mr. TESTER (for himself and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3520. Mr. TESTER (for himself, Mr. HOEVEN, and Ms. HEITKAMP) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3521. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3522. Ms. CANTWELL (for herself, Mrs. MURRAY, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3523. Mr. SCOTT (for himself, Mr. GRAHAM, and Mr. ISAKSON) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3524. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra.

SA 3525. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3526. Mr. FLAKE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3527. Mr. RUBIO (for himself, Mr. BLUNT, Mrs. CAPITO, Mr. CASSIDY, Mr. GRAHAM, Mr. MANCHIN, Mr. RISCH, Mrs. SHAHEEN, Mr. SULLIVAN, and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3528. Mr. RUBIO (for himself and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3529. Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3530. Mr. SCHUMER (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3531. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3532. Mr. NELSON (for himself and Mr. COATS) submitted an amendment intended to be proposed by him to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3533. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3534. Ms. CANTWELL (for herself and Mr. THUNE) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3535. Mr. COTTON submitted an amendment intended to be proposed by him to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3536. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3537. Mr. PAUL (for himself and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3538. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3539. Mr. BLUNT (for himself, Mr. WYDEN, Mr. BENNET, Mr. PORTMAN, Ms. BALDWIN, Mr. VITTER, Ms. MURKOWSKI, Mrs. MURRAY, Mr. BURR, Ms. AYOTTE, Mr. CARPER, and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3540. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3541. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3542. Mr. HOEVEN (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3543. Mr. HOEVEN (for himself and Mr. COCHRAN) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3544. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3545. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3546. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3547. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3548. Mr. BLUMENTHAL (for himself, Mr. MARKEY, and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3549. Mr. MARKEY (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3550. Mr. PORTMAN (for himself and Mr. BURR) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3551. Mrs. BOXER submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3552. Mrs. FEINSTEIN (for herself, Mr. BENNET, and Mrs. BOXER) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3553. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3554. Mrs. GILLIBRAND (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3555. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3556. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3557. Mr. FLAKE (for himself, Mr. LEAHY, Mr. DURBIN, Mr. ENZI, Ms. COLLINS, Mr. HELLER, and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3558. Mrs. FEINSTEIN (for herself, Mr. TILLIS, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3559. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3560. Mr. WARNER (for himself and Mr. HOEVEN) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3561. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3562. Mr. WARNER (for himself and Mr. BLUNT) submitted an amendment intended to

be proposed by him to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3563. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3564. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3518. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

Subtitle ____—Arm All Pilots Act

SEC. ___01. SHORT TITLE.

This subtitle may be cited as the ''Arm All Pilots Act of 2016''.

SEC. ___02. FACILITATION OF AND LIMITATIONS ON TRAINING OF FEDERAL FLIGHT DECK OFFICERS.

(a) IMPROVED ACCESS TO TRAINING FACILITIES.—Section 44921(c)(2)(C)(ii) is amended—

(1) by striking ''The training of'' and inserting the following:

''(I) IN GENERAL.—The training of''; and

(2) by adding at the end the following:

''(II) ACCESS TO TRAINING FACILITIES.—Not later than 180 days after the date of the enactment of the Arm All Pilots Act of 2016, the Secretary shall—

''(aa) designate 5 additional firearms training facilities located in various regions of the United States for Federal flight deck officers relative to the number of such facilities available on the day before such date of enactment;

''(bb) designate firearms training facilities approved before such date of enactment for recurrent training of Federal flight deck officers as facilities approved for initial training and certification of pilots seeking to be deputized as Federal flight deck officers; and

''(cc) designate additional firearms training facilities for recurrent training of Federal flight deck officers relative to the number of such facilities available on the day before such date of enactment.''.

(b) FIREARMS REQUALIFICATION FOR FEDERAL FLIGHT DECK OFFICERS.—Section 44921(c)(2)(C)(iii) is amended—

(1) by striking ''The Under Secretary shall'' and inserting the following:

''(I) IN GENERAL.—The Secretary shall'';

(2) in subclause (I), as designated by paragraph (1), by striking ''the Under Secretary'' and inserting ''the Secretary, but not more frequently than once every 6 months,''; and

(3) by adding at the end the following:

''(II) USE OF FACILITIES FOR REQUALIFICATION.—The Secretary shall allow a Federal flight deck officer to requalify to carry a firearm under the program through training at a private or government-owned gun range certified to provide firearm requalification training.

''(III) SELF-REPORTING.—The Secretary shall determine that a Federal flight deck officer has met the requirements to requalify to carry a firearm under the program if—

''(aa) the officer reports to the Secretary that the officer has participated in a sufficient number of hours of training to requalify to carry a firearm under the program; and

''(bb) the administrator of the facility at which the officer conducted the requalification training verifies that the officer participated in that number of hours of training.''.

(c) LIMITATIONS ON TRAINING.—Section 44921(c)(2) is amended by adding at the end the following:

''(D) LIMITATIONS ON TRAINING.—

''(i) INITIAL TRAINING.—The Secretary may require—

''(I) initial training of not more than 5 days for a pilot to be deputized as a Federal flight deck officer;

''(II) the pilot to be physically present at the training facility for not more than 2 days of such training; and

''(III) not more than 3 days of such training to be in the form of certified online training administered by the Department of Homeland Security.

''(ii) RECURRENT TRAINING.—The Secretary may require—

''(I) recurrent training of not more than 2 days, not more frequently than once every 5 years, for a pilot to maintain deputization as a Federal flight deck officer;

''(II) the pilot to be physically present at the training facility for a full-day training session for not more than one day of such training; and

''(III) not more than one day of such training to be in the form of certified online training administered by the Department of Homeland Security.''.

(d) OTHER MEASURES TO FACILITATE TRAINING.—Section 44921(e) is amended—

(1) by striking ''Pilots participating'' and inserting the following:

''(1) IN GENERAL.—Pilots participating''; and

(2) by adding at the end the following:

''(2) FACILITATION OF TRAINING.—

''(A) TIME OFF FOR TRAINING.—An air carrier shall permit a Federal flight deck officer or a pilot seeking to be deputized as a Federal flight deck officer to take a reasonable amount of leave from work to participate in initial and recurrent training for the program. An air carrier shall not be obligated to provide such an officer or pilot compensation for such leave.

''(B) PRACTICE AMMUNITION.—At the request of a Federal flight deck officer, the Secretary shall provide to the officer sufficient practice ammunition to conduct at least one practice course every month.''.

SEC. ___03. CARRIAGE OF FIREARMS BY FEDERAL FLIGHT DECK OFFICERS.

(a) GENERAL AUTHORITY.—Section 44921(f) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (4) and (5), respectively; and

(2) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—The Secretary shall authorize a Federal flight deck officer to carry a firearm while engaged in providing air transportation or intrastate air transportation. The authority provided to a Federal flight deck officer under this paragraph includes the authority to carry a firearm—

''(A) on the officer's body, loaded, and holstered;

''(B) when traveling to a flight duty assignment, throughout the duty assignment, and when traveling from a flight duty assignment to the officer's home or place where the officer is residing when traveling; and

''(C) in the passenger cabin and while traveling in a cockpit jump seat.

''(2) CONCEALED CARRY.—A Federal flight deck officer shall make reasonable efforts to keep the officer's firearm concealed when in public.

''(3) PURCHASE OF FIREARM BY OFFICER.—Notwithstanding subsection (c)(1), a Federal flight deck officer may purchase a firearm and carry that firearm aboard an aircraft of which the officer is the pilot in accordance with this section if the firearm is of a type that may be used under the program.''.

(b) CARRIAGE OF FIREARMS ON INTERNATIONAL FLIGHTS.—Paragraph (5) of section 44921(f), as redesignated by subsection (a)(1), is amended to read as follows:

''(5) CARRYING FIREARMS OUTSIDE UNITED STATES.—

''(A) IN GENERAL.—In consultation with the Secretary of State, the Secretary—

''(i) may take such action as may be necessary to ensure that a Federal flight deck officer may carry a firearm in a foreign country whenever necessary to participate in the program; and

''(ii) shall take such actions as are within the authority of the Secretary to ensure that a Federal flight deck officer may carry a firearm while engaged in providing foreign air transportation.

''(B) CONSISTENCY WITH FEDERAL AIR MARSHAL PROGRAM.—The Secretary shall work to make policies relating to the carriage of firearms on flights in foreign air transportation by Federal flight deck officers consistent with the policies of the Federal air marshal program for carrying firearms on such flights.''.

(c) CARRIAGE OF FIREARM IN PASSENGER CABIN.—

(1) RULE OF CONSTRUCTION.—Section 44921 is amended by adding at the end the following:

''(l) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require a Federal flight deck officer to place a firearm in a locked container, or in any other manner render the firearm unavailable, when the cockpit door is opened.''.

(2) CONFORMING REPEAL.—Section 44921(b)(3) is amended—

(A) by striking subparagraph (G); and

(B) by redesignating subparagraphs (H) through (N) as subparagraphs (G) through (M), respectively.

(d) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall—

(1) prescribe regulations on the proper storage of firearms when a Federal flight deck officer is at home or where the officer is residing when traveling; and

(2) revise the procedural requirements established under section 44921(b)(1) of title 49, United States Code, to implement the amendments made by subsection (c).

SEC. ___04. PHYSICAL STANDARDS FOR FEDERAL FLIGHT DECK OFFICERS.

Section 44921(d)(2) is amended—

(1) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively, and by moving such clauses, as so redesignated, 2 ems to the right;

(2) by striking ''A pilot is'' and inserting the following:

''(A) IN GENERAL.—A pilot is''; and

(3) by adding at the end the following:

''(B) CONSISTENCY WITH REQUIREMENTS FOR CERTAIN MEDICAL CERTIFICATES.—In establishing standards under subparagraph (A)(ii), the Secretary may not establish medical or physical standards for a pilot to become a Federal flight deck officer that are inconsistent with or more stringent than the requirements of the Federal Aviation Administration for the issuance of a first- or second-class airman medical certificate under part 67 of title 14, Code of Federal Regulations (or any corresponding similar regulation or ruling).''.

SEC. ___05. TRANSFER OF FEDERAL FLIGHT DECK OFFICERS FROM INACTIVE TO ACTIVE STATUS.

Section 44921(d) is amended by adding at the end the following:

''(5) TRANSFER FROM INACTIVE TO ACTIVE STATUS.—A pilot deputized as a Federal

flight deck officer who moves to inactive status may return to active status after completing one program of recurrent training described in subsection (c).''.

SEC. ___06. FACILITATION OF SECURITY SCREENING OF FEDERAL FLIGHT DECK OFFICERS.

Section 44921, as amended by section ___03(c)(1), is further amended by adding at the end the following:

''(m) FACILITATION OF SECURITY SCREENING OF FEDERAL FLIGHT DECK OFFICERS.—

''(1) ELIGIBILITY FOR EXPEDITED SCREENING.—The Secretary shall allow a Federal flight deck officer to be screened through the crew member identity verification program of the Transportation Security Administration (commonly known as the 'Known Crew Member program') when entering the sterile area of an airport.

''(2) PROHIBITION ON PAPERWORK.—The Secretary may not require a Federal flight deck officer to fill out any forms or paperwork when entering the sterile area of an airport.

''(3) STERILE AREA DEFINED.—In this subsection, the term 'sterile area' has the meaning given that term in section 1540.5 of title 49, Code of Federal Regulations (or any corresponding similar regulation or ruling).''.

SEC. ___07. TECHNICAL CORRECTIONS.

Section 44921, as amended by this subtitle, is further amended—

(1) in subsection (a), by striking ''Under Secretary of Transportation for Security'' and inserting ''Secretary of Homeland Security'';

(2) in subsection (d)(4), by striking ''may,'' and inserting ''may'';

(3) in subsection (i)(2), by striking ''the Under Secretary may'' and inserting ''may'';

(4) in subsection (k)—

(A) by striking paragraphs (2) and (3); and

(B) by striking ''APPLICABILITY'' and all that follows through ''This section'' and inserting ''APPLICABILITY.—This section'';

(5) by adding at the end the following:

''(n) DEFINITIONS.—In this section:

''(1) PILOT.—The term 'pilot' means an individual who has final authority and responsibility for the operation and safety of the flight or any other flight deck crew member.

''(2) ALL-CARGO AIR TRANSPORTATION.—The term 'air transportation' includes all-cargo air transportation.''; and

(6) by striking ''Under Secretary'' each place it appears and inserting ''Secretary''.

SEC. ___08. REFUNDS OF CERTAIN SECURITY SERVICE FEES FOR AIR CARRIERS WITH FEDERAL FLIGHT DECK OFFICERS ON ALL FLIGHTS.

Section 44940 is amended by adding at the end the following:

''(j) REFUND OF FEES FOR AIR CARRIERS WITH FEDERAL FLIGHT DECK OFFICERS ON ALL FLIGHTS.—From fees received in a fiscal year under subsection (a)(1), each air carrier that certifies to the Secretary of Homeland Security that all flights operated by the air carrier have on board a pilot deputized as a Federal flight deck officer under section 44921 shall receive an amount equal to 10 percent of the fees collected under subsection (a)(1) from passengers on flights operated by that air carrier in that fiscal year.''.

SEC. ___09. TREATMENT OF INFORMATION ABOUT FEDERAL FLIGHT DECK OFFICERS AS SENSITIVE SECURITY INFORMATION.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall revise section 15.5(b)(11) of title 49, Code of Federal Regulations, to classify information about pilots deputized as Federal flight deck officers under section 44921 of title 49, United States Code, as sensitive security information in a manner consistent with the classification of information about Federal air marshals.

SEC. ___10. REGULATIONS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall prescribe such regulations as may be necessary to carry out this Act and the amendments made by this Act.

SA 3519. Mr. TESTER (for himself and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

On page 41, line 25, strike ''Section'' and insert the following:

(a) IN GENERAL.—Section

On page 42, between lines 7 and 8, insert the following:

(b) GRANDFATHER RULE.—Section 47109(c)(2) is amended by inserting ''or nonprimary commercial service airport that is'' after ''primary non-hub airport''.

SA 3520. Mr. TESTER (for himself, Mr. HOEVEN, and Ms. HEITKAMP) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

On page 201, between lines 9 and 10, insert the following:

(e) REPORT ON COSTS ASSOCIATED WITH AIR AMBULANCE OPERATIONS AND SOLUTIONS TO IMPROVE AFFORDABILITY.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study of—

(A) the costs associated with conducting air ambulance operations;

(B) prices charged to consumers for air ambulance operations;

(C) methods for consumers to cover costs of air ambulance operations; and

(D) solutions to improve the overall affordability of air ambulance operations.

(2) CONSIDERATIONS.—In conducting the study required under paragraph (1), the Comptroller General shall consider—

(A) data pertaining to the final cost to the consumer for utilizing air ambulance operations;

(B) the frequency of inclusion of coverage for air ambulance operations in health insurance plans; and

(C) any unique qualities of air ambulance operations that would warrant additional Federal or State oversight on prices, routes, and service.

(3) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit a report containing the results of the study conducted under this subsection and the Comptroller General's findings, conclusions, and recommendations to—

(A) the Committee on Appropriations of the Senate;

(B) the Committee on Commerce, Science, and Transportation of the Senate;

(C) the Committee on Health, Education, Labor, and Pensions of the Senate;

(D) the Committee on Finance of the Senate;

(E) the Committee on Appropriations of the House of Representatives;

(F) the Committee on Transportation and Infrastructure of the House of Representatives;

(G) the Committee on Education and the Workforce of the House of Representatives; and

(H) the Committee on Financial Services of the House of Representatives.

SA 3521. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PERIODIC AUDITS BY INSPECTOR GENERAL OF THE DEPARTMENT OF TRANSPORTATION OF BUY AMERICAN ACT CONTRACTING COMPLIANCE.

(a) REQUIREMENT FOR PERIODIC AUDITS OF CONTRACTING COMPLIANCE.—The Inspector General of the Department of Transportation shall conduct periodic audits of contracting practices and policies related to procurement requirements under chapter 83 of title 41, United States Code.

(b) REQUIREMENT FOR ADDITIONAL INFORMATION IN SEMIANNUAL REPORTS.—The Inspector General of the Department of Transportation shall ensure that findings and other information resulting from audits conducted pursuant to subsection (a) are included in the semiannual report transmitted to congressional committees under section 8(f) of the Inspector General Act of 1978 (5 U.S.C. App).

SA 3522. Ms. CANTWELL (for herself, Mrs. MURRAY, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

On page 189, strike lines 2 through 11, and insert the following:

(b) CONTENTS.—In revising the regulations under subsection (a), the Administrator shall ensure that a flight attendant scheduled to a duty period of 14 hours or less is given a scheduled rest period of at least 10 consecutive hours and that such rest period is not reduced under any circumstances.

SA 3523. Mr. SCOTT (for himself, Mr. GRAHAM, and Mr. ISAKSON) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. MODIFICATION OF CREDIT FOR PRODUCTION FROM ADVANCED NUCLEAR POWER FACILITIES.

(a) SPECIAL RULE FOR PUBLIC-PRIVATE PARTNERSHIPS.—

(1) IN GENERAL.—Section 45J of the Internal Revenue Code of 1986 is amended—

(A) by redesignating subsection (e) as subsection (f), and

(B) by inserting after subsection (d) the following new subsection:

''(e) SPECIAL RULE FOR PUBLIC-PRIVATE PARTNERSHIPS.—

''(1) TRANSFER OF CREDIT.—

''(A) IN GENERAL.—In the case of an advanced nuclear power facility which is owned by a public private partnership or co-owned by a qualified public entity and a non-public entity, any qualified public entity which is a member of such partnership or a co-owner of such facility may transfer such entity's allocation of the credit under subsection (a), or any portion thereof, to—

''(i) any non-public entity which is a member of such partnership or which is a co-owner of such facility,

''(ii) any person responsible for designing the facility, or

''(iii) any person responsible for, or participating in, construction of the facility.

Any amount transferred to another person under this paragraph shall be subject to the limitations under subsections (b) and (c) and section 38.

''(B) SPECIAL RULE FOR CERTAIN TAXPAYERS.—Under regulations promulgated by the Secretary, in the case of any person described in subparagraph (ii) and (iii) of subparagraph (A) to whom a credit is transferred—

''(i) such person shall be treated as an owner of the advanced nuclear power facility to which the credit relates, and

''(ii) such person shall be treated as the producer and seller of so much of the electricity produced and sold at such facility as bears the same ratio to all such electricity produced and sold as the amount of credit transferred under paragraph (1) bears to the total amount of credit allocated to the qualified public entity.

''(2) QUALIFIED PUBLIC ENTITY.—For purposes of this subsection, the term 'qualified public entity' means—

''(A) a Federal, State, or local government entity, or any political subdivision, agency, or instrumentality thereof,

''(B) a mutual or cooperative electric company described in section 501(c)(12) or section 1381(a)(2), or

''(C) a not-for-profit electric utility which has or had received a loan or loan guarantee under the Rural Electrification Act of 1936.

''(3) VERIFICATION OF TRANSFER OF ALLOCATION.—A qualified public entity that makes a transfer under paragraph (1), and a nonpublic entity that receives an allocation under such a transfer, shall provide verification of such transfer in such manner and at such time as the Secretary shall prescribe.

''(4) TREATMENT OF TRANSFER UNDER PRIVATE USE RULES.—For purposes of section 141(b)(1), any benefit derived by a non-public entity in connection with a transfer under paragraph (1) shall not be taken into account as a private business use.''.

(2) COORDINATION WITH GENERAL BUSINESS CREDIT.—Subsection (c) of section 38 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(7) SPECIAL RULE FOR CREDIT FOR PRODUCTION FROM ADVANCED NUCLEAR POWER FACILITIES.—

''(A) IN GENERAL.—In the case of the credit for production from advanced nuclear power facilities determined under section 45J(a), paragraph (1) shall not apply with respect to any qualified public entity (as defined in section 45J(e)(2)) which transfers the entity's allocation of such credit as provided in section 45J(e)(1).

''(B) VERIFICATION OF TRANSFER.—Subparagraph (A) shall not apply to any qualified public entity unless such entity provides verification of a transfer of credit allocation as required under section 45J(e)(3).''.

(b) SPECIAL RULE FOR PROCEEDS OF TRANSFERS FOR MUTUAL OR COOPERATIVE ELECTRIC COMPANIES.—Section 501(c)(12) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(I) In the case of a mutual or cooperative electric company described in this paragraph or an organization described in section 1381(a)(2), income received or accrued from a transfer described in section 45J(e)(1) shall be treated as an amount collected from members for the sole purpose of meeting losses and expenses.''.

(c) PERMANENT EXTENSION FOR QUALIFICATION AS ADVANCED NUCLEAR POWER FACILITY.—Subparagraph (B) of section 45J(d)(1) of the Internal Revenue Code of 1986 is amended by striking ''and before January 1, 2021''.

(d) MODIFICATION OF LIMITATION.—Section 45J(b) of the Internal Revenue Code of 1986 is amended by striking paragraphs (3) and (4) and inserting the following:

''(3) ALLOCATION OF LIMITATION.—The Secretary shall allocate the national megawatt capacity limitation to each facility in an amount equal to the nameplate capacity of the facility in the order in which the facility was placed in service.''.

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), the amendments made by this section shall apply to electricity produced in taxable years beginning after the date of the enactment of this Act.

(2) PROCEEDS OF MUTUAL OR COOPERATIVE ELECTRIC COMPANIES.—The amendment made by subsection (b) shall apply to taxable years beginning after the date of the enactment of this Act.

(3) ALLOCATION OF LIMITATION.—The amendment made by subsection (d) shall apply to allocations made after the date of the enactment of this Act.

SA 3524. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; as follows:

Strike section 3113 and insert the following:

SEC. 3113. LASTING IMPROVEMENTS TO FAMILY TRAVEL.

(a) SHORT TITLE.—This section may be cited as the ''Lasting Improvements to Family Travel Act'' or the ''LIFT Act''.

(b) ACCOMPANYING MINORS FOR SECURITY SCREENING.—The Administrator of the Transportation Security Administration shall formalize security screening procedures that allow for one adult family caregiver to accompany a minor child throughout the entirety of the security screening process.

(c) SPECIAL ACCOMMODATIONS FOR PREGNANT WOMEN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Transportation shall prescribe regulations under section 41705 of title 49, United States Code, that direct all air carriers to include pregnant women in their nondiscrimination policies, including policies with respect to preboarding or advance boarding of aircraft.

(d) FAMILY SEATING.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall prescribe regulations directing each air carrier to establish a policy that ensures that, if a family is traveling on a reservation with a child under the age of 13, that child is able to sit in a seat adjacent to the seat of an accompanying family member over the age of 13 at no additional cost.

SA 3525. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

On page 121, line 26, strike ''shall'' and insert ''may''.

SA 3526. Mr. FLAKE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title II, add the following:

SEC. 2506. AIRSPACE MANAGEMENT ADVISORY COMMITTEE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall establish an advisory committee to carry out the duties described in subsection (b).

(b) DUTIES.—The advisory committee shall—

(1) conduct a review of the practices and procedures of the Federal Aviation Administration for developing proposals with respect to changes in regulations, policies, or guidance of the Federal Aviation Administration relating to airspace that affect airport operations, airport capacity, the environment, or communities in the vicinity of airports, including—

(A) an assessment of the extent to which there is consultation, or a lack of consultation, with respect to such proposals—

(i) between and among the affected elements of the Federal Aviation Administration, including the Air Traffic Organization, the Office of Airports, the Flight Standards Service, the Office of NextGen, and the Office of Energy and Environment; and

(ii) between the Federal Aviation Administration and affected entities, including airports, aircraft operators, communities, and State and local governments;

(2) recommend revisions to such practices and procedures to improve communications and coordination between and among affected elements of the Federal Aviation Administration and with other affected entities with respect to proposals described in paragraph (1) and the potential effects of such proposals;

(3) conduct a review of the management by the Federal Aviation Administration of systems and information used to evaluate data relating to obstructions to air navigation or navigational facilities under part 77 of title 14, Code of Federal Regulations; and

(4) make recommendations to ensure that the data described in paragraph (3) is publicly accessible and streamlined to ensure developers, airport operators, and other interested parties may obtain relevant information concerning potential obstructions when working to preserve and create a safe and efficient navigable airspace.

(c) MEMBERSHIP.—The membership of the advisory committee established under subsection (a) shall include representatives of—

(1) air carriers, including passenger and cargo air carriers;

(2) general aviation, including business aviation and fixed wing aircraft and rotocraft;
(3) airports of various sizes and types;
(4) air traffic controllers; and
(5) State aviation officials.
(d) REPORT REQUIRED.—Not later than one year after the establishment of the advisory committee under subsection (a), the advisory committee shall submit to Congress a report on the actions taken by the advisory committee to carry out the duties described in subsection (b).

SA 3527. Mr. RUBIO (for himself, Mr. BLUNT, Mrs. CAPITO, Mr. CASSIDY, Mr. GRAHAM, Mr. MANCHIN, Mr. RISCH, Mrs. SHAHEEN, Mr. SULLIVAN, and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ___—VESSEL INCIDENTAL DISCHARGE ACT

SEC. __01. SHORT TITLE.

This title may be cited as the ''Vessel Incidental Discharge Act''.

SEC. __02. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress makes the following findings:

(1) Since the enactment of the Act to Prevent Pollution from Ships (22 U.S.C. 1901 et seq.) in 1980, the United States Coast Guard has been the principal Federal authority charged with administering, enforcing, and prescribing regulations relating to the discharge of pollutants from vessels engaged in maritime commerce and transportation.

(2) The Coast Guard estimates there are approximately 21,560,000 State-registered recreational vessels, 75,000 commercial fishing vessels, and 33,000 freight and tank barges operating in United States waters.

(3) From 1973 to 2005, certain discharges incidental to the normal operation of a vessel were exempted by regulation from otherwise applicable permitting requirements.

(4) During the 32 years during which this regulatory exemption was in effect, Congress enacted several statutes to deal with the regulation of discharges incidental to the normal operation of a vessel, including—

(A) the Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.) in 1980;

(B) the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4701 et seq.);

(C) the National Invasive Species Act of 1996 (110 Stat. 4073);

(D) section 415 of the Coast Guard Authorization Act of 1998 (112 Stat. 3434) and section 623 of the Coast Guard and Maritime Transportation Act of 2004 (33 U.S.C. 1901 note), which established interim and permanent requirements, respectively, for the regulation of vessel discharges of certain bulk cargo residue;

(E) title XIV of division B of Appendix D of the Consolidated Appropriations Act, 2001 (114 Stat. 2763), which prohibited or limited certain vessel discharges in certain areas of Alaska;

(F) section 204 of the Maritime Transportation Security Act of 2002 (33 U.S.C. 1902a), which established requirements for the regulation of vessel discharges of agricultural cargo residue material in the form of hold washings; and

(G) title X of the Coast Guard Authorization Act of 2010 (33 U.S.C. 3801 et seq.), which provided for the implementation of the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001.

(b) PURPOSE.—The purpose of this title is to provide for the establishment of nationally uniform and environmentally sound standards and requirements for the management of discharges incidental to the normal operation of a vessel.

SEC. __03. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) AQUATIC NUISANCE SPECIES.—The term ''aquatic nuisance species'' means a nonindigenous species (including a pathogen) that threatens the diversity or abundance of native species or the ecological stability of navigable waters or commercial, agricultural, aquacultural, or recreational activities dependent on such waters.

(3) BALLAST WATER.—

(A) IN GENERAL.—The term ''ballast water'' means any water and water-suspended matter taken aboard a vessel—

(i) to control or maintain trim, list, draught, stability, or stresses of the vessel; or

(ii) during the cleaning, maintenance, or other operation of a ballast water treatment technology of the vessel.

(B) EXCLUSIONS.—The term ''ballast water'' does not include any substance that is added to water described in subparagraph (A) that is not directly related to the operation of a properly functioning ballast water treatment technology under this title.

(4) BALLAST WATER DISCHARGE STANDARD.—The term ''ballast water discharge standard'' means the numerical ballast water discharge standard set forth in section 151.2030 of title 33, Code of Federal Regulations or section 151.1511 of title 33, Code of Federal Regulations, as applicable, or a revised numerical ballast water discharge standard established under subsection (a)(1)(B), (b), or (c) of section __05.

(5) BALLAST WATER MANAGEMENT SYSTEM; MANAGEMENT SYSTEM.—The terms ''ballast water management system'' and ''management system'' mean any system, including all ballast water treatment equipment and associated control and monitoring equipment, used to process ballast water to kill, remove, render harmless, or avoid the uptake or discharge of organisms.

(6) BIOCIDE.—The term ''biocide'' means a substance or organism, including a virus or fungus, that is introduced into or produced by a ballast water management system to reduce or eliminate aquatic nuisance species as part of the process used to comply with a ballast water discharge standard under this title.

(7) DISCHARGE INCIDENTAL TO THE NORMAL OPERATION OF A VESSEL.—

(A) IN GENERAL.—The term ''discharge incidental to the normal operation of a vessel'' means—

(i) a discharge into navigable waters from a vessel of—

(I)(aa) ballast water, graywater, bilge water, cooling water, oil water separator effluent, anti-fouling hull coating leachate, boiler or economizer blowdown, byproducts from cathodic protection, controllable pitch propeller and thruster hydraulic fluid, distillation and reverse osmosis brine, elevator pit effluent, firemain system effluent, freshwater layup effluent, gas turbine wash water, motor gasoline and compensating effluent, refrigeration and air condensate effluent, seawater pumping biofouling prevention substances, boat engine wet exhaust, sonar dome effluent, exhaust gas scrubber washwater, or stern tube packing gland effluent; or

(bb) any other pollutant associated with the operation of a marine propulsion system, shipboard maneuvering system, habitability system, or installed major equipment, or from a protective, preservative, or absorptive application to the hull of a vessel;

(II) weather deck runoff, deck wash, aqueous film forming foam effluent, chain locker effluent, non-oily machinery wastewater, underwater ship husbandry effluent, welldeck effluent, or fish hold and fish hold cleaning effluent; or

(III) any effluent from a properly functioning marine engine; or

(ii) a discharge of a pollutant into navigable waters in connection with the testing, maintenance, or repair of a system, equipment, or engine described in subclause (I)(bb) or (III) of clause (i) whenever the vessel is waterborne.

(B) EXCLUSIONS.—The term ''discharge incidental to the normal operation of a vessel'' does not include—

(i) a discharge into navigable waters from a vessel of—

(I) rubbish, trash, garbage, incinerator ash, or other such material discharged overboard;

(II) oil or a hazardous substance as those terms are defined in section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321);

(III) sewage as defined in section 312(a)(6) of the Federal Water Pollution Control Act (33 U.S.C. 1322(a)(6)); or

(IV) graywater referred to in section 312(a)(6) of the Federal Water Pollution Control Act (33 U.S.C. 1322(a)(6));

(ii) an emission of an air pollutant resulting from the operation onboard a vessel of a vessel propulsion system, motor driven equipment, or incinerator; or

(iii) a discharge into navigable waters from a vessel when the vessel is operating in a capacity other than as a means of transportation on water.

(8) GEOGRAPHICALLY LIMITED AREA.—The term ''geographically limited area'' means an area—

(A) with a physical limitation, including limitation by physical size and limitation by authorized route such as the Great Lakes and St. Lawrence River, that prevents a vessel from operating outside the area, as determined by the Secretary; or

(B) that is ecologically homogeneous, as determined by the Secretary, in consultation with the heads of other Federal departments or agencies as the Secretary considers appropriate.

(9) MANUFACTURER.—The term ''manufacturer'' means a person engaged in the manufacture, assemblage, or importation of ballast water treatment technology.

(10) NAVIGABLE WATERS.—The term ''navigable waters'' has the meaning given the term in section 2.36 of title 33, Code of Federal Regulations, as in effect on the date of the enactment of this Act.

(11) SECRETARY.—The term ''Secretary'' means the Secretary of the department in which the Coast Guard is operating.

(12) VESSEL.—The term ''vessel'' means every description of watercraft or other artificial contrivance used, or practically or otherwise capable of being used, as a means of transportation on water.

SEC. __04. REGULATION AND ENFORCEMENT.

(a) IN GENERAL.—

(1) ESTABLISHMENT.—The Secretary, in consultation with the Administrator, shall establish, implement, and enforce uniform national standards and requirements for the regulation of discharges incidental to the normal operation of a vessel.

(2) BASIS.—Except as provided under paragraph (3), the standards and requirements established under paragraph (1)—

(A) with respect to ballast water, shall be based upon the best available technology that is economically achievable;

(B) with respect to discharges incidental to the normal operation of a vessel other than ballast water, shall be based on best management practices; and

(C) shall supersede any permitting requirement or prohibition on discharges incidental to the normal operation of a vessel under any other provision of law.

(3) RULE OF CONSTRUCTION.—The standards and requirements established under paragraph (1) shall not supersede regulations, in place on the date of the enactment of this Act or established by a rulemaking proceeding after such date of enactment, which cover a discharge in a national marine sanctuary or in a marine national monument.

(b) ADMINISTRATION AND ENFORCEMENT.—The Secretary shall administer and enforce the uniform national standards and requirements under this title. Each State may enforce the uniform national standards and requirements under this title.

(c) SANCTIONS.—

(1) CIVIL PENALTIES.—

(A) BALLAST WATER.—Any person who violates a regulation issued pursuant to this title regarding a discharge incidental to the normal operation of a vessel of ballast water shall be liable for a civil penalty in an amount not to exceed $25,000. Each day of a continuing violation constitutes a separate violation.

(B) OTHER DISCHARGE.—Any person who violates a regulation issued pursuant to this title regarding a discharge incidental to the normal operation of a vessel other than ballast water shall be liable for a civil penalty in an amount not to exceed $10,000. Each day of a continuing violation constitutes a separate violation.

(C) IN REM LIABILITY.—A vessel operated in violation of a regulation issued under this title shall be liable in rem for any civil penalty assessed under this subsection for that violation.

(2) CRIMINAL PENALTIES.—

(A) BALLAST WATER.—Any person who knowingly violates a regulation issued pursuant to this title regarding a discharge incidental to the normal operation of a vessel of ballast water shall be punished by a fine of not more than $100,000, imprisonment for not more than 2 years, or both.

(B) OTHER DISCHARGE.—Any person who knowingly violates a regulation issued pursuant to this title regarding a discharge incidental to the normal operation of a vessel other than ballast water shall be punished by a fine of not more than $50,000, imprisonment for not more than 1 year, or both.

(3) REVOCATION OF CLEARANCE.—The Secretary shall withhold or revoke the clearance of a vessel required under section 60105 of title 46, United States Code, if the owner or operator of the vessel is in violation of a regulation issued pursuant to this Act.

(4) EXCEPTION TO SANCTIONS.—It shall be an affirmative defense to any charge of a violation of this title that compliance with this title would, because of adverse weather, equipment failure, or any other relevant condition, have threatened the safety or stability of a vessel, its crew, or its passengers.

SEC. _05. UNIFORM NATIONAL STANDARDS AND REQUIREMENTS FOR THE REGULATION OF DISCHARGES INCIDENTAL TO THE NORMAL OPERATION OF A VESSEL.

(a) REQUIREMENTS.—

(1) BALLAST WATER MANAGEMENT REQUIREMENTS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the requirements set forth in the final rule, Standards for Living Organisms in Ships' Ballast Water Discharged in U.S. Waters (77 Fed. Reg. 17254 (March 23, 2012), as corrected at 77 Fed. Reg. 33969 (June 8, 2012)), shall be the management requirements for a ballast water discharge incidental to the normal operation of a vessel until the Secretary revises the ballast water discharge standard under subsection (b) or adopts a more stringent State standard under subparagraph (B).

(B) ADOPTION OF MORE STRINGENT STATE STANDARD.—If the Secretary makes a determination in favor of a State petition under section 610, the Secretary shall adopt the more stringent ballast water discharge standard specified in the statute or regulation that is the subject of that State petition instead of the ballast water discharge standard in the final rule described under subparagraph (A).

(2) INITIAL MANAGEMENT REQUIREMENTS FOR DISCHARGES OTHER THAN BALLAST WATER.—Not later than 2 years after the date of enactment of this Act, the Secretary, in consultation with the Administrator, shall issue a final rule establishing best management practices for discharges incidental to the normal operation of a vessel other than ballast water.

(b) REVISED BALLAST WATER DISCHARGE STANDARD; 8-YEAR REVIEW.—

(1) IN GENERAL.—Subject to the feasibility review under paragraph (2), not later than January 1, 2024, the Secretary, in consultation with the Administrator, shall issue a final rule revising the ballast water discharge standard under subsection (a)(1) so that a ballast water discharge incidental to the normal operation of a vessel will contain—

(A) less than 1 organism that is living or has not been rendered harmless per 10 cubic meters that is 50 or more micrometers in minimum dimension;

(B) less than 1 organism that is living or has not been rendered harmless per 10 milliliters that is less than 50 micrometers in minimum dimension and more than 10 micrometers in minimum dimension;

(C) concentrations of indicator microbes that are less than—

(i) 1 colony-forming unit of toxicogenic Vibrio cholera (serotypes O1 and O139) per 100 milliliters or less than 1 colony-forming unit of that microbe per gram of wet weight of zoological samples;

(ii) 126 colony-forming units of Escherichia coli per 100 milliliters; and

(iii) 33 colony-forming units of intestinal enterococci per 100 milliliters; and

(D) concentrations of such additional indicator microbes and of viruses as may be specified in regulations issued by the Secretary in consultation with the Administrator and such other Federal agencies as the Secretary and the Administrator consider appropriate.

(2) FEASIBILITY REVIEW.—

(A) IN GENERAL.—Not less than 2 years before January 1, 2024, the Secretary, in consultation with the Administrator, shall complete a review to determine the feasibility of achieving the revised ballast water discharge standard under paragraph (1).

(B) CRITERIA FOR REVIEW OF BALLAST WATER DISCHARGE STANDARD.—In conducting a review under subparagraph (A), the Secretary shall consider whether revising the ballast water discharge standard will result in a scientifically demonstrable and substantial reduction in the risk of introduction or establishment of aquatic nuisance species, taking into account—

(i) improvements in the scientific understanding of biological and ecological processes that lead to the introduction or establishment of aquatic nuisance species;

(ii) improvements in ballast water management systems, including—

(I) the capability of such management systems to achieve a revised ballast water discharge standard;

(II) the effectiveness and reliability of such management systems in the shipboard environment;

(III) the compatibility of such management systems with the design and operation of a vessel by class, type, and size;

(IV) the commercial availability of such management systems; and

(V) the safety of such management systems;

(iii) improvements in the capabilities to detect, quantify, and assess the viability of aquatic nuisance species at the concentrations under consideration;

(iv) the impact of ballast water management systems on water quality; and

(v) the costs, cost-effectiveness, and impacts of—

(I) a revised ballast water discharge standard, including the potential impacts on shipping, trade, and other uses of the aquatic environment; and

(II) maintaining the existing ballast water discharge standard, including the potential impacts on water-related infrastructure, recreation, propagation of native fish, shellfish, and wildlife, and other uses of navigable waters.

(C) LOWER REVISED DISCHARGE STANDARD.—

(i) IN GENERAL.—If the Secretary, in consultation with the Administrator, determines on the basis of the feasibility review and after an opportunity for a public hearing that no ballast water management system can be certified under section _06 to comply with the revised ballast water discharge standard under paragraph (1), the Secretary shall require the use of the management system that achieves the performance levels of the best available technology that is economically achievable.

(ii) IMPLEMENTATION DEADLINE.—If the Secretary, in consultation with the Administrator, determines that the management system under clause (i) cannot be implemented before the implementation deadline under paragraph (3) with respect to a class of vessels, the Secretary shall extend the implementation deadline for that class of vessels for not more than 36 months.

(iii) COMPLIANCE.—If the implementation deadline under paragraph (3) is extended, the Secretary shall recommend action to ensure compliance with the extended implementation deadline under clause (ii).

(D) HIGHER REVISED DISCHARGE STANDARD.—

(i) IN GENERAL.—If the Secretary, in consultation with the Administrator, determines that a ballast water management system exists that exceeds the revised ballast water discharge standard under paragraph (1) with respect to a class of vessels and is the best available technology that is economically achievable, the Secretary shall revise the ballast water discharge standard for that class of vessels to incorporate the higher discharge standard.

(ii) IMPLEMENTATION DEADLINE.—If the Secretary, in consultation with the Administrator, determines that the management system under clause (i) can be implemented before the implementation deadline under paragraph (3) with respect to a class of vessels, the Secretary shall accelerate the implementation deadline for that class of vessels. If the implementation deadline under paragraph (3) is accelerated, the Secretary shall provide not less than 24 months notice before the accelerated deadline takes effect.

(3) IMPLEMENTATION DEADLINE.—The revised ballast water discharge standard under paragraph (1) shall apply to a vessel beginning on the date of the first drydocking of

the vessel on or after January 1, 2024, but not later than December 31, 2026.

(4) REVISED DISCHARGE STANDARD COMPLIANCE DEADLINES.—

(A) IN GENERAL.—The Secretary may establish a compliance deadline for compliance by a vessel (or a class, type, or size of vessel) with a revised ballast water discharge standard under this subsection.

(B) PROCESS FOR GRANTING EXTENSIONS.—In issuing regulations under this subsection, the Secretary shall establish a process for an owner or operator to submit a petition to the Secretary for an extension of a compliance deadline with respect to the vessel of the owner or operator.

(C) PERIOD OF EXTENSIONS.—An extension issued under subparagraph (B) may—

(i) apply for a period of not to exceed 18 months from the date of the applicable deadline under subparagraph (A); and

(ii) be renewable for an additional period of not to exceed 18 months.

(D) FACTORS.—In issuing a compliance deadline or reviewing a petition under this paragraph, the Secretary shall consider, with respect to the ability of an owner or operator to meet a compliance deadline, the following factors:

(i) Whether the management system to be installed is available in sufficient quantities to meet the compliance deadline.

(ii) Whether there is sufficient shipyard or other installation facility capacity.

(iii) Whether there is sufficient availability of engineering and design resources.

(iv) Vessel characteristics, such as engine room size, layout, or a lack of installed piping.

(v) Electric power generating capacity aboard the vessel.

(vi) Safety of the vessel and crew.

(vii) Any other factors the Secretary considers appropriate, including the availability of a ballast water reception facility or other means of managing ballast water.

(E) CONSIDERATION OF PETITIONS.—

(i) DETERMINATIONS.—The Secretary shall approve or deny a petition for an extension of a compliance deadline submitted by an owner or operator under this paragraph.

(ii) DEADLINE.—If the Secretary does not approve or deny a petition referred to in clause (i) on or before the last day of the 90-day period beginning on the date of submission of the petition, the petition shall be deemed approved.

(c) FUTURE REVISIONS OF VESSEL INCIDENTAL DISCHARGE STANDARDS; DECENNIAL REVIEWS.—

(1) REVISED BALLAST WATER DISCHARGE STANDARDS.—The Secretary, in consultation with the Administrator, shall complete a review, 10 years after the issuance of a final rule under subsection (b) and every 10 years thereafter, to determine whether further revision of the ballast water discharge standard would result in a scientifically demonstrable and substantial reduction in the risk of the introduction or establishment of aquatic nuisance species.

(2) REVISED STANDARDS FOR DISCHARGES OTHER THAN BALLAST WATER.—The Secretary, in consultation with the Administrator, may include in a decennial review under this subsection best management practices for discharges covered by subsection (a)(2). The Secretary shall initiate a rulemaking to revise 1 or more best management practices for such discharges after a decennial review if the Secretary, in consultation with the Administrator, determines that revising 1 or more of such practices would substantially reduce the impacts on navigable waters of discharges incidental to the normal operation of a vessel other than ballast water.

(3) CONSIDERATIONS.—In conducting a review under paragraph (1), the Secretary, the Administrator, and the heads of other Federal agencies as the Secretary considers appropriate, shall consider the criteria under section __05(b)(2)(B).

(4) REVISION AFTER DECENNIAL REVIEW.—The Secretary shall initiate a rulemaking to revise the current ballast water discharge standard after a decennial review if the Secretary, in consultation with the Administrator, determines that revising the current ballast water discharge standard would result in a scientifically demonstrable and substantial reduction in the risk of the introduction or establishment of aquatic nuisance species.

(d) ALTERNATIVE BALLAST WATER MANAGEMENT REQUIREMENTS.—Nothing in this title may be construed to preclude the Secretary from authorizing the use of alternate means or methods of managing ballast water (including flow-through exchange, empty/refill exchange, and transfer to treatment facilities in place of a vessel ballast water management system required under this section) if the Secretary, in consultation with the Administrator, determines that such means or methods would not pose a greater risk of introduction of aquatic nuisance species in navigable waters than the use of a ballast water management system that achieves the applicable ballast water discharge standard.

(e) GREAT LAKES REQUIREMENTS.—In addition to the other standards and requirements imposed by this section, in the case of a vessel that enters the Great Lakes through the St. Lawrence River after operating outside the exclusive economic zone of the United States the Secretary, in consultation with the Administrator, shall establish a requirement that the vessel conduct saltwater flushing of all ballast water tanks onboard prior to entry.

SEC. __06. TREATMENT TECHNOLOGY CERTIFICATION.

(a) CERTIFICATION REQUIRED.—Beginning on the date that is 1 year after the date on which the requirements for testing protocols are issued under subsection (i), no manufacturer of a ballast water management system shall sell, offer for sale, or introduce or deliver for introduction into interstate commerce, or import into the United States for sale or resale, a ballast water management system for a vessel unless it has been certified under this section.

(b) CERTIFICATION PROCESS.—

(1) EVALUATION.—Upon application of a manufacturer, the Secretary shall evaluate a ballast water management system with respect to—

(A) the effectiveness of the management system in achieving the current ballast water discharge standard when installed on a vessel (or a class, type, or size of vessel);

(B) the compatibility with vessel design and operations;

(C) the effect of the management system on vessel safety;

(D) the impact on the environment;

(E) the cost effectiveness; and

(F) any other criteria the Secretary considers appropriate.

(2) APPROVAL.—If after an evaluation under paragraph (1) the Secretary determines that the management system meets the criteria, the Secretary may certify the management system for use on a vessel (or a class, type, or size of vessel).

(3) SUSPENSION AND REVOCATION.—The Secretary shall establish, by regulation, a process to suspend or revoke a certification issued under this section.

(c) CERTIFICATION CONDITIONS.—

(1) IMPOSITION OF CONDITIONS.—In certifying a ballast water management system under this section, the Secretary, in consultation with the Administrator, may impose any condition on the subsequent installation, use, or maintenance of the management system onboard a vessel as is necessary for—

(A) the safety of the vessel, the crew of the vessel, and any passengers aboard the vessel;

(B) the protection of the environment; or

(C) the effective operation of the management system.

(2) FAILURE TO COMPLY.—The failure of an owner or operator to comply with a condition imposed under paragraph (1) shall be considered a violation of this section.

(d) PERIOD FOR USE OF INSTALLED TREATMENT EQUIPMENT.—Notwithstanding anything to the contrary in this title or any other provision of law, the Secretary shall allow a vessel on which a management system is installed and operated to meet a ballast water discharge standard under this title to continue to use that system, notwithstanding any revision of a ballast water discharge standard occurring after the management system is ordered or installed until the expiration of the service life of the management system, as determined by the Secretary, if the management system—

(1) is maintained in proper working condition; and

(2) is maintained and used in accordance with the manufacturer's specifications and any management system certification conditions imposed by the Secretary under this section.

(e) CERTIFICATES OF TYPE APPROVAL FOR THE TREATMENT TECHNOLOGY.—

(1) ISSUANCE.—If the Secretary approves a ballast water management system for certification under subsection (b), the Secretary shall issue a certificate of type approval for the management system to the manufacturer in such form and manner as the Secretary determines appropriate.

(2) CERTIFICATION CONDITIONS.—A certificate of type approval issued under paragraph (1) shall specify each condition imposed by the Secretary under subsection (c).

(3) OWNERS AND OPERATORS.—A manufacturer that receives a certificate of type approval for the management system under this subsection shall provide a copy of the certificate to each owner and operator of a vessel on which the management system is installed.

(f) INSPECTIONS.—An owner or operator who receives a copy of a certificate under subsection (e)(3) shall retain a copy of the certificate onboard the vessel and make the copy of the certificate available for inspection at all times while the owner or operator is utilizing the management system.

(g) BIOCIDES.—The Secretary may not approve a ballast water management system under subsection (b) if—

(1) it uses a biocide or generates a biocide that is a pesticide, as defined in section 2 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136), unless the biocide is registered under that Act or the Secretary, in consultation with Administrator, has approved the use of the biocide in such management system; or

(2) it uses or generates a biocide the discharge of which causes or contributes to a violation of a water quality standard under section 303 of the Federal Water Pollution Control Act (33 U.S.C. 1313).

(h) PROHIBITION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the use of a ballast water management system by an owner or operator of a vessel shall not satisfy the requirements of this title unless it has been approved by the Secretary under subsection (b).

(2) EXCEPTIONS.—

(A) COAST GUARD SHIPBOARD TECHNOLOGY EVALUATION PROGRAM.—An owner or operator may use a ballast water management system that has not been certified by the Secretary

to comply with the requirements of this section if the technology is being evaluated under the Coast Guard Shipboard Technology Evaluation Program.

(B) BALLAST WATER MANAGEMENT SYSTEMS CERTIFIED BY FOREIGN ENTITIES.—An owner or operator may use a ballast water management system that has not been certified by the Secretary to comply with the requirements of this section if the management system has been certified by a foreign entity and the certification demonstrates performance and and safety of the management system equivalent to the requirements of this section, as determined by the Secretary.

(i) TESTING PROTOCOLS.—Not later than 180 days after the date of the enactment of this Act, the Administrator, in consultation with the Secretary, shall issue requirements for land-based and shipboard testing protocols or criteria for—

(1) certifying the performance of each ballast water management system under this section; and

(2) certifying laboratories to evaluate such treatment technologies.

SEC. __07. EXEMPTIONS.

(a) INCIDENTAL DISCHARGES.—Except in a national marine sanctuary or a marine national monument, no permit shall be required or prohibition enforced under any other provision of law for, nor shall any standards regarding a discharge incidental to the normal operation of a vessel under this title apply to—

(1) a discharge incidental to the normal operation of a vessel if the vessel is less than 79 feet in length and engaged in commercial service (as such terms are defined in section 2101(5) of title 46, United States Code);

(2) a discharge incidental to the normal operation of a vessel if the vessel is a fishing vessel, including a fish processing vessel and a fish tender vessel, (as defined in section 2101 of title 46, United States Code); or

(3) a discharge incidental to the normal operation of a vessel if the vessel is a recreational vessel (as defined in section 2101(25) of title 46, United States Code).

(b) DISCHARGES INTO NAVIGABLE WATERS.—No permit shall be required or prohibition enforced under any other provision of law for, nor shall any standards regarding a discharge incidental to the normal operation of a vessel under this title apply to—

(1) any discharge into navigable waters from a vessel authorized by an on-scene coordinator in accordance with part 300 of title 40, Code of Federal Regulations, or part 153 of title 33, Code of Federal Regulations;

(2) any discharge into navigable waters from a vessel that is necessary to secure the safety of the vessel or human life, or to suppress a fire onboard the vessel or at a shoreside facility; or

(3) a vessel of the armed forces of a foreign nation when engaged in noncommercial service.

(c) BALLAST WATER DISCHARGES.—No permit shall be required or prohibition enforced under any other provision of law for, nor shall any ballast water discharge standard under this title apply to—

(1) a ballast water discharge incidental to the normal operation of a vessel determined by the Secretary to—

(A) operate exclusively within a geographically limited area;

(B) take up and discharge ballast water exclusively within 1 Captain of the Port Zone established by the Coast Guard unless the Secretary determines such discharge poses a substantial risk of introduction or establishment of an aquatic nuisance species;

(C) operate pursuant to a geographic restriction issued as a condition under section 3309 of title 46, United States Code, or an equivalent restriction issued by the country of registration of the vessel; or

(D) continuously take on and discharge ballast water in a flow-through system that does not introduce aquatic nuisance species into navigable waters;

(2) a ballast water discharge incidental to the normal operation of a vessel consisting entirely of water sourced from a United States public water system that meets the requirements under the Safe Drinking Water Act (42 U.S.C. 300f et seq.) or from a foreign public water system determined by the Administrator to be suitable for human consumption; or

(3) a ballast water discharge incidental to the normal operation of a vessel in an alternative compliance program established pursuant to section __08.

(d) VESSELS WITH PERMANENT BALLAST WATER.—No permit shall be required or prohibition enforced regarding a ballast water discharge incidental to the normal operation of a vessel under any other provision of law for, nor shall any ballast water discharge standard under this title apply to, a vessel that carries all of its permanent ballast water in sealed tanks that are not subject to discharge.

(e) VESSELS OF THE ARMED FORCES.—Nothing in this title may be construed to apply to—

(1) a vessel owned or operated by the Department of Defense (other than a time-chartered or voyage-chartered vessel); or

(2) a vessel of the Coast Guard, as designated by the Secretary of the department in which the Coast Guard is operating.

SEC. __08. ALTERNATIVE COMPLIANCE PROGRAM.

(a) IN GENERAL.—The Secretary, in consultation with the Administrator, may promulgate regulations establishing 1 or more compliance programs as an alternative to ballast water management regulations issued under section __05 for a vessel that—

(1) has a maximum ballast water capacity of less than 8 cubic meters; or

(2) is less than 3 years from the end of the useful life of the vessel, as determined by the Secretary.

(b) RULEMAKING.—

(1) FACILITY STANDARDS.—Not later than 1 year after the date of the enactment of this Act, the Administrator, in consultation with the Secretary, shall promulgate standards for—

(A) the reception of ballast water from a vessel into a reception facility; and

(B) the disposal or treatment of the ballast water under paragraph (1).

(2) TRANSFER STANDARDS.—The Secretary, in consultation with the Administrator, is authorized to promulgate standards for the arrangements necessary on a vessel to transfer ballast water to a facility.

SEC. __09. JUDICIAL REVIEW.

(a) IN GENERAL.—An interested person may file a petition for review of a final regulation promulgated under this title in the United States Court of Appeals for the District of Columbia Circuit.

(b) DEADLINE.—A petition shall be filed not later than 120 days after the date that notice of the promulgation appears in the Federal Register.

(c) EXCEPTION.—Notwithstanding subsection (b), a petition that is based solely on grounds that arise after the deadline to file a petition under subsection (b) has passed may be filed not later than 120 days after the date that the grounds first arise.

SEC. __10. EFFECT ON STATE AUTHORITY.

(a) IN GENERAL.—No State or political subdivision thereof may adopt or enforce any statute or regulation of the State or political subdivision with respect to a discharge incidental to the normal operation of a vessel after the date of enactment of this Act.

(b) SAVINGS CLAUSE.—Notwithstanding subsection (a), a State or political subdivision thereof may adopt or enforce a statute or regulation of the State or political subdivision with respect to ballast water discharges incidental to the normal operation of a vessel that specifies a ballast water discharge standard that is more stringent than the ballast water discharge standard under section __05(a)(1)(A) if the Secretary, after consultation with the Administrator and any other Federal department or agency the Secretary considers appropriate, makes a determination that—

(1) compliance with any discharge standard specified in the statute or regulation can in fact be achieved and detected;

(2) the technology and systems necessary to comply with the statute or regulation are commercially available and economically achievable; and

(3) the statute or regulation is consistent with obligations under relevant international treaties or agreements to which the United States is a party.

(c) PETITION PROCESS.—

(1) SUBMISSION.—The Governor of a State seeking to adopt or enforce a statute or regulation under subsection (b) shall submit a petition to the Secretary requesting the Secretary to review the statute or regulation.

(2) CONTENTS; TIMING.—A petition shall be accompanied by the scientific and technical information on which the petition is based, and may be submitted within 1 year of the date of enactment of this Act and every 10 years thereafter.

(3) DETERMINATIONS.—The Secretary shall make a determination on a petition under this subsection not later than 90 days after the date on which the Secretary determines that a complete petition has been received.

SEC. __11. APPLICATION WITH OTHER STATUTES.

(a) EXCLUSIVE STATUTORY AUTHORITY.—Except as otherwise provided in this section and notwithstanding any other provision of law, this title shall be the exclusive statutory authority for regulation by the Federal Government of discharges incidental to the normal operation of a vessel to which this title applies.

(b) EFFECT OF EXISTING REGULATIONS.—Except as provided under section __05(a)(1)(A), any regulation in effect on the date immediately preceding the effective date of this Act relating to any permitting requirement for or prohibition on discharges incidental to the normal operation of a vessel to which this title applies—

(1) shall be deemed to be a regulation issued pursuant to the authority of this title; and

(2) shall remain in full force and effect unless or until superseded by new regulations issued under this title.

(c) ACT TO PREVENT POLLUTION FROM SHIPS.—The Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.) shall be the exclusive statutory authority for the regulation by the Federal Government of any discharge or emission that is covered under the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978, done at London February 17, 1978. Nothing in this title may be construed to alter or amend such Act or any regulation issued pursuant to the authority of such Act.

(d) TITLE X OF THE COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2010.—Title X of the Coast Guard and Maritime Transportation Act of 2010 (33 U.S.C. 3801 et seq.) shall be the exclusive statutory authority for the regulation by the Federal Government of any anti-fouling system that is covered under the International Convention on the Control of Harmful Anti-Fouling Systems on

Ships, 2001. Nothing in this title may be construed to alter or amend such title X or any regulation issued pursuant to the authority under such title.

SEC. __12. RELATIONSHIP TO OTHER LAWS.

Section 1205 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4725) is amended—

(1) by striking ''All actions'' and inserting the following:

''(a) IN GENERAL.—Except as provided in subsection (b), all actions''; and

(2) by adding at the end the following:

''(b) VESSEL INCIDENTAL DISCHARGES.—Notwithstanding subsection (a), the Vessel Incidental Discharge Act shall be the exclusive statutory authority for the regulation by the Federal Government of discharges incidental to the normal operation of a vessel.''.

SEC. __13. SAVINGS PROVISION.

Any action taken by the Federal Government under this Act shall be in full compliance with its obligations under applicable provisions of international law.

SA 3528. Mr. RUBIO (for himself and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. CUBAN IMMIGRANTS.

(a) SHORT TITLE.—This section may be cited as the ''Cuban Immigrant Work Opportunity Act of 2016''.

(b) CERTAIN CUBANS INELIGIBLE FOR REFUGEE ASSISTANCE.—

(1) IN GENERAL.—Title V of the Refugee Education Assistance Act of 1980 (8 U.S.C. 1522 note) is amended—

(A) in the title heading, by striking ''**CUBAN AND**'';

(B) in section 501—

(i) by striking ''Cuban and'' each place such phrase appears;

(ii) in subsection (d), by striking ''Cuban or''; and

(iii) in subsection (e)—

(I) in paragraph (1)—

(aa) by striking ''Cuban/'' and

(bb) by striking ''Cuba or''; and

(II) in paragraph (2), by striking ''Cuba or''.

(2) CONFORMING AMENDMENTS.—

(A) PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996.—Section 403(d) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613(d)) is amended—

(i) in the subsection heading, by striking ''CUBAN AND''; and

(ii) by striking ''1980, for Cuban and Haitian entrants'' and all that follows and inserting ''1980 (8 U.S.C. 1522 note), for Haitian entrants (as defined in subsection (e)(2) of such section)''.

(B) IMMIGRATION AND NATIONALITY ACT.—Section 245A(h)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1255a(h)(2)(A)) is amended by striking ''Cuban and''.

(3) APPLICABILITY.—The amendments made by this subsection shall only apply to nationals of Cuba who enter the United States on or after the date of the enactment of this Act.

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Inspector General of the Social Security Administration shall submit a report to Congress that describes the methods by which the provision described in section 416.215 of title 20, Code of Federal Regulations, is being enforced.

SA 3529. Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle A of title II, add the following:

SEC. 2_____. PROHIBITION ON OPERATION OF UNMANNED AIRCRAFT CARRYING A FIREARM.

(a) IN GENERAL.—Chapter 463 of title 49, United States Code, is amended by adding at the end the following:

''§ 46320. Prohibition on operation of unmanned aircraft carrying a firearm

''(a) IN GENERAL.—A person shall not operate an unmanned aircraft with a firearm attached to, installed on, or otherwise carried by the aircraft.

''(b) PENALTIES.—A person who violates subsection (a)—

''(1) shall be liable to the United States Government for a civil penalty of not more than $27,500; and

''(2) may be fined under title 18, imprisoned for not more than 5 years, or both.

''(c) NONAPPLICATION TO PUBLIC AIRCRAFT.—This section does not apply to public aircraft.

''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the authority of the Administrator with respect to manned or unmanned aircraft.

''(e) DEFINITIONS.—In this section:

''(1) FIREARM.—The term 'firearm' has the meaning given that term in section 921 of title 18.

''(2) UNMANNED AIRCRAFT.—The term 'unmanned aircraft' has the meaning given that term in section 44801.''.

(b) CONFORMING AMENDMENT.—Section 46301(d)(2) of such title is amended, in the first sentence, by inserting ''section 46320,'' before ''or section 47107(b)''.

(c) CLERICAL AMENDMENT.—The analysis for chapter 463 of such title is amended by inserting after the item relating to section 46319 the following:

''46320. Prohibition on operation of unmanned aircraft carrying a firearm.''.

SA 3530. Mr. SCHUMER (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON SALE, MANUFACTURE, IMPORT, AND DISTRIBUTION IN COMMERCE OF LASER POINTERS.

(a) AUTHORITY FOR CONSUMER PRODUCT SAFETY COMMISSION TO REGULATE LASER POINTERS.—Section 31(a) of the Consumer Product Safety Act (15 U.S.C. 2080(a)) is amended, in the second sentence, by striking ''The Commission'' and inserting ''Except for a laser pointer (as defined in section 39A of title 18, United States Code), the Commission''.

(b) CLASSIFICATION OF LASER POINTERS AS BANNED HAZARDOUS PRODUCTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), all laser pointers are hereby declared banned hazardous products within the meaning of section 8 of the Consumer Product Safety Act (15 U.S.C. 2057).

(2) EXCEPTIONS.—Paragraph (1) shall not apply to such laser pointers as the Consumer Product Safety Commission determines are for legitimate and professional use.

(c) TREATMENT OF CLASSIFICATION.—For purposes of the Consumer Product Safety Act (15 U.S.C. 2051 et seq.), subsection (b) of this section shall be treated as if it were a rule promulgated under section 8 of such Act (15 U.S.C. 2057).

(d) REGULATIONS.—

(1) IN GENERAL.—The Consumer Product Safety Commission may promulgate such rules as the Commission considers appropriate to carry out this section.

(2) MANNER OF PROMULGATION.—Notwithstanding any other provision of law, a rule promulgated under paragraph (1) shall be promulgated in accordance with section 553 of title 5, United States Code.

(e) LASER POINTER DEFINED.—In this section, the term ''laser pointer'' has the meaning given such term in section 39A of title 18, United States Code.

SA 3531. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

On page 284, between lines 3 and 4, insert the following:

(3) choices that consumers have in choosing an air carrier based on change, cancellation, and baggage fees in large, medium, and small markets; and

(4) the potential effect on availability of air service if change, cancellation, or baggage fees were regulated by the Federal Government.

SA 3532. Mr. NELSON (for himself and Mr. COATS) submitted an amendment intended to be proposed by him to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 204, strike line 21 and all that follows through page 206, line 9, and insert the following:

(a) RESTRICTIONS ON TRANSPORTATION OF LITHIUM BATTERIES ON AIRCRAFT.—

(1) ADOPTION OF ICAO INSTRUCTIONS.—

(A) IN GENERAL.—Pursuant to section 828 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44701 note), not later than 90 days after the date of enactment of this Act, the Secretary of the Department of Transportation shall conform United States regulations on the air transport of lithium cells and batteries with the lithium cells and battery requirements in the 2015–2016 edition of the International Civil Aviation Organization's (referred to in this subsection as ''ICAO'') Technical Instructions (to include all addenda) including the revised standards adopted by ICAO which became effective on April 1, 2016.

(B) FURTHER PROCEEDINGS.—Beginning on the date the revised regulations under subparagraph (A) are published in the Federal

Register, any lithium cell and battery rulemaking action or update commenced on or after that date shall continue to comply with the requirements under section 828 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44701 note).

(2) REVIEW OF OTHER REGULATIONS.—Pursuant to section 828 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44701 note), the Secretary of Transportation may initiate a review of other existing regulations regarding the air transportation, including passenger-carrying and cargo aircraft, of lithium batteries and cells.

(3) MEDICAL DEVICE BATTERIES.—

(A) IN GENERAL.—For United States applicants, the Secretary of Transportation shall consider and either grant or deny, within 45 days, applications submitted in compliance with part 107 of title 49, Code of Federal Regulations for special permits or approvals for air transportation of lithium cells or batteries specifically used by medical devices. Not later than 30 days after the date of application, the Pipeline and Hazardous Materials Safety Administration shall provide a draft special permit based on the application to the Federal Aviation Administration. The Federal Aviation Administration shall conduct an on-site inspection for issuance of the special permit not later than 10 days after the date of receipt of the draft special permit from the Pipeline and Hazardous Materials Safety Administration.

(B) DEFINITION OF MEDICAL DEVICE.—In this paragraph, the term ''medical device'' has the meaning given the term ''device'' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(4) SAVINGS CLAUSE.—Nothing in this section shall be construed as expanding or constricting any other authority the Secretary of Transportation has under section 828 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44701 note).

SA 3533. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. AMOUNTS PAID FOR AIRCRAFT MANAGEMENT SERVICES.

(a) IN GENERAL.—Subsection (e) of section 4261 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(5) AMOUNTS PAID FOR AIRCRAFT MANAGEMENT SERVICES.—

''(A) IN GENERAL.—No tax shall be imposed by this section or section 4271 on any amounts paid by an aircraft owner for aircraft management services related to—

''(i) maintenance and support of the aircraft owner's aircraft; or

''(ii) flights on the aircraft owner's aircraft.

''(B) AIRCRAFT MANAGEMENT SERVICES.—For purposes of subparagraph (A), the term 'aircraft management services' includes assisting an aircraft owner with administrative and support services, such as scheduling, flight planning, and weather forecasting; obtaining insurance; maintenance, storage and fueling of aircraft; hiring, training, and provision of pilots and crew; establishing and complying with safety standards; or such other services necessary to support flights operated by an aircraft owner.

''(C) LESSEE TREATED AS AIRCRAFT OWNER.—

''(i) IN GENERAL.—For purposes of this paragraph, the term 'aircraft owner' includes a person who leases the aircraft other than under a disqualified lease.

''(ii) DISQUALIFIED LEASE.—For purposes of clause (i), the term 'disqualified lease' means a lease from a person providing aircraft management services with respect to such aircraft (or a related person (within the meaning of section 465(b)(3)(C)) to the person providing such services), if such lease is for a term of 31 days or less.

''(D) PRO RATA ALLOCATION.—If any amount paid to a person represents in part an amount paid for services not described in subparagraph (A), the tax imposed by subsection (a), if applicable to such amount, shall be applied to such payment on a pro rata basis.''.

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

SA 3534. Ms. CANTWELL (for herself and Mr. THUNE) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. NATIONAL MULTIMODAL FREIGHT ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—The Secretary of Transportation shall establish a national multimodal freight advisory committee (referred to in this section as the ''Committee'') in the Department of Transportation, which shall consist of a balanced cross-section of public and private freight stakeholders representative of all freight transportation modes, including—

(1) airports, highways, ports and waterways, rail, and pipelines;

(2) shippers;

(3) carriers;

(4) freight-related associations;

(5) the freight industry workforce;

(6) State departments of transportation;

(7) local governments;

(8) metropolitan planning organizations;

(9) regional or local transportation authorities, such as port authorities;

(10) freight safety organizations; and

(11) university research centers.

(b) PURPOSE.—The purpose of the Committee shall be to promote a safe, economically efficient, and environmentally sustainable national freight system.

(c) DUTIES.—The Committee, in consultation with State departments of transportation and metropolitan planning organizations, shall provide advice and recommendations to the Secretary of Transportation on matters related to freight transportation in the United States, including—

(1) the implementation of freight transportation requirements;

(2) the establishment of a National Multimodal Freight Network under section 70103 of title 49, United States Code;

(3) the development of the national freight strategic plan under section 70102 of such title;

(4) the development of measures of conditions and performance in freight transportation;

(5) the development of freight transportation investment, data, and planning tools; and

(6) recommendations for Federal legislation.

(d) QUALIFICATIONS.—Each member of the Committee shall be sufficiently qualified to represent the interests of the member's specific stakeholder group, such as—

(1) general business and financial experience;

(2) experience or qualifications in the areas of freight transportation and logistics;

(3) experience in transportation planning, safety, technology, or workforce issues;

(4) experience representing employees of the freight industry;

(5) experience representing State or local governments or metropolitan planning organizations in transportation-related issues; or

(6) experience in trade economics relating to freight flows.

(e) SUPPORT STAFF, INFORMATION, AND SERVICES.—The Secretary of Transportation shall provide support staff for the Committee. Upon the request of the Committee, the Secretary shall provide such information, administrative services, and supplies as the Secretary considers necessary for the Committee to carry out its duties under this section.

SA 3535. Mr. COTTON submitted an amendment intended to be proposed by him to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

On page 46, line 15, insert after ''National Guard'' the following: '', without regard to whether that component operates aircraft at the airport''.

SA 3536. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

On page 93, between lines 4 and 5, insert the following:

(d) FEDERAL AGENCY COORDINATION TO ENHANCE THE PUBLIC HEALTH AND SAFETY CAPABILITIES OF PUBLIC UNMANNED AIRCRAFT SYSTEMS.—The Administrator shall assist and enable, without undue interference, Federal civilian government agencies that operate unmanned aircraft systems within civil-controlled airspace, in operationally deploying and integrating sense and avoid capabilities, as necessary to operate unmanned aircraft systems safely and effectively within the National Air Space.

SA 3537. Mr. PAUL (for himself and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. UNWARRANTED SURVEILLANCE.

(a) DEFINITIONS.—In this section—

(1) the term ''law enforcement party'' means a person or entity authorized by law,

or funded by the Government of the United States or by a political subdivision of a State, to investigate or prosecute offenses against the United States or to make arrests; and

(2) the term ''unmanned aircraft system'' has the meaning given the term in section 44801 of title 49, United States Code, as added by section 2121(a) of this Act.

(b) PROHIBITED USE OF UNMANNED AIRCRAFT SYSTEMS.—Except as provided in subsection (c), a person or entity acting under the authority, or funded in whole or in part by, the Government of the United States or by a political subdivision of a State shall not use an unmanned aircraft system to gather evidence or other information pertaining to criminal conduct or conduct in violation of a statute or regulation or for intelligence purposes except to the extent authorized in a warrant that satisfies the requirements of the Federal Rules of Procedure and the Constitution of the United States.

(c) EXCEPTIONS.—This section does not prohibit any of the following:

(1) PATROL OF BORDERS.—The use of an unmanned aircraft system to patrol national borders to prevent or deter illegal entry of any persons or illegal substances within 3 miles of the physical border.

(2) EXIGENT CIRCUMSTANCES.—The use of an unmanned aircraft system by a law enforcement party when exigent circumstances exist. For the purposes of this paragraph, exigent circumstances exist when the law enforcement party possesses reasonable suspicion that under particular circumstances, swift action to prevent imminent danger to life is necessary.

(3) HIGH RISK.—The use of an unmanned aircraft system to counter a high risk of an imminent terrorist attack by a specific individual or organization, when the Secretary of Homeland Security determines credible intelligence indicates there is such a risk.

(4) INFORMATION OR DATA UNRELATED TO EXIGENT CIRCUMSTANCES.—A person operating an unmanned aircraft system under the exception set forth in paragraph (2) shall minimize the collection by the unmanned aircraft system of information and data that is unrelated to the exigent circumstances. If the unmanned aircraft system incidentally collects any such unrelated information or data while being operated under such exception, the person operating the unmanned aircraft system shall destroy such unrelated information and data.

(5) PROHIBITION ON INFORMATION SHARING.—A person may not intentionally divulge information collected in accordance with this section with any other person, except as authorized by law.

(d) REMEDIES FOR VIOLATION.—Any aggrieved party may in a civil action obtain all appropriate relief to prevent or remedy a violation of this section.

(e) PROHIBITION ON USE OF EVIDENCE.—No evidence obtained or collected in violation of this section may be admissible as evidence in a criminal prosecution in any court of law in the United States.

SA 3538. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle A of title II, add the following:

SEC. 2143. EXEMPTION FOR THE OPERATION OF CERTAIN UNMANNED AIRCRAFT AT TEST SITES.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, and without the opportunity for prior public notice and comment, the Administrator shall grant an exemption for the operation of unmanned aircraft systems for any non-hobby or non-recreational purpose under the oversight of an unmanned aircraft system test site to all persons that meet the terms, conditions, and limitations described in subsection (b) for the exemption. All such operations of unmanned aircraft systems shall be conducted in accordance with a certificate of waiver or authorization issued to the unmanned aircraft system test site by the Administrator.

(b) TERMS, CONDITIONS, AND LIMITATIONS.—

(1) IN GENERAL.—The exemption granted under subsection (a) or any amendment to that exemption—

(A) shall, at a minimum, exempt the operator of an unmanned aircraft system from the provisions of parts 21, 43, 61, and 91 of title 14, Code of Federal Regulations, that are applicable only to civil aircraft or civil aircraft operations;

(B) may contain such other terms, conditions, and limitations as the Administrator may deem necessary in the interest of aviation safety or the efficiency of the national airspace system; and

(C) shall require a person, before initiating an operation under the exemption, to provide written notice to the unmanned aircraft system test site overseeing the operation, in a form and manner specified by the Administrator, that states, at a minimum, that the person has read, understands, and will comply with all terms, conditions, and limitations of the exemption and applicable certificates of waiver or authorization.

(2) TRANSMISSION TO FEDERAL AVIATION ADMINISTRATION.—The unmanned aircraft system test site overseeing an operation shall transmit to the Federal Aviation Administration copies of all notices under paragraph (1)(C) relating to the operation in a form and manner specified by the Administrator.

(c) NO AIRWORTHINESS OR AIRMAN CERTIFICATE REQUIRED.—Notwithstanding paragraph (1), (2)(A), or (3) of section 44711(a) of title 49, United States Code, a person may operate, or employ an airman who operates, an unmanned aircraft system for any non-hobby or non-recreational purpose under the oversight of an unmanned aircraft system test site without an airman certificate and without an airworthiness certificate for the aircraft if the operations of the unmanned aircraft system meet all terms, limitations, and conditions of an exemption issued under subsection (a) and of a certificate of waiver or authorization issued to the unmanned aircraft system test site by the Administrator.

(d) DATA AVAILABLE FOR CERTIFICATE OF AIRWORTHINESS.—The Administrator shall accept data collected or developed as a result of an operation of an unmanned aircraft system conducted under the oversight of an unmanned aircraft system test site pursuant to an exemption issued under subsection (a) for consideration in an application for an airworthiness certificate for the unmanned aircraft system.

(e) SUNSET.—The exemption issued under subsection (a), and any amendment to that exemption, shall cease to be valid on the date of the termination of the unmanned aircraft system test site program under section 332(c) of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note).

(f) RULES OF CONSTRUCTION AND PROCEDURE.—

(1) IN GENERAL.—The issuance of an exemption under subsection (a), the issuance of a certificate of waiver or authorization (including the issuance of a certificate of waiver or authorization to an unmanned aircraft test site), the amendment of such an exemption or certificate, the imposition of a term, condition, or limitation on such an exemption or certificate, and any other activity carried out by the Federal Aviation Administration under this section shall be made without regard to—

(A) the notice and comment provisions of section 553 of title 5, United States Code; and

(B) chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act'').

(2) SAVINGS PROVISIONS.—Nothing in this section shall be construed to—

(A) affect the issuance of a rule by or any other activity of the Secretary of Transportation or the Administrator under any other provision of law; or

(B) invalidate an exemption granted or certificate of waiver or authorization issued by the Administrator before the date of the enactment of this Act.

(g) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Federal Aviation Administration.

(2) AIRMAN CERTIFICATE.—The term ''airman certificate'' means an airman certificate issued under section 44703 of title 49, United States Code.

(3) CERTIFICATE OF WAIVER OR AUTHORIZATION.—The term ''certificate of waiver or authorization'' means an authorization issued by the Federal Aviation Administration for the operation of aircraft in deviation from a rule or regulation and includes the terms, conditions, and limitations of the authorization.

(4) UNMANNED AIRCRAFT; UNMANNED AIRCRAFT SYSTEM.—The terms ''unmanned aircraft'' and ''unmanned aircraft system'' have the meanings given those terms in section 44801 of title 49, United States Code, as added by section 2121.

(5) UNMANNED AIRCRAFT SYSTEM TEST SITE.—The term ''unmanned aircraft system test site'' means an entity designated under section 332(c) of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note) to operate a test range under that section.

SA 3539. Mr. BLUNT (for himself, Mr. WYDEN, Mr. BENNET, Mr. PORTMAN, Ms. BALDWIN, Mr. VITTER, Ms. MURKOWSKI, Mrs. MURRAY, Mr. BURR, Ms. AYOTTE, Mr. CARPER, and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the end, insert the following:

TITLE VI—CRAFT BEVERAGE MODERNIZATION AND TAX REFORM

SEC. 6001. SHORT TITLE; RULE OF CONSTRUCTION.

(a) SHORT TITLE.—This title may be cited as the ''Craft Beverage Modernization and Tax Reform Act of 2016''.

(b) RULE OF CONSTRUCTION.—Nothing in this title, the amendments made by this title, or any regulation promulgated under this title or the amendments made by this title, shall be construed to preempt, supersede, or otherwise limit or restrict any State, local, or tribal law that prohibits or regulates the production or sale of distilled spirits, wine, or malt beverages.

Subtitle A—Production Period

SEC. 6011. PRODUCTION PERIOD FOR BEER, WINE, AND DISTILLED SPIRITS.

(a) IN GENERAL.—Section 263A(f) of the Internal Revenue Code of 1986 is amended—

(1) by redesignating paragraph (4) as paragraph (5), and

(2) by inserting after paragraph (3) the following new paragraph:

''(4) EXEMPTION FOR AGING PROCESS OF BEER, WINE, AND DISTILLED SPIRITS.—For purposes of this subsection, the production period shall not include the aging period for—

''(A) beer (as defined in section 5052(a)),

''(B) wine (as described in section 5041(a)), or

''(C) distilled spirits (as defined in section 5002(a)(8)), except such spirits that are unfit for use for beverage purposes.''.

(b) CONFORMING AMENDMENT.—Paragraph (5)(B)(ii) of section 263A(f) of the Internal Revenue Code of 1986, as redesignated by this section, is amended by inserting ''except as provided in paragraph (4),'' before ''ending on the date''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to interest costs paid or incurred in taxable years ending on or after December 31, 2017.

Subtitle B—Beer

SEC. 6021. REDUCED RATE OF EXCISE TAX ON BEER.

(a) IN GENERAL.—Paragraph (1) of section 5051(a) of the Internal Revenue Code of 1986 is amended to read as follows:

''(1) IN GENERAL.—

''(A) IMPOSITION OF TAX.—A tax is hereby imposed on all beer brewed or produced, and removed for consumption or sale, within the United States, or imported into the United States. Except as provided in paragraph (2), the rate of such tax shall be—

''(i) $16 on the first 6,000,000 barrels of beer brewed by the brewer or imported by the importer which are removed during the calendar year for consumption or sale by such brewer or imported into the United States in such year by such importer, and

''(ii) $18 on any barrels of beer to which clause (i) does not apply.

''(B) BARREL.—For purposes of this section, a barrel shall contain not more than 31 gallons of beer, and any tax imposed under this section shall be applied at a like rate for any other quantity or for fractional parts of a barrel.''.

(b) REDUCED RATE FOR CERTAIN DOMESTIC PRODUCTION.—Subparagraph (A) of section 5051(a)(2) of the Internal Revenue Code of 1986 is amended—

(1) in the heading, by striking ''$7'' and inserting ''$3.50'', and

(2) by striking ''$7'' and inserting ''$3.50''.

(c) APPLICATION OF REDUCED TAX RATE FOR FOREIGN MANUFACTURERS AND IMPORTERS.—Subsection (a) of section 5051 of the Internal Revenue Code of 1986 is amended—

(1) in subparagraph (A)(i) of paragraph (1), as amended by subsection (a) of this section, by inserting ''and assigned to such electing importer pursuant to paragraph (4)'' after ''by such importer'', and

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

''(4) REDUCED TAX RATE FOR FOREIGN MANUFACTURERS AND IMPORTERS.—

''(A) IN GENERAL.—In the case of any barrels of beer which have been brewed or produced outside of the United States and imported into the United States, the rate of tax applicable under clause (i) of paragraph (1)(A) (referred to in this paragraph as the 'reduced tax rate') may be assigned by the brewer (provided that the brewer makes an election described in subparagraph (B)(ii)) to any electing importer of such barrels pursuant to the requirements established by the Secretary of the Treasury under subparagraph (B).

''(B) ASSIGNMENT.—The Secretary of the Treasury, in consultation with the Secretary of Health and Human Services and the Secretary of the Department of Homeland Security, shall, through such rules, regulations, and procedures as are determined appropriate, establish procedures for assignment of the reduced tax rate provided under this paragraph, which shall include—

''(i) a limitation to ensure that the number of barrels of beer for which the reduced tax rate has been assigned by a brewer to any importer does not exceed the number of barrels of beer brewed or produced by such brewer during the calendar year which were imported into the United States by such importer,

''(ii) procedures that allow the election of a brewer to assign and an importer to receive the reduced tax rate provided under this paragraph,

''(iii) requirements that the brewer provide any information as the Secretary determines necessary and appropriate for purposes of carrying out this paragraph, and

''(iv) procedures that allow for revocation of eligibility of the brewer and the importer for the reduced tax rate provided under this paragraph in the case of any erroneous or fraudulent information provided under clause (iii) which the Secretary deems to be material to qualifying for such reduced rate.

''(C) CONTROLLED GROUP.—For purposes of this section, any importer making an election described in subparagraph (B)(ii) shall be deemed to be a member of the controlled group of the brewer, as described under paragraph (5).''.

(d) CONTROLLED GROUP AND SINGLE TAXPAYER RULES.—Subsection (a) of section 5051 of the Internal Revenue Code of 1986, as amended by this section, is amended—

(1) in paragraph (2)—

(A) by striking subparagraph (B), and

(B) by redesignating subparagraph (C) as subparagraph (B), and

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

''(5) CONTROLLED GROUP AND SINGLE TAXPAYER RULES.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), in the case of a controlled group, the 6,000,000 barrel quantity specified in paragraph (1)(A)(i) and the 2,000,000 barrel quantity specified in paragraph (2)(A) shall be applied to the controlled group, and the 6,000,000 barrel quantity specified in paragraph (1)(A)(i) and the 60,000 barrel quantity specified in paragraph (2)(A) shall be apportioned among the brewers who are component members of such group in such manner as the Secretary or his delegate shall by regulations prescribe. For purposes of the preceding sentence, the term 'controlled group' has the meaning assigned to it by subsection (a) of section 1563, except that for such purposes the phrase 'more than 50 percent' shall be substituted for the phrase 'at least 80 percent' in each place it appears in such subsection. Under regulations prescribed by the Secretary or his delegate, principles similar to the principles of the preceding two sentences shall be applied to a group of brewers under common control where one or more of the brewers is not a corporation.

''(B) FOREIGN MANUFACTURERS AND IMPORTERS.—For purposes of paragraph (4), in the case of a controlled group, the 6,000,000 barrel quantity specified in paragraph (1)(A)(i) shall be applied to the controlled group and apportioned among the members of such group in such manner as the Secretary or his delegate shall by regulations prescribe. For purposes of the preceding sentence, the term 'controlled group' has the meaning given such term under subparagraph (A). Under regulations prescribed by the Secretary or his delegate, principles similar to the principles of the preceding two sentences shall be applied to a group of brewers under common control where one or more of the brewers is not a corporation.

''(C) SINGLE TAXPAYER.—Pursuant to rules issued by the Secretary, 2 or more entities (whether or not under common control) that produce beer marketed under a similar brand, license, franchise, or other arrangement shall be treated as a single taxpayer for purposes of the application of this subsection.''.

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—Subject to paragraph (2), the amendments made by this section shall apply to beer removed after September 30, 2018.

(2) PRORATION.—For purposes of the fourth calendar quarter of 2018, the Secretary of the Treasury (or the Secretary's delegate) shall issue such guidance, rules, or regulations as are deemed appropriate to provide that the amendments made by this section are applied on a prorated basis for purposes of beer removed during such quarter.

SEC. 6022. USE OF WHOLESOME PRODUCTS SUITABLE FOR HUMAN FOOD CONSUMPTION IN THE PRODUCTION OF FERMENTED BEVERAGES.

(a) IN GENERAL.—Not later than the date that is 1 year after the date of the enactment of this Act, the Secretary of the Treasury or the Secretary of the Treasury's delegate shall amend subpart F of part 25 of subchapter A of chapter I of title 27, Code of Federal Regulations to ensure that, for purposes of such part, wholesome fruits, vegetables, and spices suitable for human food consumption that are generally recognized as safe for use in an alcoholic beverage and that do not contain alcohol are generally recognized as a traditional ingredient in the production of fermented beverages.

(b) DEFINITION.—For purposes of this section, the term ''fruit'' means whole fruit, fruit juices, fruit puree, fruit extract, or fruit concentrate.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to revoke, prescribe, or limit any other exemptions from the formula requirements under subpart F of part 25 of subchapter A of chapter I of title 27, Code of Federal Regulations for any ingredient that has been recognized before, on, or after the date of the enactment of this Act as a traditional ingredient in the production of fermented beverages.

SEC. 6023. SIMPLIFICATION OF RULES REGARDING RECORDS, STATEMENTS, AND RETURNS.

(a) IN GENERAL.—Subsection (a) of section 5555 of the Internal Revenue Code of 1986 is amended by adding at the end the following: ''The Secretary shall permit a person to employ a unified system for any records, statements, and returns required to be kept, rendered, or made under this section for any beer produced in the brewery for which the tax imposed by section 5051 has been determined, including any beer which has been removed for consumption on the premises of the brewery.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to any calendar quarters beginning more than 1 year after the date of the enactment of this Act.

SEC. 6024. TRANSFER OF BEER BETWEEN BONDED FACILITIES.

(a) IN GENERAL.—Section 5414 of the Internal Revenue Code of 1986 is amended to read as follows:

''SEC. 5414. TRANSFER OF BEER BETWEEN BONDED FACILITIES.

''(a) IN GENERAL.—Beer may be removed from one brewery to another bonded brewery, without payment of tax, and may be

mingled with beer at the receiving brewery, subject to such conditions, including payment of the tax, and in such containers, as the Secretary by regulations shall prescribe, which shall include—

''(1) any removal from one brewery to another brewery belonging to the same brewer,

''(2) any removal from a brewery owned by one corporation to a brewery owned by another corporation when—

''(A) one such corporation owns the controlling interest in the other such corporation, or

''(B) the controlling interest in each such corporation is owned by the same person or persons, and

''(3) any removal from one brewery to another brewery when—

''(A) the proprietors of transferring and receiving premises are independent of each other and neither has a proprietary interest, directly or indirectly, in the business of the other, and

''(B) the transferor has divested itself of all interest in the beer so transferred and the transferee has accepted responsibility for payment of the tax.

''(b) TRANSFER OF LIABILITY FOR TAX.—For purposes of subsection (a)(3), such relief from liability shall be effective from the time of removal from the transferor's bonded premises, or from the time of divestment of interest, whichever is later.''.

(b) REMOVAL FROM BREWERY BY PIPELINE.—Section 5412 of the Internal Revenue Code of 1986 is amended by inserting ''pursuant to section 5414 or'' before ''by pipeline''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to any calendar quarters beginning more than 1 year after the date of the enactment of this Act.

Subtitle C—Wine

SEC. 6031. REDUCED RATE OF EXCISE TAX ON CERTAIN WINE.

(a) IN GENERAL.—Section 5041(c) of the Internal Revenue Code of 1986 is amended—

(1) in the heading, by striking ''FOR SMALL DOMESTIC PRODUCERS'',

(2) by amending paragraph (1) to read as follows:

''(1) ALLOWANCE OF CREDIT.—

''(A) IN GENERAL.—There shall be allowed as a credit against any tax imposed by this title (other than chapters 2, 21, and 22) an amount equal to the sum of—

''(i) $1 per wine gallon on the first 30,000 wine gallons of wine, plus

''(ii) 90 cents per wine gallon on the first 100,000 wine gallons of wine to which clause (i) does not apply, plus

''(iii) 53.5 cents per wine gallon on the first 620,000 wine gallons of wine to which clauses (i) and (ii) do not apply,

on wine gallons produced by the producer or imported by the importer which are removed during the calendar year for consumption or sale by such producer or imported into the United States in such year by such importer.

''(B) ADJUSTMENT OF CREDIT FOR HARD CIDER.—In the case of wine described in subsection (b)(6), subparagraph (A) of this paragraph shall be applied—

''(i) in clause (i) of such subparagraph, by substituting '6.2 cents' for '$1',

''(ii) in clause (ii) of such subparagraph, by substituting '5.6 cents' for '90 cents', and

''(iii) in clause (iii) of such subparagraph, by substituting '3.3 cents' for '53.5 cents'.'',

(3) by striking paragraph (2),

(4) by redesignating paragraphs (3) through (7) as paragraphs (2) through (6), respectively, and

(5) by amending paragraph (6), as redesignated by paragraph (4) of this subsection, to read as follows:

''(6) REGULATIONS.—The Secretary may prescribe such regulations as may be necessary to carry out the purposes of this subsection, including regulations to ensure proper calculation of the credit provided in this subsection.''.

(b) CONTROLLED GROUP AND SINGLE TAXPAYER RULES.—Paragraph (3) of section 5041(c), as redesignated by subsection (a)(4), is amended by striking ''section 5051(a)(2)(B)'' and inserting ''section 5051(a)(5)''.

(c) ALLOWANCE OF CREDIT FOR FOREIGN MANUFACTURERS AND IMPORTERS.—Subsection (c) of section 5041 of the Internal Revenue Code of 1986, as amended by subsection (a), is amended—

(1) in subparagraph (A) of paragraph (1), by inserting ''and assigned to such electing importer pursuant to paragraph (6)'' after ''by such importer'',

(2) by redesignating paragraph (6) as paragraph (7), and

(3) by inserting after paragraph (5) the following new paragraph:

''(6) ALLOWANCE OF CREDIT FOR FOREIGN MANUFACTURERS AND IMPORTERS.—

''(A) IN GENERAL.—In the case of any wine gallons of wine which have been produced outside of the United States and imported into the United States, the credit allowable under paragraph (1) (referred to in this paragraph as the 'tax credit') may be assigned by the person who produced such wine (referred to in this paragraph as the 'foreign producer'), provided that such person makes an election described in subparagraph (B)(ii), to any electing importer of such wine gallons pursuant to the requirements established by the Secretary of the Treasury under subparagraph (B).

''(B) ASSIGNMENT.—The Secretary of the Treasury, in consultation with the Secretary of Health and Human Services and the Secretary of the Department of Homeland Security, shall, through such rules, regulations, and procedures as are determined appropriate, establish procedures for assignment of the tax credit provided under this paragraph, which shall include—

''(i) a limitation to ensure that the number of wine gallons of wine for which the tax credit has been assigned by a foreign producer to any importer does not exceed the number of wine gallons of wine produced by such foreign producer during the calendar year which were imported into the United States by such importer,

''(ii) procedures that allow the election of a foreign producer to assign and an importer to receive the tax credit provided under this paragraph,

''(iii) requirements that the foreign producer provide any information as the Secretary determines necessary and appropriate for purposes of carrying out this paragraph, and

''(iv) procedures that allow for revocation of eligibility of the foreign producer and the importer for the tax credit provided under this paragraph in the case of any erroneous or fraudulent information provided under clause (iii) which the Secretary deems to be material to qualifying for such credit.

''(C) CONTROLLED GROUP.—For purposes of this section, any importer making an election described in subparagraph (B)(ii) shall be deemed to be a member of the controlled group of the foreign producer, as described under paragraph (3).''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Subject to paragraph (2), the amendments made by this section shall apply to wine removed after September 30, 2018.

(2) PRORATION.—For purposes of the fourth calendar quarter of 2018, the Secretary of the Treasury (or the Secretary's delegate) shall issue such guidance, rules, or regulations as are deemed appropriate to provide that the amendments made by this section are applied on a prorated basis for purposes of wine removed during such quarter.

SEC. 6032. ADJUSTMENT OF ALCOHOL CONTENT LEVEL FOR APPLICATION OF EXCISE TAX RATES.

(a) IN GENERAL.—Paragraphs (1) and (2) of section 5041(b) of the Internal Revenue Code of 1986 are amended by striking ''14 percent'' each place it appears and inserting ''16 percent''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to wine removed during calendar years beginning after December 31, 2017.

SEC. 6033. DEFINITION OF MEAD AND LOW ALCOHOL BY VOLUME WINE.

(a) IN GENERAL.—Section 5041 of the Internal Revenue Code of 1986, as amended by section 335 of the Protecting Americans from Tax Hikes Act of 2015, is amended—

(1) in subsection (a), by striking ''Still wines'' and inserting ''Subject to subsection (h), still wines'', and

(2) by adding at the end the following new subsection:

''(h) MEAD AND LOW ALCOHOL BY VOLUME WINE.—

''(1) IN GENERAL.—For purposes of subsections (a) and (b)(1), mead and low alcohol by volume wine shall be deemed to be still wines containing not more than 16 percent of alcohol by volume.

''(2) DEFINITIONS.—

''(A) MEAD.—For purposes of this section, the term 'mead' means a wine—

''(i) containing not more than 0.64 gram of carbon dioxide per hundred milliliters of wine, except that the Secretary may by regulations prescribe such tolerances to this limitation as may be reasonably necessary in good commercial practice,

''(ii) which is derived solely from honey and water,

''(iii) which contains no fruit product or fruit flavoring, and

''(iv) which contains less than 8.5 percent alcohol by volume.

''(B) LOW ALCOHOL BY VOLUME WINE.—For purposes of this section, the term 'low alcohol by volume wine' means a wine—

''(i) containing not more than 0.64 gram of carbon dioxide per hundred milliliters of wine, except that the Secretary may by regulations prescribe such tolerances to this limitation as may be reasonably necessary in good commercial practice,

''(ii) which is derived—

''(I) primarily from grapes, or

''(II) from grape juice concentrate and water,

''(iii) which contains no fruit product or fruit flavoring other than grape, and

''(iv) which contains less than 8.5 percent alcohol by volume.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to wine removed during calendar years beginning after December 31, 2017.

Subtitle D—Distilled Spirits

SEC. 6041. REDUCED RATE OF EXCISE TAX ON CERTAIN DISTILLED SPIRITS.

(a) IN GENERAL.—Section 5001 of the Internal Revenue Code of 1986 is amended by redesignating subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

''(c) REDUCED RATE.—

''(1) IN GENERAL.—In the case of a distilled spirits operation, the otherwise applicable tax rate under subsection (a)(1) shall be—

''(A) $2.70 per proof gallon on the first 100,000 proof gallons of distilled spirits, and

''(B) $13.34 per proof gallon on the first 22,130,000 of proof gallons of distilled spirits to which subparagraph (A) does not apply,

on proof gallons which have been distilled or processed by such operation or imported by

the importer which are removed during the calendar year for consumption or sale by such operation or imported into the United States in such year by such importer.

''(2) CONTROLLED GROUPS.—

''(A) IN GENERAL.—In the case of a controlled group, the proof gallon quantities specified under subparagraphs (A) and (B) of paragraph (1) shall be applied to such group and apportioned among the members of such group in such manner as the Secretary or his delegate shall by regulations prescribe.

''(B) DEFINITION.—For purposes of subparagraph (A), the term 'controlled group' shall have the meaning given such term by subsection (a) of section 1563, except that 'more than 50 percent' shall be substituted for 'at least 80 percent' each place it appears in such subsection.

''(C) RULES FOR NON-CORPORATIONS.—Under regulations prescribed by the Secretary, principles similar to the principles of subparagraphs (A) and (B) shall be applied to a group under common control where one or more of the persons is not a corporation.

''(D) SINGLE TAXPAYER.—Pursuant to rules issued by the Secretary, 2 or more entities (whether or not under common control) that produce distilled spirits marketed under a similar brand, license, franchise, or other arrangement shall be treated as a single taxpayer for purposes of the application of this subsection.''.

(b) CONFORMING AMENDMENT.—Section 7652(f)(2) of the Internal Revenue Code of 1986 is amended by striking ''section 5001(a)'' and inserting ''subsection (a)(1) of section 5001, determined as if subsection (c)(1) of such section did not apply''.

(c) APPLICATION OF REDUCED TAX RATE FOR FOREIGN MANUFACTURERS AND IMPORTERS.—Subsection (c) of section 5001 of the Internal Revenue Code of 1986, as added by subsection (a), is amended—

(1) in paragraph (1), by inserting ''and assigned to such electing importer pursuant to paragraph (3)'' after ''by such importer'', and

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

''(3) REDUCED TAX RATE FOR FOREIGN MANUFACTURERS AND IMPORTERS.—

''(A) IN GENERAL.—In the case of any proof gallons of distilled spirits which have been produced outside of the United States and imported into the United States, the rate of tax applicable under paragraph (1) (referred to in this paragraph as the 'reduced tax rate') may be assigned by the distilled sprits operation (provided that such operation makes an election described in subparagraph (B)(ii)) to any electing importer of such proof gallons pursuant to the requirements established by the Secretary of the Treasury under subparagraph (B).

''(B) ASSIGNMENT.—The Secretary of the Treasury, in consultation with the Secretary of Health and Human Services and the Secretary of the Department of Homeland Security, shall, through such rules, regulations, and procedures as are determined appropriate, establish procedures for assignment of the reduced tax rate provided under this paragraph, which shall include—

''(i) a limitation to ensure that the number of proof gallons of distilled spirits for which the reduced tax rate has been assigned by a distilled spirits operation to any importer does not exceed the number of proof gallons produced by such operation during the calendar year which were imported into the United States by such importer,

''(ii) procedures that allow the election of a distilled spirits operation to assign and an importer to receive the reduced tax rate provided under this paragraph,

''(iii) requirements that the distilled spirits operation provide any information as the Secretary determines necessary and appropriate for purposes of carrying out this paragraph, and

''(iv) procedures that allow for revocation of eligibility of the distilled spirits operation and the importer for the reduced tax rate provided under this paragraph in the case of any erroneous or fraudulent information provided under clause (iii) which the Secretary deems to be material to qualifying for such reduced rate.

''(C) CONTROLLED GROUP.—For purposes of this section, any importer making an election described in subparagraph (B)(ii) shall be deemed to be a member of the controlled group of the distilled spirits operation, as described under paragraph (2).''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Subject to paragraph (2), the amendments made by this section shall apply to distilled spirits removed after September 30, 2018.

(2) PRORATION.—For purposes of the fourth calendar quarter of 2018, the Secretary of the Treasury (or the Secretary's delegate) shall issue such guidance, rules, or regulations as are deemed appropriate to provide that the amendments made by this section are applied on a prorated basis for purposes of distilled spirits removed during such quarter.

SEC. 6042. BULK DISTILLED SPIRITS.

(a) IN GENERAL.—Section 5212 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''Bulk distilled spirits on which'' and inserting ''Distilled spirits on which'', and

(2) by striking ''bulk'' each place it appears.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply distilled spirits transferred in bond in any calendar quarters beginning more than 1 year after the date of the enactment of this Act.

Subtitle E—Excise Tax Administration

SEC. 6051. INCREASE INFORMATION SHARING TO ADMINISTER EXCISE TAXES.

(a) IN GENERAL.—Section 6103(o) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(3) TAXES IMPOSED BY SECTION 4481.—Returns and return information with respect to taxes imposed by section 4481 shall be open to inspection by or disclosure to officers and employees of United States Customs and Border Protection of the Department of Homeland Security whose official duties require such inspection or disclosure for purposes of administering such section.''.

(b) CONFORMING AMENDMENTS.—Paragraph (4) of section 6103(p) of the Internal Revenue Code of 1986 is amended by striking ''or (o)(1)(A)'' each place it appears and inserting '', (o)(1)(A) or (o)(3)''.

SA 3540. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. STUDY ON THE EFFECT OF NEXT GENERATION AIR TRANSPORTATION SYSTEM ON THE HUMAN ENVIRONMENT.

(a) STUDY.—

(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Comptroller General of the United States shall, in consultation with State and local governments and where applicable local resident advisory committees, conduct a study of the effect of the Next Generation Air Transportation System of the Federal Aviation Administration on the human environment in the vicinity of large hub airports and selected medium hub airports located in densely populated areas.

(2) CONTENTS.—The study required by subsection (a) shall include the following:

(A) An analysis regarding the increase in noise related complaints in communities located near large hub airports and selected medium hub airports located in densely populated areas since the implementation of the Next Generation Air Transportation System.

(B) A review and evaluation of the Administration's current policies and abilities to respond and address these concerns.

(C) An evaluation of the human environment and health effects of increased flight traffic in these communities, including concerns regarding aircraft noise, pollution, and safety.

(D) An analysis of how Next Generation Air Transportation System flight paths could be altered to better distribute the noise caused by these flights.

(E) Recommendations on the best and most cost-effective approaches to address increased noise complaints associated with the Next Generation Air Transportation System.

(F) Such other maters relating to the Next Generation Air Transportation System as the Comptroller General considers appropriate.

(b) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report on the results of the study conducted under subsection (a), including the Comptroller General's findings, conclusions, and recommendations with respect to the study.

SA 3541. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

Subtitle C—Accountability to Community

SEC. 4301. SHORT TITLE.

This subtitle may be cited as the ''FAA Community Accountability Act of 2016''.

SEC. 4302. FLIGHT PATHS AND PROCEDURES.

Notwithstanding any other provision of law, in considering new or revised flight paths or procedures as part of the implementation of the Next Generation Air Transportation System, the Administrator of the Federal Aviation Administration—

(1) shall take actions to limit negative impacts on the human environment in the vicinity of an affected airport; and

(2) may give preference to overlays of existing flight paths or procedures to ensure compatibility with land use in the vicinity of an affected airport.

SEC. 4303. FEDERAL AVIATION ADMINISTRATION COMMUNITY OMBUDSMAN.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall appoint a Federal Aviation Administration Community Ombudsman for each region of the Federal Aviation Administration.

(b) DUTIES.—The Ombudsmen appointed in accordance with subsection (a) shall—

(1) act as a liaison between affected communities and the Administrator with respect

to problems related to the impact of commercial aviation on the human environment, including concerns regarding aircraft noise, pollution, and safety;

(2) monitor the impact of the implementation of the Next Generation Air Transportation System on communities in the vicinity of affected airports;

(3) make recommendations to the Administrator—

(A) to address concerns raised by communities; and

(B) to improve the use of community comments in Administration decisionmaking processes; and

(4) report to Congress periodically on issues related to the impact of commercial aviation on the human environment and on Administration responsiveness to concerns raised by affected communities.

SEC. 4304. COMMUNITY ENGAGEMENT.

(a) IN GENERAL.—Notwithstanding any other provision of law, in implementing the Next Generation Air Transportation System, the Administrator of the Federal Aviation Administration may not treat the establishment or revision of a flight path or procedure as covered by a categorical exclusion (as defined in section 1508.4 of title 40, Code of Federal Regulations) if an Federal Aviation Administration Community Ombudsman or the operator of an airport affected by such establishment or revision submits written notification to the Administrator that—

(1) extraordinary circumstances exist; or

(2) the establishment or revision will have a significant adverse impact on the human environment in the vicinity of such airport.

(b) NOTIFICATIONS.—At least 30 days before treating the establishment or revision of a flight path or procedure as covered by a categorical exclusion, the Administrator shall provide notice and an opportunity for comment to persons affected by such establishment or revision, including the operator of any affected airport.

SEC. 4305. RECONSIDERATION OF CERTAIN FLIGHT PATHS AND PROCEDURES.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Administrator of the Federal Aviation Administration shall reconsider a flight path or procedure established or revised after February 14, 2012, as part of the implementation of the Next Generation Air Transportation System if a Federal Aviation Administration Community Ombudsman or the operator of an airport affected by such establishment or revision submits written notification to the Administrator that the establishment or revision is resulting in a significant adverse impact on the human environment in the vicinity of such airport.

(b) PROCESS.—In reconsidering a flight path or procedure under subsection (a), the Administrator shall—

(1) provide notice of the reconsideration and an opportunity for public comment;

(2) assess the impacts on the human environment of such flight path or procedure; and

(3) not later than 180 days after the date on which the relevant notification was received, submit to Congress and make available to the public a report that—

(A) addresses comments received pursuant to paragraph (1);

(B) describes the results of the assessment carried out under paragraph (2); and

(C) describes any changes to be made to such flight path or procedure or the justification for not making any change.

SA 3542. Mr. HOEVEN (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. STATE REGULATION OF AIR AMBULANCE SERVICE PROVIDERS.

Notwithstanding any other provision of law or regulation, including section 41713 of title 49, United States Code, a State may enact or enforce a law, regulation, or other provision having the force and effect of law that regulates the price or service of an air carrier that provides air ambulance service in that State.

SA 3543. Mr. HOEVEN (for himself and Mr. COCHRAN) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

On page 117, line 17, insert after ''subsection (a).'' the following: ''In developing and carrying out the pilot program under this subsection, the Administrator shall, to the maximum extent practicable, leverage the capabilities of and utilize the Center of Excellence for Unmanned Aircraft Systems and the test sites established under section 332(c) of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note).''.

SA 3544. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subsection (a) of section 3114 add the following:

(5) by adding after subsection (d), as redesignated, the following:

''(e) REPORTING REQUIREMENT.—Upon receipt of any complaint, an air carrier shall send the content of the complaint to the Aviation Consumer Protection Division of the Department of Transportation.''.

SA 3545. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title III, add the following:

SEC. 3124. IMPROVING AIRLINE COMPETITIVENESS.

(a) FINDINGS.—Congress makes the following findings:

(1) The people of the United States and the United States economy depend on a strong and competitive passenger air transportation industry to move people and goods in the fastest, most efficient manner.

(2) In a global economy, air carriers connect the people of the United States with the rest of the world. A strong air transportation industry is essential to the ability of the United States to compete in the international marketplace.

(3) A strong air transportation industry depends on competition between a number of air carriers servicing a variety of routes for domestic and international travelers, at both the national and local levels.

(4) Important stakeholders contribute to, and are dependent on, a robust air transportation industry, including—

(A) business and leisure travelers;

(B) the tourism sector;

(C) shippers;

(D) State and local governments and port authorities;

(E) aircraft manufacturers; and

(F) domestic and foreign air carriers.

(5) As a result of the consolidation of United States air carriers, there has been a precipitous decline in the number of major passenger air carriers in the United States.

(6) In the past few years, the air transportation industry has become increasingly concentrated. In 2015, the top 4 major air carriers accounted for 80 percent of passenger air traffic in the United States.

(7) The continued success of a deregulated air carrier system requires actual competition to encourage all participants in the industry to provide high quality service at competitive fares.

(8) Further consolidation among air carriers threatens to leave the industry without sufficient competition to ensure that the people of the United States share in the benefits of a well-functioning air transportation industry.

(b) ESTABLISHMENT OF NATIONAL COMMISSION TO ENSURE ALL AMERICANS HAVE ACCESS TO AND BENEFIT FROM A STRONG AND COMPETITIVE AIR TRANSPORTATION INDUSTRY.—There is established a Commission, which shall be known as the ''National Commission to Ensure All Americans Have Access to and Benefit from a Strong and Competitive Air Transportation Industry'' (referred to in this section as the ''Commission'').

(c) FUNCTIONS.—

(1) STUDY.—The Commission shall conduct a study of the passenger air transportation industry, with priority given to issues specified in subsection (d).

(2) POLICY RECOMMENDATIONS.—Based on the results of the study conducted under paragraph (1), the Commission shall recommend to the President and to Congress the adoption of policies that will—

(A) achieve the national goal of a strong and competitive air carrier system and facilitate the ability of the United States to compete in the global economy;

(B) provide robust levels of competition and air transportation at reasonable fares in cities of all sizes;

(C) provide a stable work environment for employees of air carriers;

(D) account for the interests of different stakeholders that contribute to, and are dependent on, the air transportation industry; and

(E) provide appropriate levels of protection for consumers, including access to information to enable consumer choice.

(d) SPECIFIC ISSUES TO BE ADDRESSED.—In conducting the study under subsection (c)(1), the Commission shall investigate—

(1) the current state of competition in the air transportation industry, how the structure of that competition is likely to change during the 5-year period beginning on the date of the enactment of this Act, whether that expected level of competition will be sufficient to secure the consumer benefits of air carrier deregulation, and the effects of—

(A) air carrier consolidation and practices on consumers, including the competitiveness of fares and services and the ability of consumers to engage in comparison shopping for air carrier fees;

(B) airfare pricing policies, including whether reduced competition artificially inflates ticket prices;

(C) the level of competition as of the date of the enactment of this Act on the travel distribution sector, including online and traditional travel agencies and intermediaries;

(D) economic and other effects on domestic air transportation markets in which 1 or 2 air carriers control the majority of available seat miles;

(E) the tactics used by incumbent air carriers to compete against smaller, regional carriers, or inhibit new or potential new entrant air carriers into a particular market; and

(F) the ability of new entrant air carriers to provide new service to underserved markets;

(2) the legislative and administrative actions that the Federal Government should take to enhance air carrier competition, including changes that are needed in the legal and administrative policies that govern—

(A) the initial award and the transfer of international routes;

(B) the allocation of gates and landing rights, particularly at airports dominated by 1 air carrier or a limited number of air carriers;

(C) frequent flier programs;

(D) the rights of foreign investors to invest in the domestic air transportation marketplace;

(E) the access of foreign air carriers to the domestic air transportation marketplace;

(F) the taxes and user fees imposed on air carriers;

(G) the responsibilities imposed on air carriers;

(H) the bankruptcy laws of the United States and related rules administered by the Department of Transportation as such laws and rules apply to air carriers;

(I) the obligations of failing air carriers to meet pension obligations;

(J) antitrust immunity for international air carrier alliances and the process for approving such alliances and awarding that immunity;

(K) competition of air carrier codeshare partnerships and joint ventures; and

(L) constraints on new entry into the domestic air transportation marketplace;

(3) whether the policies and strategies of the United States in international air transportation are promoting the ability of United States air carriers to achieve long-term competitive success in international air transportation markets, and to secure the benefits of robust competition, including—

(A) the general negotiating policy of the United States with respect to international air transportation;

(B) the desirability of multilateral rather than bilateral negotiations with respect to international air transportation;

(C) whether foreign countries have developed the necessary infrastructure of airports and airways to enable United States air carriers to provide the service needed to meet the demand for air transportation between the United States and those countries;

(D) the desirability of liberalization of United States domestic air transportation markets; and

(E) the impediments to access by foreign air carriers to routes to and from the United States;

(4) the effect that air carrier consolidation has had on business and leisure travelers, and travel and tourism more broadly; and

(5) the effect that air carrier consolidation has had on—

(A) employment and economic development opportunities of localities, particularly small and mid-size localities; and

(B) former hub airports, including the positive and negative consequences of routing air traffic through hub airports.

(e) MEMBERSHIP.—

(1) APPOINTMENT.—The Commission shall be composed of 21 members, of whom—

(A) 7 shall be appointed by the President;

(B) 4 shall be appointed by the Speaker of the House of Representatives;

(C) 3 shall be appointed by the minority leader of the House of Representatives;

(D) 4 shall be appointed by the majority leader of the Senate; and

(E) 3 shall be appointed by the minority leader of the Senate.

(2) QUALIFICATIONS.—

(A) IN GENERAL.—Members appointed pursuant to paragraph (1) shall be appointed from among United States citizens who bring knowledge of, and informed insights into, aviation, transportation, travel, and tourism policy.

(B) REPRESENTATION.—Members appointed pursuant to paragraph (1) shall be appointed in a manner so that at least 1 member of the Commission represents the interests of each of the following:

(i) The Department of Transportation.

(ii) The Department of Justice.

(iii) Legacy, networked air carriers.

(iv) Non-legacy air carriers.

(v) Air carrier employees.

(vi) Large aircraft manufacturers.

(vii) Ticket agents not part of an Internet-based travel company.

(viii) Large airports.

(ix) Small or mid-size airports with commercial service.

(x) Shippers.

(xi) Consumers.

(xii) General aviation.

(xiii) Local governments or port authorities that operate commercial airports.

(xiv) Internet-based travel companies.

(xv) The travel and tourism industry.

(xvi) Global distribution systems.

(xvii) Corporate business travelers.

(3) TERMS.—Members shall be appointed for the life of the Commission.

(4) CHAIRMAN.—The Chairman of the Commission shall be elected by the members of the Commission.

(5) VACANCIES.—A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(6) TRAVEL EXPENSES.—Members shall serve without pay, but shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(f) STAFF.—The Commission may appoint and fix the pay of such personnel as the Commission considers appropriate.

(g) STAFF OF FEDERAL AGENCIES.—Upon the request of the Commission, the head of any Federal agency may detail, on a reimbursable basis, any of the personnel of that agency to the Commission to assist the Commission in carrying out its duties under this section.

(h) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out its responsibilities under this section.

(i) OBTAINING OFFICIAL DATA.—The Commission may secure directly from any Federal agency information (other than information required by any provision of law to be kept confidential by that agency) that is necessary for the Commission to carry out its duties under this section. Upon the request of the Commission, the head of such agency shall furnish such nonconfidential information to the Commission.

(j) REPORT.—Not later than 180 days after the date on which initial appointments of members to the Commission are made under subsection (e)(1), and after a public comment period of not less than 30 days, the Commission shall submit a report to the President and Congress that—

(1) describes the activities of the Commission;

(2) includes recommendations made by the Commission under subsection (c)(2); and

(3) contains a summary of the comments received during the public comment period.

(k) TERMINATION.—The Commission shall terminate on the date that is 180 days after the date of the submission of the report under subsection (j). Upon the submission of such report, the Commission shall deliver all records and papers of the Commission to the Administrator of General Services for deposit in the National Archives.

SA 3546. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title III, add the following:

SEC. 3214. MODIFICATION OF DEFINITION OF DISABILITY FOR DISCRIMINATION CLAIMS AGAINST AIR CARRIERS.

Section 41705(a) is amended to read as follows:

''(a) IN GENERAL.—In providing air transportation, an air carrier, including (subject to section 40105(b)) any foreign air carrier, may not discriminate against an individual on the basis of disability, as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102).''.

SA 3547. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 5032. REGULATIONS RELATING TO E-CIGARETTES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Pipeline and Hazardous Materials Safety Administration shall, in coordination and consultation with the Administrator of the Federal Aviation Administration—

(1) finalize the interim final rule of the Pipeline and Hazardous Materials Safety Administration issued October 30, 2015, pertaining to e-cigarettes; and

(2) expand that rule to prohibit the carrying of battery-powered portable electronic smoking devices in checked baggage and in carry-on baggage.

(b) DEFINITION.—In this section, the term ''battery-powered portable electronic smoking devices'' means e-cigarettes, e-cigs, e-cigars, e-pipes, e-hookahs, personal vaporizers, and electronic nicotine delivery systems.

SA 3548. Mr. BLUMENTHAL (for himself, Mr. MARKEY, and Ms. BALDWIN) submitted an amendment intended

to be proposed by him to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title III, add the following:

SEC. 3124. PRIVATE RIGHT OF ACTION FOR DISCRIMINATION CLAIMS AGAINST AIR CARRIERS.

Section 41705 is amended—

''(d) CIVIL ACTION.—

''(1) IN GENERAL.—Any person aggrieved by a violation by an air carrier of this section or a regulation prescribed under this section may, not later than 2 years after the date of the violation, bring a civil action in the district court of the United States in the district in which the person resides, in the district in which the principal place of business of the air carrier is located, or in the district in which the violation occurred.

''(2) RELIEF.—In a civil action brought under paragraph (1) in which the plaintiff prevails—

''(A) the plaintiff may obtain equitable and legal relief, including compensatory and punitive damages; and

''(B) the court shall award reasonable attorney's fees, reasonable expert fees, and the costs of the action to the plaintiff.

''(3) NO REQUIREMENT FOR EXHAUSTION OF REMEDIES.—Any person aggrieved by a violation by an air carrier of this section or a regulation prescribed under this section is not required to exhaust administrative complaint procedures before filing a civil action under paragraph (1).

''(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to invalidate or limit other Federal or State laws affording to people with disabilities greater legal rights or protections than those granted in this section.''.

SA 3549. Mr. MARKEY (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ENERGY CREDIT FOR QUALIFIED OFFSHORE WIND FACILITIES.

(a) IN GENERAL.—Section 48 of the Internal Revenue Code is amended—

(1) in subsection (a)—

(A) in paragraph (2)(A)(i)—

(i) in subclause (III), by striking ''and'' at the end, and

(ii) by adding at the end the following new subclause:

''(V) qualified offshore wind property, and'', and

(B) in paragraph (3)(A)—

(i) in clause (vi), by striking ''or'' at the end,

(ii) in clause (vii), by adding ''or'' at the end, and

(iii) by adding at the end the following new clause:

''(viii) qualified offshore wind property, but only with respect to periods ending before January 1, 2026,''.

(2) in subsection (c), by adding at the end the following new paragraph:

''(5) QUALIFIED OFFSHORE WIND PROPERTY.—

''(A) IN GENERAL.—The term 'qualified offshore wind property' means an offshore facility using wind to produce electricity.

''(B) OFFSHORE FACILITY.—The term 'offshore facility' means any facility located in the inland navigable waters of the United States, including the Great Lakes, or in the coastal waters of the United States, including the territorial seas of the United States, the exclusive economic zone of United States, and the outer Continental Shelf of the United States.

''(C) EXCEPTION FOR QUALIFIED SMALL WIND ENERGY PROPERTY.—The term 'qualified offshore wind property' shall not include any property described in paragraph (4).''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SA 3550. Mr. PORTMAN (for himself and Mr. BURR) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. BENEFIT SUSPENSIONS FOR MULTIEMPLOYER PLANS IN CRITICAL AND DECLINING STATUS.

(a) ERISA AMENDMENTS.—Section 305(e)(9)(H) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1085(e)(9)(H)) is amended—

(1) in clause (ii)—

(A) by striking ''Except as provided in clause (v), the'' and inserting ''The''; and

(B) by striking ''a majority of all participants and beneficiaries of the plan'' and inserting '', of the participants and beneficiaries of the plan who cast a vote, a majority'';

(2) by striking clause (v);

(3) by redesignating clause (vi) as clause (v); and

(4) in clause (v), as so redesignated—

(A) by striking ''(or following a determination under clause (v) that the plan is a systemically important plan)''; and

(B) by striking ''(or, in the case of a suspension that goes into effect under clause (v), at a time sufficient to allow the implementation of the suspension prior to the end of the 90-day period described in clause (v)(I))''.

(b) IRC AMENDMENTS.—Section 432(e)(9)(H) of the Internal Revenue Code of 1986 is amended—

(1) in clause (ii)—

(A) by striking ''Except as provided in clause (v), the'' and inserting ''The''; and

(B) by striking ''a majority of all participants and beneficiaries of the plan'' and inserting '', of the participants and beneficiaries of the plan who cast a vote, a majority'';

(2) by striking clause (v);

(3) by redesignating clause (vi) as clause (v); and

(4) in clause (v), as so redesignated—

(A) by striking ''(or following a determination under clause (v) that the plan is a systemically important plan)''; and

(B) by striking ''(or, in the case of a suspension that goes into effect under clause (v), at a time sufficient to allow the implementation of the suspension prior to the end of the 90-day period described in clause (v)(I))''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply to any vote on the suspension of benefits under section 305(e)(9)(H) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1085(e)(9)(H)) and section 432(e)(9)(H) of the Internal Revenue Code of 1986 that occurs after the date of enactment of this Act.

SA 3551. Mrs. BOXER submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title II, add the following:

PART IV—SAFE OPERATION OF UNMANNED AIRCRAFT SYSTEMS

SEC. 2161. SHORT TITLE.

This part may be cited as the ''Safety for Airports and Firefighters by Ensuring Drones Refrain from Obstructing Necessary Equipment Act of 2016'' or the ''SAFE DRONE Act of 2016''.

SEC. 2162. CRIMINAL PENALTY FOR OPERATING DRONES IN CERTAIN LOCATIONS.

(a) IN GENERAL.—Chapter 2 of title 18, United States Code, is amended by adding at the end the following:

''§ 40A. Operating drones in certain locations

''(a) OFFENSE.—It shall be unlawful for a person to knowingly operate a drone in a restricted area without proper authorization from the Federal Aviation Administration.

''(b) EXCEPTION.—Subsection (a) shall not apply to operations conducted for purposes of firefighting or emergency response by a Federal, State, or local unit of government (including any individual conducting such operations pursuant to a contract or other agreement entered into with the unit).

''(c) REGULATIONS.—Not later than 90 days after the date of the enactment of this section, the Attorney General shall, by regulation, establish penalties for a violation of this section that the Attorney General determines are reasonably calculated to provide a deterrent to operating drones in restricted areas, which may include a term of imprisonment.

''(d) DEFINITIONS.—In this section—

''(1) the term 'drone' has the meaning given the term 'unmanned aircraft' in section 44801 of title 49;

''(2) the terms 'large hub airport', 'medium hub airport', and 'small hub airport' have the meanings given those terms in section 47102 of title 49; and

''(3) the term 'restricted area' means—

''(A) within a 2-mile radius of a small hub airport, medium hub airport, or large hub airport;

''(B) within 2 miles of the outermost perimeter of an ongoing firefighting operation involving the Department of Agriculture or the Department of the Interior; or

''(C) in an area that is subject to a temporary flight restriction issued by the Administrator of the Federal Aviation Administration.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 2 of title 18, United States Code, is amended by adding at the end the following new item:

''40A. Operating drones in certain locations.''.

SA 3552. Mrs. FEINSTEIN (for herself, Mr. BENNET, and Mrs. BOXER) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and

Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. MODIFICATIONS TO INCOME EXCLUSION FOR CONSERVATION SUBSIDIES.

(a) IN GENERAL.—Subsection (a) of section 136 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''any subsidy provided'' and inserting ''any subsidy—

''(1) provided'',

(2) by striking the period at the end and inserting a comma, and

(3) by adding at the end the following new paragraphs:

''(2) provided (directly or indirectly) by a public utility to a customer, or by a State or local government to a resident of such State or locality, for the purchase or installation of any water conservation measure, or

''(3) provided (directly or indirectly) by a storm water management provider to a customer, or by a State or local government to a resident of such State or locality, for the purchase or installation of any storm water management measure.''.

(b) CONFORMING AMENDMENTS.—

(1) DEFINITION OF WATER CONSERVATION MEASURE AND STORM WATER MANAGEMENT MEASURE.—Section 136(c) of the Internal Revenue Code of 1986 is amended—

(A) by striking ''ENERGY CONSERVATION MEASURE'' in the heading thereof and inserting ''DEFINITIONS'',

(B) by striking ''IN GENERAL'' in the heading of paragraph (1) and inserting ''ENERGY CONSERVATION MEASURE'', and

(C) by redesignating paragraph (2) as paragraph (4) and by inserting after paragraph (1) the following:

''(2) WATER CONSERVATION MEASURE.—For purposes of this section, the term 'water conservation measure' means any installation or modification primarily designed to reduce consumption of water or to improve the management of water demand with respect to a dwelling unit.

''(3) STORM WATER MANAGEMENT MEASURE.—For purposes of this section, the term 'storm water management measure' means any installation or modification of property primarily designed to reduce or manage amounts of storm water with respect to a dwelling unit.''.

(2) DEFINITION OF PUBLIC UTILITY.—Section 136(c)(4) of such Code (as redesignated by paragraph (1)(C)) is amended by striking subparagraph (B) and inserting the following:

''(B) PUBLIC UTILITY.—The term 'public utility' means a person engaged in the sale of electricity, natural gas, or water to residential, commercial, or industrial customers for use by such customers.

''(C) STORM WATER MANAGEMENT PROVIDER.—The term 'storm water management provider' means a person engaged in the provision of storm water management measures to the public.

''(D) PERSON.—For purposes of subparagraphs (B) and (C), the term 'person' includes the Federal Government, a State or local government or any political subdivision thereof, or any instrumentality of any of the foregoing.''.

(3) CLERICAL AMENDMENTS.—

(A) The heading of section 136 of such Code is amended—

(i) by inserting ''**AND WATER**'' after ''**ENERGY**'', and

(ii) by striking ''**PROVIDED BY PUBLIC UTILITIES**''.

(B) The item relating to section 136 in the table of sections of part III of subchapter B of chapter 1 of such Code is amended—

(i) by inserting ''and water'' after ''energy'', and

(ii) by striking ''provided by public utilities''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts received after January 1, 2015.

(d) NO INFERENCE.—Nothing in this Act or the amendments made by this Act shall be construed to create any inference with respect to the proper tax treatment of any subsidy received directly or indirectly from a public utility, a storm water management provider, or a State or local government for any water conservation measure or storm water management measure before January 1, 2015.

SA 3553. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

On page 270, strike lines 2 through 11 and insert the following:

(a) RULEMAKING.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall issue final regulations to require a covered air carrier to promptly provide an automatic refund or other compensation to a passenger if the covered air carrier—

(A) has charged the passenger an ancillary fee for checked baggage; and

(B) fails to deliver the checked baggage to the passenger not later than 6 hours after the arrival of a domestic flight or 12 hours after the arrival of an international flight.

(2) CHOICE OF COMPARABLE COMPENSATION.—The final regulations issued under paragraph (1) shall not prescribe specific compensation, but shall permit covered air carriers to provide the passenger with a choice of comparable compensation so long as a full refund of the ancillary fee is one of the choices simultaneously offered by the covered air carrier.

SA 3554. Mrs. GILLIBRAND (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 5023. MINIMUM ALTITUDES FOR HELICOPTERS OVER POPULATED AREAS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Administrator shall establish a process for evaluating—

(1) whether minimum altitude requirements for helicopter routes over populated areas can be safely set for the purpose of reducing noise effects on the surrounding community; and

(2) in the case of routes for which minimum altitudes cannot be safely set, whether those routes should be otherwise modified, restricted, or eliminated due to excessive noise effects.

(b) PUBLIC ENGAGEMENT.—In establishing the process required by subsection (a), the Administrator shall—

(1) review and respond to requests made by States, political subdivisions of States, other elected officials, and community organizations to evaluate specific helicopter routes to reduce noise; and

(2) provide a means for the public to participate in the process.

SA 3555. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. PRIVATE PILOT PRIVILEGES AND LIMITATIONS.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall issue or revise regulations to ensure that a person who holds a private pilot certificate may communicate with the public, in any manner the person determines appropriate, to facilitate a covered flight.

(b) COVERED FLIGHT DEFINED.—In this section, the term ''covered flight'' means an aircraft flight for which the pilot and passengers share operating expenses in accordance with section 61.113(c) of title 14, Code of Federal Regulations, or successor regulation.

SA 3556. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. ELIMINATION OF EXCLUSION OF CERTAIN DUAL NATIONALS FROM PARTICIPATION IN THE VISA WAIVER PROGRAM.

Section 217(a)(12) of the Immigration and Nationality Act (8 U.S.C. 1187(a)(12)) is amended—

(1) in subparagraph (A)—

(A) by striking clause (ii);

(B) by striking ''(C)—'' and all that follows through ''the alien has not been present'' and inserting ''(C), the alien has not been present''; and

(C) by redesignating subclauses (I), (II), and (III) as clauses (i), (ii), and (iii), respectively, and realigning the margin of each such clause two ems to the left; and

(2) in subparagraph (B), in the matter preceding clause (i), by striking ''(A)(i)'' and inserting ''(A)''.

SA 3557. Mr. FLAKE (for himself, Mr. LEAHY, Mr. DURBIN, Mr. ENZI, Ms. COLLINS, Mr. HELLER, and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. TRAVEL TO CUBA.

(a) IN GENERAL.—Notwithstanding any other provision of law, except as provided in subsections (b) and (c)—

(1) the President may not prohibit or otherwise restrict, directly or indirectly, travel to or from Cuba by United States citizens or legal residents, or any of the transactions incident to such travel, including banking transactions; and

(2) any regulation in effect on such date of enactment that prohibits or otherwise restricts travel to or from Cuba by United States citizens or legal residents, or any of the transactions incident to such travel, including banking transactions, shall cease to have any force or effect.

(b) SAVINGS PROVISION.—Nothing in this section may be construed to limit the authority of the President to restrict travel described in subsection (a), or any transaction incident to such travel, on a case-by-case basis, if such restriction—

(1) is important to the national security of the United States; or

(2) is designed to protect the health or safety of United States citizens or legal residents resulting from traveling to or from Cuba.

(c) APPLICABILITY.—This section shall apply to actions taken by the President—

(1) before the date of the enactment of this Act, which are in effect on such date of enactment; or

(2) on or after such date of enactment.

SA 3558. Mrs. FEINSTEIN (for herself, Mr. TILLIS, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2152 and insert the following:

SEC. 2152. EFFECT ON OTHER LAWS.

(a) FEDERAL PREEMPTION RELATING TO MANUFACTURE AND DESIGN OF CIVIL UNMANNED AIRCRAFT SYSTEMS.—Subject to the limitations in subsection (c), no State or political subdivision of a State may enact or enforce any law, regulation, or other provision having the force and effect of law relating to the design, manufacture, testing, certification, or maintenance of a civil unmanned aircraft system, including equipment or technology requirements.

(b) LIMITED PREEMPTION RELATING TO OPERATIONS OF CIVIL UNMANNED AIRCRAFT SYSTEMS.—

(1) LIMITATIONS.—Nothing in this title, any amendment made by this title, or any standard, rule, requirement, standard of performance, safety determination, or certification implemented pursuant to this title or any amendment made by this title, shall be construed to preempt any State or local law, regulation, or other provision having the force and effect of law relating to the operation of a civil unmanned aircraft system in the national airspace system, unless the Secretary of Transportation has issued a regulation governing such operation, and only to the extent that the State or local law, regulation, or other provision presents an obstacle to that regulation.

(2) PROTECTION OF STATE AND LOCAL INTERESTS.—Any Federal regulation relating to the operation of civil unmanned aircraft systems shall preserve, to the greatest extent practicable, legitimate State and local interests in protecting—

(A) public safety;

(B) personal privacy;

(C) private property and land use;

(D) nuisance and noise pollution;

(E) public buildings, such as police departments, courthouses, and prisons;

(F) schools, including institutions of primary, secondary, and higher education;

(G) stadiums, parks, amusement parks, and beaches;

(H) power plants, electrical infrastructure, highways, bridges, roads, and other infrastructure; and

(I) special events, including sporting events, parades, and festivals.

(c) ADDITIONAL LIMITS ON PREEMPTION.—Nothing in this title, any amendment made by this title, or any standard, rule, regulation, requirement, standard of performance, safety determination, or certification implemented pursuant to this title or any amendment made by this title, shall be construed to limit, preempt, preclude, displace, or supplant any of the following, whether created before, on, or after the date of the enactment of this Act:

(1) Any cause of action for personal injury, wrongful death, property damage, or other injury based on negligence, strict liability, products liability, failure to warn, or any other legal theory of liability under any State law, maritime law, or State or Federal common law or statutory theory.

(2) Any State, local, or Federal statute, policy, or rule creating a remedy for civil relief (including those for civil damage), a penalty for criminal conduct, or another other lawfully imposed penalty, including laws (and the enforcement thereof) relating to trespass, nuisance, voyeurism, privacy, data security, harassment, reckless endangerment, wrongful death, personal injury, property damage, speed limits, land use or other illegal acts arising from the use of unmanned aircraft systems.

(3) Any right to the exclusive control of the immediate reaches of the airspace above property, as described by the Supreme Court of the United States in United States v. Causby, 328 U.S. 256 (1946).

(d) CONCURRENT ENFORCEMENT.—

(1) STATE AND LOCAL ENFORCEMENT AUTHORIZED.—In any case in which the attorney general of a State, or an official or agency of a State or political subdivision of a State, has reason to believe that an interest of the residents of that State or political subdivision has been or is threatened or adversely affected by any operator of a civil unmanned aircraft who violates any rule, regulation, or standard promulgated under this Act or other provision of Federal law related to the operation of civil unmanned aircraft, the attorney general of the State or official or agency of the State or political subdivision, is authorized to take enforcement action under this subsection.

(2) AUTHORIZED ACTIONS.—Enforcement actions authorized under this subsection include—

(A) a civil action on behalf of the residents of a State or political subdivision of a State in State court or in a district court of the United States of appropriate jurisdiction to enjoin further violation of Federal law;

(B) appropriate monetary penalties as may be authorized under the laws and procedures of the State or political subdivision; and

(C) an order to produce the proof of passage of the aeronautical knowledge and safety test described in section 44808(a)(7) of title 49, United States Code.

(3) GUIDANCE.—The Administrator of the Federal Aviation Administration shall issue guidance to State and local governments with respect to enforcement under this subsection that clearly and concisely describes the requirements of Federal law and regulations as applicable to operators of civil unmanned aircraft to enable enforcement as described in paragraph (2).

SA 3559. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 23, strike line 17 and all that follows through page 24, line 6, and insert the following:

(A) in consultation with airport operators, general aviation users, and the exclusive representative certified to represent air traffic controllers under section 7111 of title 5, United States Code, a pilot program at public-use airports to construct and operate remote towers; and

(B) a selection process for participation in the pilot program.

(2) SAFETY CONSIDERATIONS.—In establishing the pilot program, the Administrator shall consult with operators of remote towers in foreign countries to design the pilot program in a manner that leverages as many safety and airspace efficiency benefits as possible.

(3) REQUIREMENTS.—In selecting the airports for participation in the pilot program, the Administrator shall—

(A) complete a Safety Risk Management Panel (SRM–P) for the pilot program at the current pilot program location;

SA 3560. Mr. WARNER (for himself and Mr. HOEVEN) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 73, strike line 24 and all that follows through page 74, line 12, and insert the following:

(a) RESEARCH PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Transportation and the United States Unmanned Aircraft System Executive Committee shall, in coordination with industry, users, the Center of Excellence for Unmanned Aircraft Systems, and test site operators, jointly develop a research plan to identify ongoing research into the broad range of technical, procedural, and policy concerns arising from the integration of unmanned aircraft systems into the national airspace system, and research needs regarding those concerns.

(2) MILESTONES AND GOALS.—

(A) IN GENERAL.—The plan required by paragraph (1) shall include—

(i) milestones with specific dates; and

(ii) near-term goals and specific goals after 5 years, after 10 years, and for the period beyond 10 years.

(B) INTEGRATION OF LARGER UNMANNED AIRCRAFT SYSTEMS.—Goals required by subparagraph (A)(ii) shall include goals relating to integration into the national airspace system of unmanned aircraft systems that are heavier than 55 pounds and fly higher than 500 feet above ground level.

(3) INTEGRATION WITH NEXT GENERATION AIR TRANSPORTATION SYSTEM.—The plan required

by paragraph (1) shall specify where and how integration of unmanned aircraft systems into the national airspace system fits within ongoing programs and research relating to the Next Generation Air Transportation System

(4) SPECIFICATION OF FUNDS REQUIRED.—The plan required by paragraph (1) shall specify the amount of funds necessary to achieve the integration of unmanned aircraft systems, of all sizes and at all altitudes, into the national airspace system.

(5) ENGAGEMENT WITH APPROPRIATE ENTITIES.—In developing the plan, the Administrator shall determine and engage the appropriate entities to meet the research needs identified in the plan.

SA 3561. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

On page 119, line 18, insert '', or certified commercial operators operating under contract with a public entity,'' after ''operators''.

SA 3562. Mr. WARNER (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION B—BRIDGE ACT

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''Building and Renewing Infrastructure for Development and Growth in Employment Act'' or the ''BRIDGE Act''.

(b) TABLE OF CONTENTS.—The table of contents for this division is as follows:

SEC. 2. PURPOSE.

The purpose of this division is to facilitate investment in, and the long-term financing of, economically viable eligible infrastructure projects of regional or national significance that are in the public interest in a manner that complements existing Federal, State, local, and private funding sources for these projects and introduces a merit-based system for financing those projects, in order to mobilize significant private sector investment, create long-term jobs, and ensure United States competitiveness through a self-sustaining institution that limits the need for ongoing Federal funding.

SEC. 3. DEFINITIONS.

In this division:

(1) BLIND TRUST.—The term ''blind trust'' means a trust in which the beneficiary has no knowledge of the specific holdings and no rights over how those holdings are managed by the fiduciary of the trust prior to the dissolution of the trust.

(2) BOARD OF DIRECTORS.—The term ''Board of Directors'' means the Board of Directors of IFA.

(3) CHAIRPERSON.—The term ''Chairperson'' means the Chairperson of the Board of Directors of IFA.

(4) CHIEF EXECUTIVE OFFICER.—The term ''Chief Executive Officer'' means the chief executive officer of IFA, appointed under section 103.

(5) COST.—The term ''cost'' has the meaning given the term in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a).

(6) DIRECT LOAN.—The term ''direct loan'' has the meaning given the term in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a).

(7) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) an individual;

(B) a corporation;

(C) a partnership, including a public-private partnership;

(D) a joint venture;

(E) a trust;

(F) a State or any other governmental entity, including a political subdivision or any other instrumentality of a State; or

(G) a revolving fund.

(8) ELIGIBLE INFRASTRUCTURE PROJECT.—

(A) IN GENERAL.—The term ''eligible infrastructure project'' means the construction, consolidation, alteration, or repair of the following sectors:

(i) Intercity passenger or freight rail lines, intercity passenger rail facilities or equipment, and intercity freight rail facilities or equipment.

(ii) Intercity passenger bus facilities or equipment.

(iii) Public transportation facilities or equipment.

(iv) Highway facilities, including bridges and tunnels.

(v) Airports and air traffic control systems.

(vi) Port or marine terminal facilities, including approaches to marine terminal facilities or inland port facilities, and port or marine equipment, including fixed equipment to serve approaches to marine terminals or inland ports.

(vii) Transmission or distribution pipelines.

(viii) Inland waterways.

(ix) Intermodal facilities or equipment related to 2 or more of the sectors described in clauses (i) through (viii).

(x) Water treatment and solid waste disposal facilities.

(xi) Storm water management systems.

(xii) Dams and levees.

(xiii) Facilities or equipment for energy transmission, distribution or storage.

(B) AUTHORITY OF THE BOARD OF DIRECTORS TO MODIFY SECTORS.—The Board of Directors may make modifications, at the discretion of the Board, to any of the sectors described in subparagraph (A) by a vote of not fewer than 5 of the voting members of the Board of Directors.

(9) IFA.—The term ''IFA'' means the Infrastructure Financing Authority established under section 101.

(10) INVESTMENT-GRADE RATING.—The term ''investment-grade rating'' means a rating of BBB minus, Baa3, or higher assigned to an eligible infrastructure project by a ratings agency.

(11) LOAN GUARANTEE.—The term ''loan guarantee'' has the meaning given the term in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a).

(12) OTRA.—The term ''OTRA'' means the Office of Technical and Rural Assistance created pursuant to section 106.

(13) PUBLIC-PRIVATE PARTNERSHIP.—The term ''public-private partnership'' means any eligible entity—

(A)(i) that is undertaking the development of all or part of an eligible infrastructure project that will have a measurable public benefit, pursuant to requirements established in 1 or more contracts between the entity and a State or an instrumentality of a State; or

(ii) the activities of which, with respect to such an eligible infrastructure project, are subject to regulation by a State or any instrumentality of a State;

(B) that owns, leases, or operates or will own, lease, or operate, the project in whole or in part; and

(C) the participants in which include not fewer than 1 nongovernmental entity with significant investment and some control over the project or entity sponsoring the project vehicle.

(14) RATING AGENCY.—The term ''rating agency'' means a credit rating agency registered with the Securities and Exchange Commission as a nationally recognized statistical rating organization (as defined in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a))).

(15) REGIONAL INFRASTRUCTURE ACCELERATOR.—The term ''regional infrastructure accelerator'' means an organization created by public sector agencies through a multi-jurisdictional or multi-state agreement to provide technical assistance to local jurisdictions that will facilitate the implementation of innovative financing and procurement models to public infrastructure projects.

(16) RURAL INFRASTRUCTURE PROJECT.—The term ''rural infrastructure project''—

(A) has the same meaning given the term in section 601(15) of title 23, United States Code; and

(B) includes any eligible infrastructure project sector described in clauses (i) through (xvii) of paragraph (8)(A) located in any area other than a city with a population of more than 250,000 inhabitants within the city limits.

(17) SECRETARY.—The term ''Secretary'' means the Secretary of the Treasury or the designee of the Secretary of the Treasury.

(18) SENIOR MANAGEMENT.—The term ''senior management'' means the chief financial

officer, chief risk officer, chief compliance officer, general counsel, chief lending officer, and chief operations officer of IFA, and such other officers as the Board of Directors may, by majority vote, add to senior management.

(19) STATE.—The term ''State'' means—

(A) each of the several States of the United States; and

(B) the District of Columbia.

TITLE I—INFRASTRUCTURE FINANCING AUTHORITY

SEC. 101. ESTABLISHMENT AND GENERAL AUTHORITY OF IFA.

(a) ESTABLISHMENT OF IFA.—The Infrastructure Financing Authority is established as a wholly owned Government corporation.

(b) GENERAL AUTHORITY OF IFA.—IFA shall—

(1) provide direct loans and loan guarantees to facilitate eligible infrastructure projects that are economically viable, in the public interest, and of regional or national significance; and

(2) carry out any other activities and duties authorized under this division.

(c) INCORPORATION.—

(1) IN GENERAL.—The Board of Directors first appointed shall be deemed the incorporator of IFA, and the incorporation shall be held to have been effected from the date of the first meeting of the Board of Directors.

(2) CORPORATE OFFICE.—IFA shall—

(A) maintain an office in Washington, DC; and

(B) for purposes of venue in civil actions, be considered to be a resident of Washington, DC.

(d) RESPONSIBILITY OF THE SECRETARY.—The Secretary shall take such action as may be necessary to assist in implementing IFA and in carrying out the purpose of this division.

(e) RULE OF CONSTRUCTION.—Chapter 91 of title 31, United States Code, does not apply to IFA, unless otherwise specifically provided in this division.

SEC. 102. VOTING MEMBERS OF THE BOARD OF DIRECTORS.

(a) VOTING MEMBERSHIP OF THE BOARD OF DIRECTORS.—

(1) IN GENERAL.—IFA shall have a Board of Directors consisting of 7 voting members appointed by the President, by and with the advice and consent of the Senate, not more than 4 of whom shall be from the same political party.

(2) CHAIRPERSON.—One of the voting members of the Board of Directors shall be designated by the President, by and with the advice and consent of the Senate, to serve as Chairperson of the Board of Directors.

(3) CONGRESSIONAL RECOMMENDATIONS.—Not later than 30 days after the date of enactment of this division, the majority leader of the Senate, the minority leader of the Senate, the Speaker of the House of Representatives, and the minority leader of the House of Representatives shall each submit a recommendation to the President for appointment of a member of the Board of Directors, after consultation with the appropriate committees of Congress.

(4) SPECIAL CONSIDERATION OF RURAL INTERESTS AND GEOGRAPHIC DIVERSITY.—In making an appointment under this subsection, the President shall give consideration to the geographic areas of the United States in which the members of the Board of Directors live and work, particularly to ensure that the infrastructure priorities and concerns of each region of the country, including rural areas and small communities, are represented on the Board of Directors.

(b) VOTING RIGHTS.—Each voting member of the Board of Directors shall have an equal vote in all decisions of the Board of Directors.

(c) QUALIFICATIONS OF VOTING MEMBERS.—Each voting member of the Board of Directors shall—

(1) be a citizen of the United States; and

(2) have significant demonstrated expertise in—

(A) the management and administration of a financial institution relevant to the operation of IFA; or

(B) the financing, development, or operation of infrastructure projects, including in the evaluation and selection of eligible infrastructure projects based on the purposes, goals, and objectives of this division.

(d) TERMS.—

(1) IN GENERAL.—Except as otherwise provided in this division, each voting member of the Board of Directors shall be appointed for a term of 5 years.

(2) INITIAL STAGGERED TERMS.—Of the voting members first appointed to the Board of Directors—

(A) the initial Chairperson and 3 of the other voting members shall each be appointed for a term of 5 years; and

(B) the remaining 3 voting members shall each be appointed for a term of 2 years.

(3) DATE OF INITIAL NOMINATIONS.—The initial nominations for the appointment of all voting members of the Board of Directors shall be made not later than 60 days after the date of enactment of this division.

(4) BEGINNING OF TERM.—The term of each of the initial voting members appointed under this section shall commence immediately upon the date of appointment, except that, for purposes of calculating the term limits specified in this subsection, the initial terms shall each be construed as beginning on January 22 of the year following the date of the initial appointment.

(5) VACANCIES.—

(A) IN GENERAL.—A vacancy in the position of a voting member of the Board of Directors shall be filled by the President, by and with the advice and consent of the Senate.

(B) TERM.—A member appointed to fill a vacancy on the Board of Directors occurring before the expiration of the term for which the predecessor was appointed shall be appointed only for the remainder of that term.

(e) MEETINGS.—

(1) OPEN TO THE PUBLIC; NOTICE.—Except as provided in paragraph (3), all meetings of the Board of Directors shall be—

(A) open to the public; and

(B) preceded by reasonable public notice.

(2) FREQUENCY.—The Board of Directors shall meet—

(A) not later than 60 days after the date on which all members of the Board of Directors are first appointed;

(B) at least quarterly after the date described in subparagraph (A); and

(C) at the call of the Chairperson or 3 voting members of the Board of Directors.

(3) EXCEPTION FOR CLOSED MEETINGS.—

(A) IN GENERAL.—The voting members of the Board of Directors may, by majority vote, close a meeting to the public if, during the meeting to be closed, there is likely to be disclosed proprietary or sensitive information regarding an eligible infrastructure project under consideration for assistance under this division.

(B) AVAILABILITY OF MINUTES.—The Board of Directors shall prepare minutes of any meeting that is closed to the public, which minutes shall be made available as soon as practicable, but not later than 1 year after the date of the closed meeting, with any necessary redactions to protect any proprietary or sensitive information.

(4) QUORUM.—For purposes of meetings of the Board of Directors, 5 voting members of the Board of Directors shall constitute a quorum.

(f) COMPENSATION OF MEMBERS.—Each voting member of the Board of Directors shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level III of the Executive Schedule under section 5314 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Board of Directors.

(g) CONFLICTS OF INTEREST.—A voting member of the Board of Directors may not participate in any review or decision affecting an eligible infrastructure project under consideration for assistance under this division, if the member has or is affiliated with an entity who has a financial interest in that project.

SEC. 103. CHIEF EXECUTIVE OFFICER.

(a) IN GENERAL.—The Chief Executive Officer shall—

(1) be a nonvoting member of the Board of Directors;

(2) be responsible for all activities of IFA; and

(3) support the Board of Directors in accordance with this division and as the Board of Directors determines to be necessary.

(b) APPOINTMENT AND TENURE OF THE CHIEF EXECUTIVE OFFICER.—

(1) IN GENERAL.—The President shall appoint the Chief Executive Officer, by and with the advice and consent of the Senate.

(2) TERM.—The Chief Executive Officer shall be appointed for a term of 6 years.

(3) VACANCIES.—

(A) IN GENERAL.—Any vacancy in the office of the Chief Executive Officer shall be filled by the President, by and with the advice and consent of the Senate.

(B) TERM.—The person appointed to fill a vacancy in the Chief Executive Officer position that occurs before the expiration of the term for which the predecessor was appointed shall be appointed only for the remainder of that term.

(c) QUALIFICATIONS.—The Chief Executive Officer—

(1) shall have significant expertise in management and administration of a financial institution, or significant expertise in the financing and development of infrastructure projects; and

(2) may not—

(A) hold any other public office;

(B) have any financial interest in an eligible infrastructure project then being considered by the Board of Directors, unless that interest is placed in a blind trust; or

(C) have any financial interest in an investment institution or its affiliates or any other entity seeking or likely to seek financial assistance for any eligible infrastructure project from IFA, unless any such interest is placed in a blind trust for the tenure of the service of the Chief Executive Officer plus 2 additional years.

(d) RESPONSIBILITIES.—The Chief Executive Officer shall have such executive functions, powers, and duties as may be prescribed by this division, the bylaws of IFA, or the Board of Directors, including—

(1) responsibility for the development and implementation of the strategy of IFA, including—

(A) the development and submission to the Board of Directors of the annual business plans and budget;

(B) the development and submission to the Board of Directors of a long-term strategic plan; and

(C) the development, revision, and submission to the Board of Directors of internal policies; and

(2) responsibility for the management and oversight of the daily activities, decisions, operations, and personnel of IFA.

(e) COMPENSATION.—

(1) IN GENERAL.—Any compensation assessment or recommendation by the Chief Executive Officer under this section shall be without regard to the provisions of chapter 51 or subchapter III of chapter 53 of title 5, United States Code.

(2) CONSIDERATIONS.—The compensation assessment or recommendation required under this subsection shall take into account merit principles, where applicable, as well as the education, experience, level of responsibility, geographic differences, and retention and recruitment needs in determining compensation of personnel.

SEC. 104. POWERS AND DUTIES OF THE BOARD OF DIRECTORS.

The Board of Directors shall—

(1) as soon as practicable after the date on which all members are appointed, approve or disapprove senior management appointed by the Chief Executive Officer;

(2) not later than 180 days after the date on which all members are appointed—

(A) develop and approve the bylaws of IFA, including bylaws for the regulation of the affairs and conduct of the business of IFA, consistent with the purpose, goals, objectives, and policies set forth in this division;

(B) establish subcommittees, including an audit committee that is composed solely of members of the Board of Directors, other than the Chief Executive Officer;

(C) develop and approve, in consultation with senior management, a conflict-of-interest policy for the Board of Directors and for senior management;

(D) approve or disapprove internal policies that the Chief Executive Officer shall submit to the Board of Directors, including—

(i) policies regarding the loan application and approval process, including application procedures and project approval processes; and

(ii) operational guidelines; and

(E) approve or disapprove a 1-year business plan and budget for IFA;

(3) ensure that IFA is at all times operated in a manner that is consistent with this division, by—

(A) monitoring and assessing the effectiveness of IFA in achieving its strategic goals;

(B) reviewing and approving internal policies, annual business plans, annual budgets, and long-term strategies submitted by the Chief Executive Officer;

(C) reviewing and approving annual reports submitted by the Chief Executive Officer;

(D) engaging 1 or more external auditors, as set forth in this division; and

(E) reviewing and approving all changes to the organization of senior management;

(4) appoint and fix, by a vote of not less than 5 of the 7 voting members of the Board of Directors, and without regard to the provisions of chapter 51 or subchapter III of chapter 53 of title 5, United States Code, the compensation and adjustments to compensation of all IFA personnel, provided that in appointing and fixing any compensation or adjustments to compensation under this paragraph, the Board shall—

(A) consult with, and seek to maintain comparability with, other comparable Federal personnel, as the Board of Directors may determine to be appropriate;

(B) consult with the Office of Personnel Management; and

(C) carry out those duties consistent with merit principles, where applicable, as well as the education, experience, level of responsibility, geographic differences, comparability to private sector positions, and retention and recruitment needs in determining compensation of personnel;

(5) serve as the primary liaison for IFA in interactions with Congress, the Secretary of Transportation and other executive branch officials, and State and local governments, and to represent the interests of IFA in those interactions and others;

(6) approve by a vote of not less than 5 of the 7 voting members of the Board of Directors any changes to the bylaws or internal policies of IFA;

(7) have the authority and responsibility—

(A) to oversee entering into and carrying out such contracts, leases, cooperative agreements, or other transactions as are necessary to carry out this division;

(B) to approve of the acquisition, lease, pledge, exchange, and disposal of real and personal property by IFA and otherwise approve the exercise by IFA of all of the usual incidents of ownership of property, to the extent that the exercise of those powers is appropriate to and consistent with the purposes of IFA;

(C) to determine the character of, and the necessity for, the obligations and expenditures of IFA, and the manner in which the obligations and expenditures will be incurred, allowed, and paid, subject to this division and other Federal law specifically applicable to wholly owned Federal corporations;

(D) to execute, in accordance with applicable bylaws and regulations, appropriate instruments;

(E) to approve other forms of credit enhancement that IFA may provide to eligible projects, as long as the forms of credit enhancements are consistent with the purposes of this division and terms set forth in title II;

(F) to exercise all other lawful powers which are necessary or appropriate to carry out, and are consistent with, the purposes of IFA;

(G) to sue or be sued in the corporate capacity of IFA in any court of competent jurisdiction;

(H) to indemnify the members of the Board of Directors and officers of IFA for any liabilities arising out of the actions of the members and officers in that capacity, in accordance with, and subject to the limitations contained in this division;

(I) to review all financial assistance packages to all eligible infrastructure projects, as submitted by the Chief Executive Officer and to approve, postpone, or deny the same by majority vote;

(J) to review all restructuring proposals submitted by the Chief Executive Officer, including assignation, pledging, or disposal of the interest of IFA in a project, including payment or income from any interest owned or held by IFA, and to approve, postpone, or deny the same by majority vote;

(K) to enter into binding commitments, as specified in approved financial assistance packages;

(L) to determine whether—

(i) to obtain a lien on the assets of an eligible entity that receives assistance under this division; and

(ii) to subordinate a lien under clause (i) to any other lien securing project obligations; and

(M) to ensure a measurable public benefit in the selection of eligible infrastructure projects and to provide for reasonable public input in the selection of such projects;

(8) delegate to the Chief Executive Officer those duties that the Board of Directors determines to be appropriate, to better carry out the powers and purposes of the Board of Directors under this section; and

(9) to approve a maximum aggregate amount of principal exposure of IFA at any given time.

SEC. 105. SENIOR MANAGEMENT.

(a) IN GENERAL.—Senior management shall support the Chief Executive Officer in the discharge of the responsibilities of the Chief Executive Officer.

(b) APPOINTMENT OF SENIOR MANAGEMENT.—The Chief Executive Officer shall appoint such senior managers as are necessary to carry out the purposes of IFA, as approved by a majority vote of the voting members of the Board of Directors, including a chief compliance officer, general counsel, chief operating officer, chief lending officer, and other positions as determined to be appropriate by the Chief Executive Officer and the Board of Directors.

(c) TERM.—Each member of senior management shall serve at the pleasure of the Chief Executive Officer and the Board of Directors.

(d) REMOVAL OF SENIOR MANAGEMENT.—Any member of senior management may be removed—

(1) by a majority of the voting members of the Board of Directors at the request of the Chief Executive Officer; or

(2) by a vote of not fewer than 5 voting members of the Board of Directors.

(e) SENIOR MANAGEMENT.—

(1) IN GENERAL.—Each member of senior management shall report directly to the Chief Executive Officer, other than the chief risk officer, who shall report directly to the Board of Directors.

(2) CHIEF RISK OFFICER.—The chief risk officer shall be responsible for all functions of IFA relating to—

(A) the creation of financial, credit, and operational risk management guidelines and policies;

(B) the establishment of guidelines to ensure diversification of lending activities by region, infrastructure project type, and project size;

(C) the creation of conforming standards for infrastructure finance agreements;

(D) the monitoring of the financial, credit, and operational exposure of IFA; and

(E) risk management and mitigation actions, including by reporting those actions, or recommendations of actions to be taken, directly to the Board of Directors.

(f) CONFLICTS OF INTEREST.—No individual appointed to senior management may—

(1) hold any other public office;

(2) have any financial interest in an eligible infrastructure project then being considered by the Board of Directors, unless that interest is placed in a blind trust; or

(3) have any financial interest in an investment institution or its affiliates, IFA or its affiliates, or other entity then seeking or likely to seek financial assistance for any eligible infrastructure project from IFA, unless any such interest is placed in a blind trust during the term of service of that individual in a senior management position, and for a period of 2 years thereafter.

SEC. 106. OFFICE OF TECHNICAL AND RURAL ASSISTANCE.

(a) IN GENERAL.—The Chief Executive Officer shall create and manage, within IFA, the ''Office of Technical and Rural Assistance''.

(b) DUTIES.—The OTRA shall—

(1) in consultation with the Secretary of Transportation and the heads of other relevant Federal agencies, as determined by the Chief Executive Officer, provide technical assistance to State and local governments and parties in public-private partnerships in the development and financing of eligible infrastructure projects, including rural infrastructure projects;

(2) assist the entities described in paragraph (1) with coordinating loan and loan guarantee programs available through Federal agencies, including the Department of Transportation and other Federal agencies, as appropriate;

(3) work with the entities described in paragraph (1) to identify and develop a pipeline of projects suitable for financing

through innovative project financing and performance based project delivery, including those projects with the potential for financing through IFA; and

(4) establish a regional infrastructure accelerator demonstration program to assist the entities described in paragraph (1) in developing improved infrastructure priorities and financing strategies, for the accelerated development of covered infrastructure projects, including those projects with the potential for financing through IFA.

(c) DESIGNATION OF REGIONAL INFRASTRUCTURE ACCELERATORS.—In carrying out the program established pursuant to subsection (b)(3), the OTRA is authorized to designate regional infrastructure accelerators that will—

(1) serve a defined geographic area; and

(2) act as a resource in such area to entities described in subsection (b)(1), in accordance with this subsection.

(d) APPLICATION PROCESS.—To be eligible for a designation under subsection (c), regional infrastructure accelerators shall submit a proposal to the OTRA at such time, in such form, and containing such information as the OTRA determines is appropriate.

(e) CONSIDERATIONS.—In evaluating proposals submitted pursuant to subsection (d), the OTRA shall consider—

(1) the need for geographic diversity among regional infrastructure accelerators; and

(2) promoting investment in covered infrastructure projects, which shall include a plan—

(A) to evaluate and promote innovative financing methods for local projects, including the use of IFA;

(B) to build capacity of governments to evaluate and structure projects involving the investment of private capital;

(C) to provide technical assistance and information on best practices with respect to financing such projects;

(D) to increase transparency with respect to infrastructure project analysis and utilizing innovative financing for public infrastructure projects;

(E) to deploy predevelopment capital programs designed to facilitate the creation of a pipeline of infrastructure projects available for investment;

(F) to bundle smaller-scale and rural projects into larger proposals that may be more attractive for investment; and

(G) to reduce transaction costs for public project sponsors.

(f) ANNUAL REPORT.—The OTRA shall submit an annual report to Congress that describes the findings and effectiveness of the infrastructure accelerator demonstration program.

SEC. 107. SPECIAL INSPECTOR GENERAL FOR IFA.

(a) IN GENERAL.—

(1) INITIAL PERIOD.—During the 5-year period beginning on the date of enactment of this division, the Inspector General of the Department of the Treasury shall serve as the Special Inspector General for IFA in addition to the existing duties of the Inspector General of the Department of the Treasury.

(2) OFFICE OF THE SPECIAL INSPECTOR GENERAL.—Beginning on the day that is 5 years after the date of enactment of this division, there is established the Office of the Special Inspector General for IFA.

(b) APPOINTMENT OF INSPECTOR GENERAL; REMOVAL.—

(1) HEAD OF OFFICE.—The head of the Office of the Special Inspector General for IFA shall be the Special Inspector General for IFA (referred to in this division as the ''Special Inspector General''), who shall be appointed by the President, by and with the advice and consent of the Senate.

(2) BASIS OF APPOINTMENT.—The appointment of the Special Inspector General shall be made on the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations.

(3) TIMING OF NOMINATION.—The nomination of an individual as Special Inspector General shall be made as soon as practicable after the date of enactment of this division.

(4) REMOVAL.—The Special Inspector General shall be removable from office in accordance with the provisions of section 3(b) of the Inspector General Act of 1978 (5 U.S.C. App.).

(5) RULE OF CONSTRUCTION.—For purposes of section 7324 of title 5, United States Code, the Special Inspector General shall not be considered an employee who determines policies to be pursued by the United States in the nationwide administration of Federal law.

(6) RATE OF PAY.—The annual rate of basic pay of the Special Inspector General shall be the annual rate of basic pay for an Inspector General under section 3(e) of the Inspector General Act of 1978 (5 U.S.C. App.).

(c) DUTIES.—The Special Inspector General shall—

(1) conduct, supervise, and coordinate audits and investigations of the business activities of IFA;

(2) establish, maintain, and oversee such systems, procedures, and controls as the Special Inspector General considers appropriate to discharge the duty under paragraph (1); and

(3) carry out any other duties and responsibilities of inspectors general under the Inspector General Act of 1978 (5 U.S.C. App.).

(d) POWERS AND AUTHORITIES.—

(1) IN GENERAL.—In carrying out the duties specified in subsection (c), the Special Inspector General shall have the authorities provided in section 6 of the Inspector General Act of 1978 (5 U.S.C. App.).

(2) ADDITIONAL AUTHORITY.—The Special Inspector General shall carry out the duties specified in subsection (c)(1) in accordance with section 4(b)(1) of the Inspector General Act of 1978 (5 U.S.C. App.).

(e) PERSONNEL, FACILITIES, AND OTHER RESOURCES.—

(1) ADDITIONAL OFFICERS.—

(A) IN GENERAL.—The Special Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the duties of the Special Inspector General, subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates.

(B) EMPLOYMENT AND COMPENSATION.—The Special Inspector General may exercise the authorities of subsections (b) through (i) of section 3161 of title 5, United States Code (without regard to subsection (a) of that section).

(2) RETENTION OF SERVICES.—The Special Inspector General may obtain services as authorized by section 3109 of title 5, United States Code, at daily rates not to exceed the equivalent rate prescribed for grade GS–15 of the General Schedule by section 5332 of such title.

(3) ABILITY TO CONTRACT FOR AUDITS, STUDIES, AND OTHER SERVICES.—The Special Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, and make such payments as may be necessary to carry out the duties of the Special Inspector General.

(4) REQUEST FOR INFORMATION.—

(A) IN GENERAL.—Upon request of the Special Inspector General for information or assistance from any department, agency, or other entity of the Federal Government, the head of that entity shall, insofar as is practicable and not in contravention of any existing law, furnish the information or assistance to the Special Inspector General or an authorized designee.

(B) REFUSAL TO COMPLY.—If information or assistance requested by the Special Inspector General is, in the judgment of the Special Inspector General, unreasonably refused or not provided, the Special Inspector General shall report the circumstances to the Secretary, without delay.

(f) REPORTS.—

(1) ANNUAL REPORT.—Not later than 1 year after the date on which the Special Inspector General is confirmed, and every calendar year thereafter, the Special Inspector General shall submit to the President and appropriate committees of Congress a report summarizing the activities of the Special Inspector General during the previous 1-year period ending on the date of that report.

(2) PUBLIC DISCLOSURES.—Nothing in this subsection authorizes the public disclosure of information that is—

(A) specifically prohibited from disclosure by any other provision of law;

(B) specifically required by Executive order to be protected from disclosure in the interest of national defense or national security or in the conduct of foreign affairs; or

(C) a part of an ongoing criminal investigation.

SEC. 108. OTHER PERSONNEL.

(a) APPOINTMENT, REMOVAL, AND DEFINITION OF DUTIES.—Except as otherwise provided in the bylaws of IFA, the Chief Executive Officer, in consultation with the Board of Directors, shall appoint, remove, and define the duties of such qualified personnel as are necessary to carry out the powers, duties, and purpose of IFA, other than senior management, who shall be appointed in accordance with section 105.

(b) COORDINATION IN IDENTIFYING QUALIFICATIONS AND EXPERTISE.—In appointing qualified personnel pursuant to subsection (a), the Chief Executive Officer shall coordinate with, and seek assistance from, the Secretary of Transportation in identifying the appropriate qualifications and expertise in infrastructure project finance.

SEC. 109. COMPLIANCE.

The provision of assistance by IFA pursuant to this division does not supersede any provision of State law or regulation otherwise applicable to an eligible infrastructure project.

TITLE II—TERMS AND LIMITATIONS ON DIRECT LOANS AND LOAN GUARANTEES

SEC. 201. ELIGIBILITY CRITERIA FOR ASSISTANCE FROM IFA AND TERMS AND LIMITATIONS OF LOANS.

(a) PUBLIC BENEFIT; FINANCEABILITY.—A project is not be eligible for financial assistance from IFA under this division if—

(1) the use or purpose of such project is private or such project does not create a public benefit, as determined by the Board of Directors; or

(2) the applicant is unable to demonstrate, to the satisfaction of the Board of Directors, a sufficient revenue stream to finance the loan that will be used to pay for such project.

(b) FINANCIAL CRITERIA.—If the project meets the requirements under subsection (a), an applicant for financial assistance under this division shall demonstrate, to the satisfaction of the Board of Directors, that—

(1) for public-private partnerships, the project has received contributed capital or commitments for contributed capital equal to not less than 10 percent of the total cost of the eligible infrastructure project for

which assistance is being sought if such contributed capital includes—

(A) equity;

(B) deeply subordinate loans or other credit and debt instruments, which shall be junior to any IFA assistance provided for the project;

(C) appropriated funds or grants from governmental sources other than the Federal Government; or

(D) irrevocable private contributions of funds, grants, property (including rights-of-way), and other assets that directly reduce or offset project costs; and

(2) the eligible infrastructure project for which assistance is being sought—

(A) is not for the refinancing of an existing infrastructure project; and

(B) meets—

(i) any pertinent requirements set forth in this division;

(ii) any criteria established by the Board of Directors under subsection (c) or by the Chief Executive Officer in accordance with this division; and

(iii) the definition of an eligible infrastructure project.

(c) CONSIDERATIONS.—The criteria established by the Board of Directors under this subsection shall provide adequate consideration of—

(1) the economic, financial, technical, environmental, and public benefits and costs of each eligible infrastructure project under consideration for financial assistance under this division, prioritizing eligible infrastructure projects that—

(A) demonstrate a clear and measurable public benefit;

(B) offer value for money to taxpayers;

(C) contribute to regional or national economic growth;

(D) lead to long-term job creation; and

(E) mitigate environmental concerns;

(2) the means by which development of the eligible infrastructure project under consideration is being financed, including—

(A) the terms, conditions, and structure of the proposed financing;

(B) the creditworthiness and standing of the project sponsors, providers of equity, and cofinanciers;

(C) the financial assumptions and projections on which the eligible infrastructure project is based; and

(D) whether there is sufficient State or municipal political support for the successful completion of the eligible infrastructure project;

(3) the likelihood that the provision of assistance by IFA will cause the development to proceed more promptly and with lower costs for financing than would be the case without IFA assistance;

(4) the extent to which the provision of assistance by IFA maximizes the level of private investment in the eligible infrastructure project or supports a public-private partnership, while providing a significant public benefit;

(5) the extent to which the provision of assistance by IFA can mobilize the participation of other financing partners in the eligible infrastructure project;

(6) the technical and operational viability of the eligible infrastructure project;

(7) the proportion of financial assistance from IFA;

(8) the geographical location of the project, prioritizing geographical diversity of projects funded by IFA;

(9) the size of the project and the impact of the project on the resources of IFA; and

(10) the infrastructure sector of the project, prioritizing projects from more than 1 sector funded by IFA.

(d) APPLICATION.—

(1) IN GENERAL.—Any eligible entity seeking assistance from IFA under this division for an eligible infrastructure project shall submit an application to IFA at such time, in such manner, and containing such information as the Board of Directors or the Chief Executive Officer may require.

(2) REVIEW OF APPLICATIONS.—

(A) IN GENERAL.—IFA shall review applications for assistance under this division on an ongoing basis.

(B) PREPARATION.—The Chief Executive Officer, in cooperation with the senior management, shall prepare eligible infrastructure projects for review and approval by the Board of Directors.

(3) DEDICATED REVENUE SOURCES.—The Federal credit instrument shall be repayable, in whole or in part, from tolls, user fees, or other dedicated revenue sources derived from users or beneficiaries that also secure the eligible infrastructure project obligations.

(e) ELIGIBLE INFRASTRUCTURE PROJECT COSTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), to be eligible for assistance under this division, an eligible infrastructure project shall have project costs that are reasonably anticipated to equal or exceed $50,000,000.

(2) RURAL INFRASTRUCTURE PROJECTS.—To be eligible for assistance under this division a rural infrastructure project shall have project costs that are reasonably anticipated to equal or exceed $10,000,000.

(f) LOAN ELIGIBILITY AND MAXIMUM AMOUNTS.—

(1) IN GENERAL.—The amount of a direct loan or loan guarantee under this division shall not exceed the lesser of—

(A) 49 percent of the reasonably anticipated eligible infrastructure project costs; and

(B) the amount of the senior project obligations, if the direct loan or loan guarantee does not receive an investment grade rating.

(2) MAXIMUM ANNUAL LOAN AND LOAN GUARANTEE VOLUME.—The aggregate amount of direct loans and loan guarantees made by IFA shall not exceed—

(A) during the first 2 fiscal years of the operations of IFA, $10,000,000,000 per year;

(B) during fiscal years 3 through 9 of the operations of IFA, $20,000,000,000 per year; and

(C) during any fiscal year thereafter, $50,000,000,000.

SEC. 202. LOAN TERMS AND REPAYMENT.

(a) IN GENERAL.—A direct loan or loan guarantee under this division with respect to an eligible infrastructure project shall be on such terms, subject to such conditions, and contain such covenants, representations, warranties, and requirements (including requirements for audits) as the Chief Executive Officer determines appropriate.

(b) TERMS.—A direct loan or loan guarantee under this division—

(1) shall—

(A) be payable, in whole or in part, from tolls, user fees, or other dedicated revenue sources derived from users or beneficiaries; and

(B) include a rate covenant, coverage requirement, or similar security feature supporting the project obligations; and

(2) may be secured by a lien—

(A) on the assets of the obligor, including revenues described in paragraph (1); and

(B) which may be subordinated to any other lien securing project obligations.

(c) BASE INTEREST RATE.—The base interest rate on a direct loan under this division shall be not less than the yield on Treasury obligations of a similar maturity to the maturity of the direct loan on the date of execution of the loan agreement.

(d) RISK ASSESSMENT.—Before entering into an agreement for assistance under this division, the Chief Executive Officer, in consultation with the Director of the Office of Management and Budget and each rating agency providing a preliminary rating opinion letter under this section, shall determine an appropriate Federal credit subsidy amount for each direct loan and loan guarantee, taking into account that preliminary rating opinion letter, as well as any comparable market rates available for such a loan or loan guarantee, should any exist.

(e) CREDIT FEE.—

(1) IN GENERAL.—With respect to each agreement for assistance under this division, the Chief Executive Officer shall charge a credit fee to the recipient of that assistance to pay for, over time, all or a portion of the Federal credit subsidy determined under subsection (d), with the remainder paid by the account established for IFA.

(2) DIRECT LOANS.—In the case of a direct loan, the credit fee described in paragraph (1) shall be in addition to the base interest rate established under subsection (c).

(f) MATURITY DATE.—The final maturity date of a direct loan or loan guaranteed by IFA under this division shall be not later than 35 years after the date of substantial completion of the eligible infrastructure project, as determined by the Chief Executive Officer.

(g) PRELIMINARY RATING OPINION LETTER.—

(1) IN GENERAL.—The Chief Executive Officer shall require each applicant for assistance under this division to provide a preliminary rating opinion letter from at least 1 rating agency, indicating that the senior obligations of the eligible infrastructure project, which may be the Federal credit instrument, have the potential to achieve an investment-grade rating.

(2) RURAL INFRASTRUCTURE PROJECTS.—With respect to a rural infrastructure project, a rating agency opinion letter described in paragraph (1) shall not be required, except that the loan or loan guarantee shall receive an internal rating score, using methods similar to the rating agencies generated by IFA, measuring the proposed direct loan or loan guarantee against comparable direct loans or loan guarantees of similar credit quality in a similar sector.

(h) INVESTMENT-GRADE RATING REQUIREMENT.—

(1) LOANS AND LOAN GUARANTEES.—The execution of a direct loan or loan guarantee under this division shall be contingent on the senior obligations of the eligible infrastructure project receiving an investment-grade rating.

(2) RATING OF IFA OVERALL PORTFOLIO.—The average rating of the overall portfolio of IFA shall be not less than investment grade after 5 years of operation.

(i) TERMS AND REPAYMENT OF DIRECT LOANS.—

(1) SCHEDULE.—The Chief Executive Officer shall establish a repayment schedule for each direct loan under this division, based on the projected cash flow from eligible infrastructure project revenues and other repayment sources.

(2) COMMENCEMENT.—Scheduled loan repayments of principal or interest on a direct loan under this division shall commence not later than 5 years after the date of substantial completion of the eligible infrastructure project, as determined by the Chief Executive Officer of IFA.

(3) DEFERRED PAYMENTS OF DIRECT LOANS.—

(A) AUTHORIZATION.—If, at any time after the date of substantial completion of an eligible infrastructure project assisted under this division, the eligible infrastructure project is unable to generate sufficient revenues to pay the scheduled loan repayments

of principal and interest on the direct loan under this division, the Chief Executive Officer may allow the obligor to add unpaid principal and interest to the outstanding balance of the direct loan, if the result would benefit the taxpayer.

(B) INTEREST.—Any payment deferred under subparagraph (A) shall—

(i) continue to accrue interest, in accordance with the terms of the obligation, until fully repaid; and

(ii) be scheduled to be amortized over the remaining term of the loan.

(C) CRITERIA.—

(i) IN GENERAL.—Any payment deferral under subparagraph (A) shall be contingent on the eligible infrastructure project meeting criteria established by the Board of Directors.

(ii) REPAYMENT STANDARDS.—The criteria established under clause (i) shall include standards for reasonable assurance of repayment.

(4) PREPAYMENT OF DIRECT LOANS.—

(A) USE OF EXCESS REVENUES.—Any excess revenues that remain after satisfying scheduled debt service requirements on the eligible infrastructure project obligations and direct loan and all deposit requirements under the terms of any trust agreement, bond resolution, or similar agreement securing project obligations under this division may be applied annually to prepay the direct loan, without penalty.

(B) USE OF PROCEEDS OF REFINANCING.—A direct loan under this division may be prepaid at any time, without penalty, from the proceeds of refinancing from non-Federal funding sources.

(j) LOAN GUARANTEES.—The terms of a loan guaranteed by IFA under this division shall be consistent with the terms set forth in this section for a direct loan, except that the rate on the guaranteed loan and any payment, prepayment, or refinancing features shall be negotiated between the obligor and the lender (as defined in section 601(a) of title 23, United States Code) with the consent of the Chief Executive Officer.

(k) COMPLIANCE WITH FEDERAL CREDIT REFORM ACT OF 1990.—

(1) IN GENERAL.—Except as provided in paragraph (2), direct loans and loan guarantees authorized by this division shall be subject to the provisions of the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

(2) EXCEPTION.—Section 504(b) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c(b)) shall not apply to a loan or loan guarantee under this division.

(l) POLICY OF CONGRESS.—It is the policy of Congress that IFA shall only make a direct loan or loan guarantee under this division if IFA determines that IFA is reasonably expected to recover the full amount of the direct loan or loan guarantee.

SEC. 203. ENVIRONMENTAL PERMITTING PROCESS IMPROVEMENTS.

(a) INTERAGENCY COORDINATION.—As soon as practicable after IFA approves financing for a proposed project under this title, the President shall convene a meeting of representatives of all relevant and appropriate permitting agencies—

(1) to establish or update a permitting timetable for the proposed project;

(2) to coordinate concurrent permitting reviews by all necessary agencies; and

(3) to coordinate with relevant State agencies and regional infrastructure development agencies to ensure—

(A) adequate participation; and

(B) the timely provision of necessary documentation to allow any State review to proceed without delay.

(b) GOAL.—The permitting timetable for each proposed project established pursuant to subsection (a)(1) shall ensure that the environmental review process is completed as soon as practicable.

(c) EARLIER.—The President may carry out the functions set forth in subsection (a) with respect to a proposed project before the IFA has approved financing for such project upon the request of the Chief Executive Officer.

(d) CONCURRENT REVIEWS.—Each agency, to the greatest extent permitted by law, shall—

(1) carry out the obligations of the agency under other applicable law concurrently, and in conjunction with other reviews being conducted by other participating agencies, including environmental reviews required under the National Environmental Policy Act (42 U.S.C. 4321 et seq.), unless such concurrent reviews would impair the ability of the agency to carry out its statutory obligations; and

(2) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure the completion of the environmental review process in a timely, coordinated, and environmentally responsible manner.

SEC. 204. COMPLIANCE AND ENFORCEMENT.

(a) CREDIT AGREEMENT.—Notwithstanding any other provision of law, each eligible entity that receives assistance under this division shall enter into a credit agreement that requires such entity to comply with all applicable policies and procedures of IFA, in addition to all other provisions of the loan agreement.

(b) APPLICABILITY OF FEDERAL LAWS.—Each eligible entity that receives assistance under this division shall provide written assurance, in such form and manner and containing such terms as are to be prescribed by IFA, that the eligible infrastructure project will be performed in compliance with the requirements of all Federal laws that would otherwise apply to similar projects to which the United States is a party, or financed in whole or in part from Federal funds or in accordance with guarantees of a Federal agency or financed from funds obtained by pledge of any contract of a Federal agency to make a loan, grant, or annual contribution (except where a different meaning is expressly indicated).

(c) IFA AUTHORITY ON NONCOMPLIANCE.—In any case in which an eligible entity that receives assistance under this division is materially out of compliance with the loan agreement, or any applicable policy or procedure of IFA, the Board of Directors may take action—

(1) to cancel unused loan amounts; or

(2) to accelerate the repayment terms of any outstanding obligation.

SEC. 205. AUDITS; REPORTS TO THE PRESIDENT AND CONGRESS.

(a) ACCOUNTING.—The books of account of IFA shall be—

(1) maintained in accordance with generally accepted accounting principles; and

(2) subject to an annual audit by independent public accountants of nationally recognized standing appointed by the Board of Directors.

(b) REPORTS.—

(1) BOARD OF DIRECTORS.—Not later than 90 days after the last day of each fiscal year, the Board of Directors shall submit to the President and Congress a complete and detailed report with respect to the preceding fiscal year, setting forth—

(A) a summary of the operations of IFA for that fiscal year;

(B) a schedule of the obligations of IFA and capital securities outstanding at the end of that fiscal year, with a statement of the amounts issued and redeemed or paid during that fiscal year;

(C) the status of eligible infrastructure projects receiving funding or other assistance pursuant to this division during that fiscal year, including—

(i) all nonperforming loans; and

(ii) disclosure of all entities with a development, ownership, or operational interest in those eligible infrastructure projects;

(D) a description of the successes and challenges encountered in lending to rural communities, including the role of the Office of Technical and Rural Assistance established under this division; and

(E) an assessment of the risks of the portfolio of IFA, which shall be prepared by an independent source.

(2) GAO.—Not later than 5 years after the date of enactment of this division, the Comptroller General of the United States shall conduct an evaluation of, and submit to the Committee on Commerce, Science, and Transportation of the Senate and to the Committees on Transportation and Infrastructure and Energy and Commerce of the House of Representatives a report on the activities of IFA for the fiscal years covered by the report that includes—

(A) an assessment of the impact and benefits of each funded eligible infrastructure project, including a review of how effectively each eligible infrastructure project accomplished the goals prioritized by the eligible infrastructure project criteria of IFA; and

(B) an evaluation of the effectiveness of, and challenges facing, loan programs at the Department of Transportation and Department of Energy, and an analysis of the advisability of consolidating those programs within IFA.

(c) BOOKS AND RECORDS.—

(1) IN GENERAL.—IFA shall maintain adequate books and records to support the financial transactions of IFA, with a description of financial transactions and eligible infrastructure projects receiving funding, and the amount of funding for each project maintained on a publically accessible database.

(2) AUDITS BY THE SECRETARY AND GAO.—The books and records of IFA shall at all times be open to inspection by the Secretary, the Special Inspector General, and the Comptroller General of the United States.

SEC. 206. EFFECT ON OTHER LAWS.

Nothing in this division may be construed to affect or alter the responsibility of an eligible entity that receives assistance under this division to comply with applicable Federal and State laws (including regulations) relating to an eligible infrastructure project.

TITLE III—FUNDING OF IFA

SEC. 301. FEES.

The Chief Executive Officer shall establish fees with respect to loans and loan guarantees under this division that—

(1) are sufficient to cover all the administrative costs to the Federal Government for the operations of IFA;

(2) may be in the form of an application or transaction fee, or interest rate adjustment; and

(3) may be based on the risk premium associated with the loan or loan guarantee, taking into consideration—

(A) the price of Treasury obligations of a similar maturity;

(B) prevailing market conditions;

(C) the ability of the eligible infrastructure project to support the loan or loan guarantee; and

(D) the total amount of the loan or loan guarantee.

SEC. 302. SELF-SUFFICIENCY OF IFA.

The Chief Executive Officer shall, to the extent practicable, take actions consistent with this division to make IFA a self-sustaining entity, with administrative costs and Federal credit subsidy costs fully funded by fees and risk premiums on loans and loan guarantees.

SEC. 303. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to IFA to make direct loans and loan guarantees under this division $10,000,000,000, which shall remain available until expended.

(2) ADMINISTRATIVE COSTS.—Of the amounts appropriated pursuant to paragraph (1), the IFA may expend, for administrative costs, not more than—

(A) $25,000,000 for each of the fiscal years 2016 and 2017; and

(B) not more than $50,000,000 for fiscal year 2018.

(b) INTEREST.—The amounts made available to IFA pursuant to subsection (a) shall be placed in interest-bearing accounts.

(c) RURAL INFRASTRUCTURE PROJECTS.—Of the amounts made available to IFA under this section, not less than 5 percent shall be used to offset subsidy costs associated with rural infrastructure projects.

SEC. 304. CONTRACT AUTHORITY.

Notwithstanding any other provision of law, approval by the Board of Directors of a Federal credit instrument that uses funds made available under this division shall impose upon the United States a contractual obligation to fund the Federal credit investment.

SEC. 305. LIMITATION ON AUTHORITY.

IFA shall not have the authority to issue debt in its own name.

TITLE IV—TAX EXEMPTION REQUIREMENTS FOR STATE AND LOCAL BONDS

SEC. 401. NATIONAL LIMITATION ON AMOUNT OF TAX-EXEMPT FINANCING FOR FACILITIES.

Section 142(m)(2)(A) of the Internal Revenue Code of 1986 is amended by striking ''$15,000,000,000'' and inserting ''$16,000,000,000''.

TITLE V—BUDGETARY EFFECTS

SEC. 501. BUDGETARY EFFECTS.

The budgetary effects of this division, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this division, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SA 3563. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. EXTENSION OF ENERGY CREDIT FOR CERTAIN ENERGY PROPERTY.

(a) QUALIFIED FUEL CELL PROPERTY.—Section 48(c)(1)(D) of the Internal Revenue Code of 1986 is amended by striking ''for any period after December 31, 2016'' and inserting ''the construction of which does not begin before January 1, 2022''.

(b) QUALIFIED MICROTURBINE PROPERTY.—Section 48(c)(2)(D) of such Code is amended by striking ''for any period after December 31, 2016'' and inserting ''the construction of which does not begin before January 1, 2022''.

(c) COMBINED HEAT AND POWER SYSTEM PROPERTY.—Section 48(c)(3)(A)(iv) of such Code is amended by striking ''which is placed in service before January 1, 2017'' and inserting ''the construction of which begins before January 1, 2022''.

(d) QUALIFIED SMALL WIND ENERGY PROPERTY.—Section 48(c)(4)(C) of such Code is amended by striking ''for any period after December 31, 2016'' and inserting ''the construction of which does not begin before January 1, 2022''.

(e) THERMAL ENERGY PROPERTY.—Section 48(a)(3)(A)(vii) of such Code is amended by striking ''periods ending before January 1, 2017'' and inserting ''property the construction of which begins before January 1, 2022''.

(f) GEOTHERMAL ENERGY PROPERTY.—Subclause (II) of section 48(a)(2)(A)(i) of such Code is amended by striking ''paragraph (3)(A)(i)'' and inserting ''clause (i) or (iii) of paragraph (3)(A)''.

(g) PHASEOUT OF 30 PERCENT CREDIT RATE FOR FUEL CELL, SMALL WIND, AND GEOTHERMAL ENERGY PROPERTY.—

(1) IN GENERAL.—Subsection (a) of section 48 of such Code is amended by adding at the end the following new paragraph:

''(7) PHASEOUT FOR QUALIFIED FUEL CELL PROPERTY, QUALIFIED SMALL WIND ENERGY PROPERTY, AND GEOTHERMAL PROPERTY.—

''(A) IN GENERAL.—In the case of qualified fuel cell property, qualified small wind energy property, or property described in paragraph (3)(A)(iii), the construction of which begins before January 1, 2022, the energy percentage determined under paragraph (2) shall be equal to—

''(i) in the case of any property the construction of which begins after December 31, 2019, and before January 1, 2021, 26 percent, and

''(ii) in the case of any property the construction of which begins after December 31, 2020, and before January 1, 2022, 22 percent.

''(B) PLACED IN SERVICE DEADLINE.—Subparagraph (A) shall not apply to any property which is not placed in service before January 1, 2024.''.

(2) CONFORMING AMENDMENT.—Subparagraph (A) of section 48(a)(2) of such Code is amended by striking ''paragraph (6)'' and inserting ''paragraphs (6) and (7)''.

(h) PHASEOUT OF 10 PERCENT CREDIT RATE.—

(1) IN GENERAL.—Subsection (a) of section 48 of such Code, as amended by subsection (g), is amended by adding at the end the following new paragraph:

''(8) PHASEOUT OF 10 PERCENT CREDIT RATE.—

''(A) IN GENERAL.—In the case of property to which paragraph (2)(A)(ii) applies (before the application of this paragraph), the energy percentage determined under paragraph (2) shall be equal to—

''(i) in the case of any property the construction of which begins after December 31, 2019, and before January 1, 2021, 8 percent, and

''(ii) in the case of any property the construction of which begins after December 31, 2020, and before January 1, 2022, 6 percent.

''(B) PLACED IN SERVICE DEADLINE.—Subparagraph (A) shall not apply to any property which is not placed in service before January 1, 2024.''.

(2) CONFORMING AMENDMENT.—Subparagraph (A) of section 48(a)(2) of such Code, as amended by subsection (g), is amended by striking ''(6) and (7)'' and inserting ''(6), (7), and (8).''.

(i) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SA 3564. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 5032. TREATMENT OF TRANSPORTATION SECURITY ADMINISTRATION TRUSTED TRAVELER PROGRAM FEES.

Section 540 of the Department of Homeland Security Appropriations Act, 2006 (Public Law 109–90; 49 U.S.C. 114 note) is amended by striking ''and shall be credited'' and all that follows and inserting the following: ''; *Provided further*, That such fees shall be deposited in the general fund of the Treasury and shall be available to the Transportation Security Administration as provided in advance in appropriations Acts.''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on April 7, 2016, at 9:30 a.m.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on April 7, 2016, at 10 a.m.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on April 7, 2016, at 10 a.m., in room SD–406 of the Dirksen Senate Office Building, to conduct a hearing entitled, ''The Federal Role in Keeping Water and Wastewater Infrastructure Affordable.''

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on April 7, 2016, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

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

COMMITTEE ON THE JUDICIARY

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on April 7, 2016, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building.

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

SELECT COMMITTEE ON INTELLIGENCE

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Select

Committee on Intelligence be authorized to meet during the session of the Senate on April 7, 2016, at 2 p.m., in room SH–219 of the Hart Senate Office Building.

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

SUBCOMMITTEE ON AFRICA AND GLOBAL HEALTH POLICY

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations, Subcommittee on Africa and Global Health Policy be authorized to meet during the session of the Senate on April 7, 2016, at 10 a.m., to conduct a hearing entitled ''A Progress Report on the West Africa Ebola Epidemic.''

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

PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that Jessica Hagens-Jordan, an intern in my office, be granted the privilege of the floor for the balance of the day.

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

ORDERS FOR MONDAY, APRIL 11, 2016

Mr. THUNE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, April 11; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate be in a period of morning business until 4 p.m., with Senators permitted to speak therein for up to 10 minutes each; finally, that following morning business, the Senate resume consideration of H.R. 636.

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

ADJOURNMENT UNTIL MONDAY, APRIL 11, 2016, AT 3 P.M.

Mr. THUNE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:06 p.m., adjourned until Monday, April 11, 2016, at 3 p.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF ENERGY

DIMITRI FRANK KUSNEZOV, OF CALIFORNIA, TO BE DEPUTY ADMINISTRATOR FOR DEFENSE PROGRAMS, NATIONAL NUCLEAR SECURITY ADMINISTRATION, VICE DONALD L. COOK, RESIGNED.

DEPARTMENT OF EDUCATION

MATTHEW LEHRICH, OF MASSACHUSETTS, TO BE ASSISTANT SECRETARY FOR COMMUNICATIONS AND OUTREACH, DEPARTMENT OF EDUCATION, VICE PETER CUNNINGHAM.

AMY MCINTOSH, OF NEW YORK, TO BE ASSISTANT SECRETARY FOR PLANNING, EVALUATION, AND POLICY DEVELOPMENT, DEPARTMENT OF EDUCATION, VICE CARMEL MARTIN, RESIGNED.

ANTONIA WHALEN, OF ILLINOIS, TO BE ASSISTANT SECRETARY FOR ELEMENTARY AND SECONDARY EDUCATION, DEPARTMENT OF EDUCATION, VICE DEBORAH S. DELISLE, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 531 AND 716:

To be major

ALBERT E. WHITE

IN THE ARMY

THE FOLLOWING NAMED OFFICER IN THE GRADE INDICATED IN THE REGULAR ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be major

TRAVIS H. OWEN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

JOSHUA T. ADE
KEITH L. ADERHOLD
PAUL R. BELCHER
ROBERT W. BOETTCHER
STEPHAN H. BUCHANAN
KEVIN E. BURTON
MATTHEW S. CANADA
DAVID M. CHAPMAN
DANIEL L. CLAYPOOLE
JAMES D. DICE
CHARLES G. GILBERTSON
JONATHAN L. GINDER
LEE R. GREENFIELD, JR.
TIMOTHY B. GRESHAM
CHAN Y. HAM
JOSEPH E. HAMILTON
DARRELL E. HARLOWCURTIS
ANSELMO HERNANDEZ
JASON E. HESSELING
JAMES D. HOGSTEN
CURTIS E. HULSHIZER
WALLACE A. JACKSON IV
MICHAEL D. JONES
BENJAMIN H. JUNG
BRADLEY D. KATTELMANN
SCOTT G. KENNIS
SCOTT P. KING
RICHARD C. KUHLMAN
JONATHAN C. G. LEE
HERBERT A. LEMKE
GARLAND D. MASON III
KENNETH R. MAY
JESSE MCCULLOUGH
DAVID T. MORRISON
KEVIN E. NAGY
MACIEJ A. NAPIERALSKI
WILLIE J. NEWTON
MARK J. OLSON
SAMUEL RICO
BRIAN C. SATTERLEE II
CHARLES E. SHIELDS, JR.
RONALDO O. SILVA
JOHN F. SMITH
JONATHAN R. SMITH
MARK A. SMITH
MICHAEL N. SMITH
CARL A. SUBLER
JOHN F. TILLMAN
OWEN VAZQUEZ
BRYAN T. WRIGHT
DOUGLAS YODER
BRADFORD T. ZWETSCHKE
D012793
D012875

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

JOSHUA D. WRIGHT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

TIMOTHY R. TEAGUE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

ERIC E. HALSTROM

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

BRIAN D. BOBO
DAVID E. CASEY
THERESA K. COGSWELL
ANTHONY D. FOURNIER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

DENNIS N. SNELLING

WITHDRAWAL

Executive Message transmitted by the President to the Senate on April 7, 2016 withdrawing from further Senate consideration the following nomination:

KARL BOYD BROOKS, OF KANSAS, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE CRAIG E. HOOKS, RESIGNED, WHICH WAS SENT TO THE SENATE ON MAY 14, 2015.