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# Senate

The Senate met at 3 p.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.

Savior of all, make us patient and kind. Help us to not do to others what we wouldn't want done to us.

Lord, fill the hearts of our Senators with Your overflowing love. Enable them to love their neighbors as You have commanded them to do. Plant within our lawmakers a sure confidence in Your prevailing providence. Renew and refresh them for the challenges of this day. Keep them congenial with their colleagues, ever eager to explore common ground.

We pray in Your great 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. LANKFORD). The majority leader is recognized.

## FAA REAUTHORIZATION BILL

Mr. MCCONNELL. Mr. President, the chairman of the Commerce Committee, Senator THUNE, says that keeping Americans safe from future attacks is a top priority. He is right, of course. From Brussels to Egypt, events around the world underscore the need for stronger security measures for our Nation's air traffic.

That is why I was glad when large bipartisan majorities voted last week to advance the FAA Reauthorization Act and then to strengthen it further with the most comprehensive airline security reforms in years.

We appreciate Senator THUNE's work with the Aviation Subcommittee chair, Senator AYOTTE, as well as Senators NELSON and CANTWELL, to move an amendment designed to keep passengers safer and to help deter terrorism in airports on U.S. soil. The amendment will help shore up security measures for international flights coming into the United States as well as improve vetting and inspections of airport employees.

I would also like to recognize Senator HEINRICH for his work to include provisions that will increase security measures in prescreening airport zones and expand preparation for active shooter events.

This FAA reauthorization legislation will do more for security than any other in years. It will do more for passengers than any other in years as well.

Don't take my word for it. A consumer columnist for the Washington Post labeled it ''one of the most passenger-friendly Federal Aviation Administration reauthorization bills in a generation.'' It includes a number of consumer-friendly provisions, like fee disclosures and refunds for lost bags or services paid for but not received, and does so without imposing choice-limiting regulations or fees and taxes on airline passengers.

This is a good bill and a good example of what can get accomplished with a Senate that is back to work. It would help keep Americans safe, both in our airports and in the skies. It has enjoyed support from both sides of the aisle.

If Members have additional ideas they think might strengthen the bill further, I would again encourage them to work with the bill managers so we can continue moving forward.

## RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The minority leader is recognized.

## JUDICIAL NOMINATIONS

Mr. REID. Mr. President, later today the Senate will confirm Waverly Crenshaw to serve as a district judge for the Middle District of Tennessee.

Mr. Crenshaw is a superb nominee with impeccable credentials and a sharp legal mind. He works at a prestigious law firm in Nashville, where he became the first ever African-American partner.

Mr. Crenshaw is well liked by Democrats and well liked by Republicans. His nomination is supported by the Republican Senators from Tennessee, and the Judiciary Committee reported his nomination unanimously.

Waverly Crenshaw's confirmation is desperately needed. The vacancy he will fill in the Middle District of Tennessee is a judicial emergency, meaning there are more cases than the judges in that district can administer.

While I am pleased the Senate will confirm Mr. Crenshaw later today, I wonder why this eminently qualified nominee wasn't confirmed a long time ago. It has been more than a year since President Obama nominated him. The Judiciary Committee reported his nomination unanimously more than 9 months ago.

That a consensus nominee like Waverly Crenshaw had to wait so long to be confirmed is another example—and not a good one—of Senate Republicans' concerted effort to undermine the American judiciary system. The Republican leader and the chairman of the Senate Judiciary Committee are leading an all-out assault on our Nation's courts by depriving them of qualified judges.

Americans know of Republicans' unprecedented obstruction of President Obama's Supreme Court nominee,

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



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Merrick Garland. Republican gridlock is precluding Judge Garland from a hearing and a vote. But that same gridlock is extending to important lower court nominees also.

Republicans' slow-walking and obstruction of circuit and district court nominees is so pronounced that it is actually making history, and I am not sure it is good history.

To date, this Republican-controlled Senate has confirmed only 16 judicial nominations. Today will be the 17th. According to the nonpartisan Congressional Research Service, that is good enough to make this Republican Senate the worst at confirming circuit court and district court judges.

Chairman GRASSLEY is running the least productive Judiciary Committee since World War II, measured in both judges reported out of committee and judges confirmed. Because of the Republicans' sloth, judiciary emergencies have nearly tripled, leaving our courts overworked and Americans without prompt access to their judiciary system. Republicans are refusing to do their job, and the American people are suffering as a result. Republican efforts to cripple our judiciary will reverberate for decades, preventing Americans from obtaining justice.

It is time for the Republican leader and the senior Senator from Iowa to put an end to this obstruction. It is time they discontinue using the Senate Judiciary Committee as a political arm of the Republican leader's office and start doing their job. This should begin by doing their constitutional duty to provide advice and consent on President Obama's Supreme Court nominee.

The Republican leader and Senator GRASSLEY should give Judge Garland a hearing and a vote. They should stop stalling, hoping that Donald Trump or TED CRUZ will nominate Justice Scalia's successor. This should give even Republicans pause.

Then the Republican leader and the Judiciary Committee should move the backlog of qualified judicial nominations who are awaiting confirmation—and there are a lot of them—nominees like Paula Xinis, whom President Obama nominated to serve as a judge for the District Court of Maryland. Ms. Xinis, who is a partner in a renowned Baltimore law firm, has 13 years of experience as a Federal public defender. For 5 years she worked as the director of training for the Office of the Federal Public Defender in all of Maryland.

The Judiciary Committee reported Ms. Xinis 7 months ago. Yet, for more than half a year, Senator GRASSLEY has ignored her nomination.

She is not alone. The Republican leader is delaying other qualified, consensus nominations.

Edward Stanton was nominated to the Western District of Tennessee and is supported by Senator ALEXANDER and, of course, Senator CORKER. The committee reported his nomination in October.

Robert Rossiter was nominated to the District of Nebraska and has the support of both of his home State Republican Senators. The committee reported his nomination in October.

And there are two nominees to the Western District of Pennsylvania, Susan Paradise Baxter and Marilyn Jean Horan, who were recommended by Senators CASEY and TOOMEY. But even though it was recommended by a Republican Senator, the committee reported the nominations in January but hasn't done anything since.

There are many other nominees whom the Judiciary Committee is ignoring altogether—not even holding hearings.

So why aren't Republican Senators pressing the Republican leader to do his job and schedule votes on these stalled nominations? Why isn't the Judiciary Committee doing their part to get these judges confirmed? Why isn't the chairman of the committee doing his part?

This is the same Senator GRASSLEY who in 2008 said this:

> We should get our job done and confirm these nominees because that is what it takes for the judicial branch to get their work done. The judiciary needs to have the personnel to get their job done.

So let's do what Senator GRASSLEY said a few years ago. Let's get the job done.

From the Supreme Court down to the district courts, let's get the job done for our Nation's judiciary.

## AFFORDABLE CARE ACT

Mr. REID. Mr. President, last Thursday a Gallup and Healthways survey revealed more good news about the ever-shrinking rate of uninsured Americans.

Because of the Affordable Care Act, 91 percent of American adults now have health insurance. ObamaCare has been especially helpful to working Americans. For adults making less than $36,000, the uninsured rate has been cut by one-third. Ninety-two percent of Americans making between $36,000 and $90,000 a year now have health insurance.

Every day more and more people who were previously without health insurance are now covered. That is especially true across racial and ethnic lines, where the uninsured rate is plummeting. According to this survey, ''across key subgroups, blacks and Hispanics have experienced the largest declines in their uninsured rates since the fourth quarter of 2013.''

The numbers really bear that out. The uninsured rate for African-Americans has dropped by more than 50 percent, and the uninsured rate for Hispanics has dropped by more than 25 percent. These are the facts. All across the Nation, our constituents are getting the health care coverage they were promised when Congress passed the Affordable Care Act.

So I think it is time for our Republican colleagues to stop denying the evidence. The evidence is that ObamaCare is working for the American people.

Mr. President, I see no one on the floor. I ask the Chair to announce the business for the remainder of the day.

## RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

## MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 4 p.m., with Senators permitted to speak therein for up to 10 minutes each.

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

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

## FAA REAUTHORIZATION BILL

Mr. MARKEY. Mr. President, I rise today to discuss a number of my amendments to the FAA reauthorization bill.

I filed Markey amendment No. 3467 to protect consumers from ridiculously high airline fees. In recent years, fees have gone up despite the fact that gas prices and airline choices have gone down. Regrettably, the only thing competitive about the current airline industry is the battle for overhead compartment space. Since 2001, 10 major airlines have become 4, allowing air carriers to charge ridiculous fees and act in uncompetitive ways. The four major airlines now control 80 percent of the seat capacity in the United States. At some major airports, passengers only have one or two airlines to choose from.

Airline fees have climbed as high as the planes on which passengers are traveling. We must stop their rapid ascent to protect the everyday airline passenger. According to an excellent report released by Ranking Member NELSON last year, three airlines increased checked baggage fees by 67 percent between 2009 and 2014 and four airlines increased domestic cancellation fees by 33 percent. One increased its fee by 50 percent, and one increased its fee by 66 percent. Airlines should not be allowed to overcharge captive passengers just because they need to change their flight or check a couple of bags. It is just not fair. There is no justification for charging consumers a $200 fee to resell a $150 ticket that was cancelled well in advance when the airline can then resell that ticket for a higher fare to a different traveler. Further, airlines such as Delta, United, and American charge as much as $25 for the first

checked bag and $35 for the second bag even though there appears to be no appreciable cost increase for processing the second bag. That is $60 to check two bags one-way or $120 round-trip to check two bags.

My amendment prohibits airlines from imposing fees that are not reasonable and proportional to the costs of the services provided. This commonsense consumer protection does not prevent airlines from charging fees; the amendment simply caps airline fees at a fair rate to ensure that passengers are not getting tipped upside down at the ticket counter.

I am pleased that Senators BLUMENTHAL and KLOBUCHAR have cosponsored my amendment. I offered this amendment in the Commerce Committee, and it received a vote of 12 to 12. It is time to break this tie on the Senate floor.

Further, my amendment enjoys broad support from several groups, including the National Consumers League, the Consumer Federation of America, and Travelers United.

Mr. President, I intend to offer my cyber security amendments as well, Markey amendment Nos. 3468, 3469, and 3470.

In December, I sent letters to 12 domestic airlines and two airplane manufactures requesting information on the cyber security protections on their aircraft and computer systems. What I found was startling. Currently, airlines are not required to report attempted or successful cyber attacks to the government. Let me say that again. Airlines are not required to report attempted or successful cyber attacks to the Federal Government.

According to the National Air Carrier Association, which represents Allegiant, Spirit, and Sun Country—some of the country's smaller airlines—some of their carriers experience several hundred hacking attempts into their system every single day, but since there is no requirement to share this information with the FAA, potentially valuable cyber security information may not get to the other airlines, manufacturers, and regulators. My amendments address these concerns by mandating that airlines disclose cyber attacks to the FAA, directing the FAA to establish comprehensive cyber security standards, and commissioning a study to evaluate the safety and security risks associated with Wi-Fi on planes.

My amendments enjoy broad support from the Association of Flight Attendants, the Federal Law Enforcement Officers Association, and the International Association of Machinists and Aerospace Workers.

Mr. President, finally, on drone privacy, in committee we added a requirement that government operators disclose where they fly drones, the purpose of the flight, and whether the drone contains cameras, thermal imaging, or cell phone interceptors. My amendment would extend those requirements to commercial drone operators.

I encourage all Senators to support my amendments.

I thank the Chair for giving me this opportunity to address the Chamber.

I yield back the remainder of my time.

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

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

## CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

## 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 bill 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.

Nelson (for Bennet) amendment No. 3524 (to amendment No. 3464), to improve air service for families and pregnant women.

Cantwell amendment No. 3490 (to amendment No. 3464), to extend protections against physical assault to air carrier customer service representatives.

Mr. CORNYN. Mr. President, this week the Senate is continuing its consideration of the reauthorization of the Federal Aviation Administration and bringing important improvements in terms of aviation infrastructure and public safety. I am glad the Senate voted—notwithstanding the impression I think people get from the outside that all we do is bicker and we don't actually solve any problems. I am glad the Senate has worked in a bipartisan way to move this legislation forward. We have a lot of heavy lifting left to do on this legislation this week, and none of these issues is easy, but it is important we do everything we can to demonstrate to the American people that our interests are their interests in moving bipartisan solutions forward for their benefit.

### NATIONAL CRIME VICTIMS' RIGHTS WEEK

Mr. President, I wish to just take a moment and point out that this week is also a very important week because it is National Crime Victims' Rights Week.

Too often crime victims in our country aren't treated with the fairness and respect they deserve. So often it seems as though we focus our attention on those who commit the crime and not nearly enough on those who are victims of crime they had no part in instigating but perhaps happen to be in the wrong place at the wrong time. When we don't show the proper respect for victims of crime, it can lead to distrust in our communities between law enforcement and the public, and it can make our country a more dangerous place.

The fact is, our law enforcement professionals work best with community cooperation. Frequently, the community can be the eyes and the ears for law enforcement and help give them information they need in order to prevent crime from occurring in the first place or to make a show of force to in fact deter the commission of a crime.

When I was Texas attorney general, I had the privilege of overseeing our State's Crime Victims' Compensation Fund. This is an idea which said we ought to take the fines and the penalties from people who commit crimes and then use those funds to make grants to the victims of crime and the people who attempt to help them heal and recover from the consequences. Time and time again, I saw that when we don't support the victims of crime, they and their families aren't the only ones who suffer. It can also impede law enforcement efforts when they feel this disjuncture or disconnection between the victims and the law enforcement professionals. So it is important for many reasons—out of basic fairness and compassion but also in the interests of law enforcement, generally, to make sure we do everything we can to keep law enforcement and the victims of crime on the same page and the communities in which they reside.

We need to continually look for ways to improve our support for crime victims. One way we can do this is by continuing assistance to State and local governments in a variety of ways. We recently had a hearing on the intersection of mental illness and law enforcement. Unfortunately, in our society today—because of the deinstitutionalization of people with mental illness, with no safety net to take its place—many people who suffer from mental illness are residing in our jails, filling our emergency rooms, or simply living on our streets. So we need to redirect more than just the 1 percent of funds currently directed by the Federal Government to State and local law enforcement for support and training. We need to redirect more of that in a targeted fashion to deal with this crisis in mental illness.

Here is an anecdote. Recently, I had the chance to meet with some members of the Major County Sheriffs' Association. The sheriff of Bexar County, TX, a friend of mine, said: How would you like to meet the largest mental health provider in the United States? I said:

Well, sure. Who is that? She said: Meet the sheriff of Los Angeles County.

This made a deep impression on me, and it tells me we still have a lot to do.

Another example of where the Federal Government can play an appropriate support role for local and State law enforcement—and I am not suggesting the Federal Government take over State and local law enforcement, far from it. Rather, the Federal Government should recognize and support the important role that local and State law enforcement play and provide that support, where possible, here at the Federal level.

Nowhere else have I found that more important recently than our efforts to try to audit and test the massive nationwide rape kit backlog. It has been estimated there are 400,000 rape kits collected from the forensic evidence from sexual assaults that remain untested. We know these rape kits contain vital DNA evidence that can put criminals behind bars, exonerate the falsely accused, and help detect those who commit crimes serially—not just once but over and over and over again until they are ultimately caught. As we know, many communities at the local level simply do not have the resources or expertise to test these rape kits in a timely fashion, so that is an area where we can help. That means that while evidence is collecting dust on a shelf for years, criminals will remain loose—unless we continue to act—and make it impossible for the victims of these crimes to find closure. I will give just one example.

Last year Houston had a backlog of thousands of rape kits going back into the 1980s. Fortunately, due to resources provided by the Federal Government under the Debbie Smith Act, and with the determination of the local leadership, Mayor Annise Parker, the city of Houston, began to work with the State of Texas and the Federal Government to eliminate Houston's rape kit backlog. So far they have tested thousands of rape kits, resulting in 850 CODIS matches. That is the DNA check system run by the FBI, where when people have been arrested for offenses in the past, their DNA information is recorded in this data base and then can be matched against that collected in a rape kit or other forensic evidence. So just as a result of the city of Houston undertaking this massive effort—again, with the cooperation of the State and Federal Government—to eliminate its rape kit backlog, they have gotten 850 hits in the CODIS system. In other words, by testing the evidence they already had, Houston officials have been able to identify hundreds of people who are perpetrators of crime—because the DNA evidence does not lie—and to place them at the scene of a crime. Again, as we find out, sadly, people who commit sexual assaults frequently don't do it just once in their life. Many of them do it serially or until they get caught, looking for victims of opportunity—sometimes even children. It is terrible.

Fortunately, with the tools and resources provided by the Debbie Smith Act and something called the SAFER Act, Houston will complete the testing of all backlogged rape kits this year. This is important because in the past, testing of these rape kits was viewed as mainly a way of just confirming the identity of the assailant using DNA evidence, but frequently the identity of the assailant is not an issue in these cases, and it is expensive to test rape kits. Frequently, the assailant is known and the question is one of consent or nonconsent. What we have found is by testing more rape kits—even where the issue of identity is not in question—we can literally tie these defendants in criminal cases to other sexual assaults in a way that is a pretty powerful and pretty revolutionary way.

I am proud of the work Houston and the State of Texas are doing, working with the Federal Government, to end the rape kit backlog, but it is going to take a lot more work from us on an ongoing and long-term basis because, first, one of the things we need to do, which Congress has already required, is an audit to make sure we know where all of these rape kits are—whether they are sitting in an evidence locker or whether they are still sitting in a police station in an investigation locker. We need to make sure there is an audit done so we can get our arms around the size and scope of the problem. Then we need to redirect more of the resources the Federal Government has already appropriated money for under the Debbie Smith Act to actually test these rape kits. This is very important because we need the survivors of sexual assault to know we continue to stand with them in their fight.

Thank goodness for brave women such as Debbie Smith and so many others whom I have met along the way who I think demonstrate not only their own courage but also give other people courage to stand up for their own rights when they are, through no fault of their own, victims of sexual assault.

The Crime Victims' Rights Week is more than just about this crime of sexual assault. It is about respect for all victims of crime. That is why I am proud to be working with the senior Senator from Vermont, Mr. LEAHY, and Congressman TED POE of Houston, TX, on the Justice for All Reauthorization Act. This is comprehensive legislation to increase rights and protections for crime victims across the country. It will reauthorize the landmark Justice for All Act signed into law by President George W. Bush in 2004.

As part of the reauthorization, it will also increase the collection of compensation and restitution for crime victims, it will protect the housing rights of domestic violence victims, and it will strengthen the forensic sciences to swiftly put criminals behind bars and to improve the integrity of the forensic testing.

Frequently, we know that both the expertise and the equipment used by local governments and law enforcement are sometimes pretty spotty. In order to maintain the integrity of this important and powerful type of evidence, it is very importants we provide some guidance—perhaps best practices—for forensic sciences. We have the ability to do that because of the resources of the Federal Government; again, not to commander or mandate but basically to help local and State governments improve their forensic sciences and their testing.

This legislation will also improve access to legal and health care resources for all victims and will ensure that we are efficiently providing direct services for crime victims on a national basis. This legislation is supported by more than 130 different law enforcement and victim advocacy organizations nationwide, including the Rape, Abuse, and Incest National Network—the so-called RAINN organization—the National District Attorneys Association, the National Center for Victims of Crime, the International Union of Police Organizations, the National Network to End Domestic Violence, and the National Organization for Women. It is a pretty broad spectrum of organizations along the political or ideological spectrum, and they are all unified in supporting this important bill.

This Chamber has done what it takes to help victims in the past, and we should continue to build on the legacy of legislation like the Justice for Victims of Trafficking Act, a law that is already making a clear difference in the lives of victims across the country.

One of the best moments in this Chamber last year was when we passed the Justice for Victims of Trafficking Act by a vote of 99 to 0. It was a rare and welcomed coming together of all Members, from all different parts of the country, all across the ideological spectrum, to enact the most important assistance for victims of human trafficking that we have done in basically 25 years, providing for something as basic as shelter for victims of human trafficking, when many of them had nowhere to live or to turn.

One of the important pieces of the Justice for Victims of Trafficking Act was something called the HERO Program. This was primarily inserted into the legislation at the request of the Senator from Illinois, Mr. MARK KIRK, a veteran of the U.S. Navy himself.

Just yesterday, the Army Times ran a story on a program that was permanently authorized under the bill known as HERO, which trains veterans to work alongside Federal law enforcement officials to go after child predators—in other words, using some of the expertise the veterans acquired in their training and their service in the military to help victims of child pornography and the predation, unfortunately, that happens too often on the most innocent.

So far, according to this article, the program has already trained about 80 different veterans with plans to train

40 more this year, giving many of these veterans—some of whom have been seriously injured during the course of their military service—a real purpose in life. Indeed, in the Army Times story I mentioned just a moment ago, there are some heartrending, touching stories about how, even for people who suffered very traumatic injuries during their military service, this gives them a new sense of purpose and focus, and it is very, very encouraging.

I had the chance to see the HERO program in action last year in San Antonio, and it is protecting our children and taking criminals off the street. It is pretty clear that when we set our minds to it, we can make a difference in the lives of crime victims. We proved that with the passage of the Justice for Victims of Trafficking Act, and we can do it again.

I encourage all of our colleagues to consider supporting the Justice for All Reauthorization Act. This is a bicameral, bipartisan proposal that would help victims get the support they need and they deserve.

As advocates and survivors across the country use this week to highlight the needs of millions of crime victims, let's also remember that we have a responsibility and an opportunity to do something about it right here in this Chamber.

Mr. President, I don't see anyone interested in recognition, so 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. NELSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ZIKA VIRUS

Mr. NELSON. Mr. President, the Zika virus is getting very serious. Today one of the officials at the Centers for Disease Control said that ''this is scarier than we initially thought.'' As to a pregnant woman who is infected with the Zika virus, it may not only cause the fetus to be deformed with a much smaller head, but they are finding other birth defects as well as premature births. Normal, otherwise healthy people who become infected with the virus usually have relatively mild flu-like symptoms, but there are devastating consequences when the virus is contracted by a woman who is pregnant. Today the CDC said: ''Most of what we've learned is not reassuring.'' They also said: ''Everything we look at with this virus seems to be a bit scarier than we initially thought.'' That is coming straight from the experts at CDC.

When you look at where this virus is, unfortunately, there are more people in my State of Florida who have the virus than in any other State in the country. Nationwide, there are multiples of hundreds who have the virus. In the State of Florida, we have identified just under 100 people who have the virus. Thankfully, of those who were infected in Florida, none of them contracted it in Florida; they contracted the virus someplace else.

There is a vast amount of traveling that goes on between Florida and Puerto Rico. Puerto Rico is one source where the virus is coming from. When that mosquito bites you, it transmits the virus, and that mosquito is quite prevalent in Puerto Rico. So the island is having its own trauma with the Zika virus manifesting there, but there is also a source in other countries throughout Central America, the Caribbean, and Latin America.

What do we need to do? Well, one little bit of good news I can give you is that the bill we passed in the Senate before the Easter recess is now in the House, and it will be taken up by the House tomorrow. They should pass it and send it to the President's desk for signature. What that bill does is give financial incentive to the drug companies by adding Zika as a virus to the list of tropical diseases for which the drug companies have a financial incentive to go and find a cure or a vaccine. This bill is complicated as far as what the financial incentives will be. I could explain that, but for purposes of discussion here, I just wanted to share that little bit of good news. We are going to have that bill in law, and we want to unleash the creative potential of our pharmaceutical industry to go and find a cure or vaccine that will take care of it.

The other side of it is what the CDC is saying is scarier than we thought, and that is the fact that it is having such devastating societal and medical consequences for a woman who is pregnant and gets the virus. We can imagine the trauma to that family with a deformed child being born as a result of the virus. We can imagine the expense to society of a child who is severely handicapped. As a result, we are talking about major effort.

There is something else we can do about it; that is, the President's budgetary request has $1.9 billion specifically targeted for helping to do the research on the Zika virus. It is my hope, and I know I have the cooperation and, indeed, the considerable help and energy of my colleague from Florida, Senator RUBIO, in wanting to seek this and to get successfully in the appropriations bill for the Department of HHS the $1.9 billion to continue the research and all of the ancillary expenses that are coming as a result of it.

Down the road, we will find a vaccine. Down the road, we will be able to manage this problem. But, in the meantime, there is a great deal of trauma, some extraordinary heartbreak to some families, which should be, again, the warning: If you are pregnant, do not go anywhere exposing the skin to a mosquito bite, particularly in those regions with that variety of mosquito that carries the Zika virus.

So I hope by this time tomorrow night, we will say one hallelujah that the House bill has passed, the Senate bill has passed the House, and it is on the way to the President's desk for signature. Then, let's take up this issue in the appropriations bill when it hits the floor in another few weeks.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COATS). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Waverly D. Crenshaw, Jr., of Tennessee, to be United States District Judge for the Middle District of Tennessee.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes for debate only on the nomination, equally divided in the usual form.

Mr. NELSON. Mr. President, I ask unanimous consent that the time during quorum calls be charged equally.

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

Mr. NELSON. 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. ALEXANDER. 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. ALEXANDER. Mr. President, in December of 2014, Judge William Joseph Haynes, Jr., of the Middle District of Tennessee, assumed senior status, creating a vacancy on the Middle District bench. That vacancy has resulted in increased caseloads for the three active Federal district judges—Judge Sharp, Judge Campbell, and Judge Trauger.

Fortunately, help is on the way.

In June, Senator CORKER and I had the pleasure of introducing Waverly Crenshaw to the Senate Judiciary Committee when it met to consider his nomination. I was pleased that the committee agreed with our position, and they reported out his nomination by voice vote the following month.

It's easy to see why Tennesseans support Mr. Crenshaw and are excited about his nomination—and the prospect that the Senate will confirm him tonight. He was born in Nashville, and then he stayed—attending Vanderbilt

University for both college and law school.

After law school, he clerked for Judge John Nixon in the Middle District of Tennessee, the same court where we hope he will soon serve. After his clerkship, he worked for the Tennessee attorney general before entering private practice. In 1987 he became an associate of a small labor and employment law firm in Nashville. In 1990 he joined one of our largest firms—Waller Lansden Dortch & Davis—where he is currently a partner.

He is also active in the Nashville community serving as unpaid legal counsel to the Nashville Conventions and Visitors Corporation, the Tennessee Independent Colleges and Universities Association, and the YWCA, among others.

The Middle District of Tennessee is fortunate to have such a well-qualified nominee. Waverly Crenshaw is a man of good character and of good temperament, and today I encourage my colleagues to vote for his confirmation.

The PRESIDING OFFICER. The junior Senator from Tennessee.

Mr. CORKER. Mr. President, I am glad to join the senior Senator, as I have many times, but I thank him for his comments about this distinguished person whom I hope is going to be confirmed this afternoon as a district court judge.

When the White House began looking for someone to fill this position, I spoke with people, as I am sure Senator ALEXANDER did, across Middle Tennessee to really find someone who not only would serve in his position well but had, in his current role, been involved in the community and had done many other things outside of law to benefit the community itself. Certainly, this is someone who has done that.

It became very clear that he has distinguished himself not only as a talented attorney but also as a well respected leader in the Nashville community. As Lamar has mentioned, he is a lifelong Middle Tennessee resident. He received his law degree from Vanderbilt University. He was the first African-American attorney at the Waller law firm, and he has been a partner since 1994.

He served as Tennessee's assistant attorney general from 1984 to 1987, and as a law clerk, as was mentioned, for the Honorable John Nixon. This is exactly the branch he hopes to serve in.

I am confident he will serve the people of Middle Tennessee in this new role in an honorable fashion. I am proud to be here to support him with our senior Senator and with so many other people, by the way, in Middle Tennessee who want to see him confirmed in this position. I hope others will join us today in confirming him, and I look forward to him serving. By the way, it is a place where there is a dire need to have someone of his capacity. We have many cases that are backed up. This is one of those places where we not only need someone to fill the role, but we need someone as distinguished as Mr. Crenshaw.

I thank the Presiding Officer for the time. This Senator looks forward to his confirmation. I hope everyone will join in confirming this nominee.

I yield the floor.

Mr. LEAHY. Mr. President, today we will finally vote on the nomination of Waverly Crenshaw to fill a judicial emergency vacancy in the Federal District Court in the Middle District of Tennessee. This vacancy has been open since December 2014, and Mr. Crenshaw was nominated over a year ago, on February 4, 2015. He has the support of his two Republican home State Senators, Senators ALEXANDER and CORKER. He was voted out of the Judiciary Committee by unanimous voice vote last summer on July 9, 2015. There is no good reason why it has taken 14 months to confirm this nominee.

Mr. Crenshaw is currently a partner at the law firm Waller Lansden Dortch & Davis, LLP, in Nashville. Mr. Crenshaw was the first African-American partner at Waller, and in his nearly three-decade career in private practice, he has tried approximately 50 cases to verdict. Mr. Crenshaw also served for 3 years in the Tennessee attorney general's office as an assistant attorney general. He has the experience and qualifications necessary to serve on the Federal bench, and he should be confirmed.

This is our first judicial confirmation vote in 2 months. In the last 2 years of the Bush administration—with a Democratic majority—the Senate confirmed 68 judges. This new Congress, the Republican leadership has allowed only 16 judges to be confirmed since they gained the majority last year. This record of obstruction began last year, when Senate Republicans confirmed the fewest judicial nominees in more than half a century.

Senate Republican leadership is failing our Federal judiciary with their obstruction of judicial confirmations. When Senate Republicans took over the majority in January of last year, there were 43 judicial vacancies. Since then, vacancies have dramatically increased more than 75 percent to 79. Furthermore, the number of judicial vacancies deemed to be ''emergencies'' by the Administrative Office of the U.S. Courts because caseloads in those courts are unmanageably high has nearly tripled under Republican Senate leadership—from 12 when Republicans took over last year to 34 today.

After we vote on Mr. Crenshaw's nomination, 19 judicial nominees will remain pending on the Executive Calendar. This includes nominees with home state support from Republican Senators, including Robert Rossiter for the Federal District Court in the District of Nebraska; Edward Stanton for the Federal District Court in the Western District of Tennessee; and Susan Baxter and Marilyn Horan for the Federal District Court in the Western District of Pennsylvania.

We can reduce the empty judgeships in those states if Republican leadership would allow timely votes on the pending judicial nominees on the Executive Calendar. All of those nominees were reported out of the Judiciary Committee by voice vote. There should not be any further delay in confirming them.

Last Thursday, the Leadership Conference on Civil and Human Rights and 42 other organizations submitted a letter to Chairman GRASSLEY expressing their dismay with the failure of the Judiciary Committee to do its job to process nominees for our Federal trial and appellate courts, creating a growing backlog of judicial nominations. I ask unanimous consent to have printed in the RECORD a copy of this letter at the end of my statement.

The American people expect Senators to do their jobs. This is true with judicial nominations to the lower courts, but it is even more crucial for the Supreme Court of the United States because no one can fill in for the vacant seat on our highest Court. In just the last few weeks, the Supreme Court has deadlocked twice, so it was unable to serve its constitutional function. Refusing to consider Chief Judge Merrick Garland for the Supreme Court is not only unfair to him, it is irresponsible and a threat to a functioning democracy.

A recent poll shows that nearly 70 percent of Americans—including a majority of Republicans—say that the Senate should hold a hearing for Chief Judge Garland. That is what the American people are saying, but Republicans are refusing to hear them. Instead of listening to their constituents, they are listening to powerful interest groups.

Since public confirmation hearings of Supreme Court nominees began in 1916, the Senate has never denied a Supreme Court nominee a hearing and a vote. And based on the Senate's precedent for decades, the Senate Judiciary Committee should hold a hearing for Chief Judge Garland this month.

A public hearing would allow Americans to engage in the process of considering the nomination and hear directly from Chief Judge Garland, but Senate Republicans continue to refuse to do their jobs. Instead, Republicans have outsourced their job to political interest groups whose only goal is to raise millions of dollars to launch a smear campaign against the nominee's admirable record of public service. These outside groups are not accountable to the American people. They do not have the American people's interest in mind. They are private, powerful groups whose only goal is to advance their own special interests at any cost.

These special interest groups are spending millions of dollars in dark money to run ads distorting Chief Judge Garland's record. At the same time, Republican Senators are planning to deny Chief Judge Garland a chance to defend himself at a public

hearing. It is wrong, it is harmful, and it is unfair.

Some Senators have claimed that their unprecedented obstruction against Chief Judge Garland is based on ''principle, not the person.'' But it is not principled to attack Chief Judge Garland's sterling career and then refuse to allow him the chance to respond at a public hearing.

Rather than following the demands of unaccountable interest groups, Republicans should listen to the American people who want to see real leadership in Washington. Americans want Republicans to do their jobs and consider for themselves the merits of Chief Judge Garland's record through a public hearing and a vote.

I am glad that several Republican Senators have agreed to meet with Chief Judge Garland. This is a person who has spent almost three decades in public service and has more Federal judicial experience than any Supreme Court nominee in history. Those who meet with Chief Judge Garland will see what I have seen: that he has an exceptional legal mind and a deep respect for the Constitution. His commitment to public service is inspiring, from his days at the Justice Department working as a prosecutor on the ground in the aftermath of the Oklahoma City bombing to his nearly two decades as a Federal appellate judge.

But simply meeting with Chief Judge Garland is not enough. The Senate must act on his nomination. In the last several weeks, the Supreme Court deadlocked twice and was not able to carry out its constitutional role as the final arbiter of our Nation's laws. Where you live will impact what your rights are. That is unacceptable and contrary to our constitutional system. If Republicans' irresponsible obstruction of Chief Judge Garland does not stop, this will continue at the Supreme Court for two terms.

I hope Senate Republicans will listen to the American people, roll up their sleeves, and do their job. We must carry out one of our most important and solemn responsibilities and consider the Supreme Court nomination before us.

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

THE LEADERSHIP CONFERENCE
ON CIVIL AND HUMAN RIGHTS,
*Washington DC, April 7, 2016.*

Hon. CHARLES GRASSLEY,
*Committee on the Judiciary, U.S. Senate, Washington, DC.*

DEAR CHAIRMAN GRASSLEY: On behalf of The Leadership Conference on Civil and Human Rights and the 42 undersigned organizations, we write to express our dismay with the failure of the Judiciary Committee to address a growing backlog of federal judicial nominations. With only 16 judges confirmed so far, the 114th Congress is on pace to have the lowest number of judges confirmed since the 82nd Congress in 1951–1952. Even worse, in the face of rising caseloads and continuing judicial emergencies, it appears that the Committee is determined to shut down the confirmation process entirely—putting political considerations ahead of the national interest in a well-functioning judicial branch, and ahead of the constitutional responsibility of the Senate to do its job of providing advice and consent on presidential appointments.

While a great deal of public attention has rightly been focused on the pending nomination of Chief Judge Merrick Garland to the U.S. Supreme Court, vacancies on the lower courts must not be lost amidst the debate. This year, President Obama has nominated seven individuals to serve on U.S. Courts of Appeal in various circuits throughout the country, including several in circuits that are currently experiencing judicial emergencies. While some senators have expressed vague and superficial reasons for opposing consideration of individual nominees, the qualifications of these nominees cannot be seriously disputed— every one of the nominees below has an outstanding background, as well as the widespread respect of those in the legal community who know them best:

Rebecca Ross Haywood (Third Circuit): Nominated on March 15, Ms. Haywood has spent most of her legal career as an Assistant U.S. Attorney for the Western District of Pennsylvania, including as the Appellate Chief of the Civil Division since 2010. She regularly practices before the court to which she has been nominated—and, if confirmed, would be the first African-American woman to serve there.

Lisabeth Tabor Hughes (Sixth Circuit): Nominated on March 17, Judge Hughes was appointed to the Kentucky Supreme Court in 2007 by then-Governor Ernie Fletcher and was reelected twice, including without opposition in 2014. She previously served on the Kentucky Court of Appeals (also having been appointed by Gov. Fletcher), and has extensive experience in both private practice and as a trial judge in Jefferson County, Kentucky. She would be the first woman from Kentucky on the court.

Donald Karl Schott (Seventh Circuit): Nominated on Jan. 12, Mr. Schott graduated cum laude from Harvard Law School in 1980. Since then, he has spent most of his legal career in private practice at Quarles & Brady, where he became a partner in 1987, and has extensive trial and appellate litigation experience, at both the state and federal levels, specializing in securities and business fraud, commercial disputes, health care, and energy-related issues.

Myra C. Selby (Seventh Circuit): Nominated on Jan. 12, Ms. Selby spent 15 years in private practice and Indiana state government before being nominated in 1995 to the Indiana Supreme Court. She was the first African American and first woman to serve there, and authored more than 100 majority opinions, before returning to private practice in 1999. Since then, she has specialized in commercial and health care litigation. She would be the first African American from Indiana and the first woman from Indiana on the Seventh Circuit.

Jennifer Klemestrud Puhl (Eighth Circuit): Nominated on Jan. 28, Ms. Puhl spent several years in private practice and as a clerk on the North Dakota Supreme Court. In 2002, she joined the criminal division of the U.S. Attorney's Office for the District of North Dakota, where she prosecutes a wide range of criminal cases and specializes in computer hacking and cybersecurity, intellectual property, and human trafficking. She would be the first woman federal judge at any level in North Dakota.

Lucy H. Koh (Ninth Circuit): Nominated on Feb. 25, Judge Koh became the first Asian American judge to serve on the U.S. District Court for the Northern District of California, having been confirmed in 2010 by a 90–0 vote. Prior to her current position, she worked for the Senate Judiciary Committee, held several positions within the Department of Justice, and spent six years in private practice. In 2008, she was appointed as a judge to the Superior Court of California for Santa Clara County by then-Governor Arnold Schwarzenegger. She would be only the second Asian American woman ever to serve on a federal circuit court.

Abdul K. Kallon (Eleventh Circuit): Nominated on Feb. 11, Judge Kallon has served on the U.S. District Court for the Northern District of Alabama since 2009, after being confirmed by the Senate by unanimous consent. For the previous fifteen years, Judge Kallon specialized in labor and employment law as a partner at the Birmingham, Alabama firm Bradley Arant Boult Cummings LLP. If confirmed, Judge Kallon would be the first African American from Alabama to serve on the Circuit.

In addition, the committee has failed to act on dozens of pending district court nominees—too many to list here—from throughout the country. As with the above appellate nominees, many of these nominees would fill seats in districts that are currently facing judicial emergencies. Many of the district and appellate nominees come from states in which both senators have returned their so-called ''blue slips,'' indicating their approval of the nominees. Normally, this should clear the way for hearings and up-or-down confirmation votes. Instead, these nominees have fallen victim to election-year gamesmanship.

The complete obstruction of nominees is unprecedented, and the arguments some are making in defense of this obstruction are wholly unpersuasive. In 2008, the Democratic party-controlled Senate confirmed 22 judges in the last seven months of George W. Bush's presidency, including 10 in September 2008. During Ronald Reagan's presidency, the Senate on average confirmed 16 judges in the second half of presidential election years. There is no legitimate reason why things should be any different in the last year of President Obama's second term.

While the Committee refuses to do its job, the American people are left to pay the price. There are currently 32 judicial emergencies nationwide (16 of the pending nominees would fill these seats), and more than 40 total nominees pending in committee or on the Senate floor. Many of the pending nominees would fill vacancies in courts that have been left shorthanded for years. Donald Schott would fill a Seventh Circuit seat that has been vacant for more than six years, and more than 30 of the 46 pending nominees are nominated to seats that have been empty for more than a year.

Meanwhile, the inaction is slowing the wheels of justice for all types of parties who are seeking to vindicate their legal and constitutional rights. Numerous judges have explained the consequences they and litigants face: long delays on even the most simple filings and motions, protracted waits for post-conviction sentences, spoiled evidence, witnesses whose memories fade, lost businesses and the jobs that go with them while waiting for trials, and many more. Not only is the situation rife with injustices, but it is also completely unsustainable.

The Committee has a constitutional responsibility to provide advice and consent on presidential nominees, and a duty to the American people to simply do its job. In the coming weeks and months, our organizations will continue to make the case until it does.

If you have any questions, please contact Rob Randhava, Senior Counsel at The Leadership Conference on Civil and Human Rights at (202) 466–3311, or any of the organizations listed below. As organizations that collectively represent millions of diverse

Americans who have a stake in a fair, effective judicial system, we thank you for considering our views.

Sincerely,

The Leadership Conference on Civil and Human Rights, AFL-CIO, Alliance for Justice, American Constitution Society for Law and Policy, American Federation of State, County, and Municipal Employees, American Federation of Teachers, American-Arab Anti-Discrimination Committee, Americans for Democratic Action, Asian Americans Advancing Justice AAJC, Asian Pacific American Labor Alliance, AFL-CIO (APALA), Association of Asian Pacific Community Health Organizations, The Center for Asian Pacific American Women, Coalition of Black Trade Unionists, Constitutional Accountability Center, CREDO, Defenders of Wildlife, Disability Rights Education & Defense Fund, Earthjustice, Human Rights Campaign, Lawyers' Committee for Civil Rights Under Law, League of Conservation Voters, NAACP.

NAACP Legal Defense and Educational Fund, Inc., National Association of Human Rights Workers, National Association of Social Workers, National Black Justice Coalition, National Center on Time and Learning, National Community Reinvestment Coalition, National Congress of American Indians, National Council of Asian Pacific Americans (NCAPA), National Council of Jewish Women, National Education Association, National Employment Lawyers Association, National Fair Housing Alliance, National Hispanic Media Coalition, National LGBTQ Task Force Action Fund, National Partnership for Women & Families, National Women's Law Center, People For the American Way, Pride at Work, South Asian Americans Leading, Together (SAALT) United Auto Workers (UAW), The Workmen's Circle.

The PRESIDING OFFICER. The Senator from Florida.

AMENDMENT NO. 3524

Mr. NELSON. Mr. President, while we are waiting for members of the Judiciary Committee to come and speak to the judicial nomination we will vote on shortly, I want to take the opportunity to talk about a pending amendment which is being offered by Senator BENNET of Colorado and which I would recommend to the Senate that they favorably consider. It is dealing with families traveling on airlines.

As you know, things get very specific about seats and how much they charge for the seats. You pay extra for some baggage and other services, and then you get into seats that are getting increasingly smaller. It is even worse for a woman who is pregnant or is traveling with small children.

Senator BENNET's amendment is a family-friendly amendment. If a parent has a minor child who is going on the plane by themselves, it would require TSA to allow the parent to accompany the child throughout the screening process. To a small child, that can be quite intimidating.

Secondly, it would require the airlines to provide pregnant women with the opportunity to preboard the flight. How many times have we seen everybody queueing up to get on the flight? The special advantage passengers get on, the first class passengers get on, the members of the frequent flyer program get on, and here is a lady who is quite along in her pregnancy still standing. That is just common sense. That is being gentlemanly about the rules of airlines.

Thirdly, the amendment tries to keep families together because it would require the airlines to make sure that at least one adult of the family who is traveling together can sit next to the child on the plane without the airlines saying the parent will have to pay an extra fee in order to guarantee having a seat next to their minor child. This is common sense, and it is encouraging family travel.

I certainly urge my colleagues to support this amendment as we will be taking up the FAA bill after this judicial nomination confirmation vote.

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. ALEXANDER. 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. ALEXANDER. I yield back any remaining time.

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

The question is, Will the Senate advise and consent to the Crenshaw nomination?

Mr. CORKER. Mr. 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 legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from West Virginia (Mrs. CAPITO), the Senator from Texas (Mr. CRUZ), the Senator from South Carolina (Mr. GRAHAM), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Kentucky (Mr. PAUL), and the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

The result was announced—yeas 92, nays 0, as follows:

[Rollcall Vote No. 44 Ex.]

YEAS—92

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

NOT VOTING—8

| | | |
|---|---|---|
| Capito | Johnson | Sanders |
| Cruz | Murkowski | Vitter |
| Graham | Paul | |

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

## LEGISLATIVE SESSION

The PRESIDING OFFICER (Mr. LANKFORD). Under the previous order, the Senate will resume legislative session.

The majority whip.

## MORNING BUSINESS

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

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

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

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

## VIEQUES

Mr. INHOFE. Mr. President, we are all concerned about the plight right now of Puerto Rico and what is happening over there financially. And later on this week I will revisit the issue of the 4-year battle of Vieques that took place from 1999 to 2003. I am very much concerned that we might have an opportunity here to rectify something that was done that should not have been done back in 2002.

The island off of Puerto Rico called Vieques had been an integrated training center for many years—about 60 years—up until 2002. For purely political reasons at that time, it became quite an issue. First of all, joint training took place on the island of Vieques. Joint training means you have different branches of the military trying to accomplish something together that they couldn't do individually. In the case of Vieques, it was the Marines, the Navy, and the Air Force. We were able to do the type of training we couldn't do anyplace else.

It sounds kind of ridiculous, but when they were talking about doing away with using Vieques for a military center—what they had been doing for 60 years—it was all around an establishment called Roosevelt Roads. Roosevelt Roads was a major naval station. We had about 7,000 sailors there. They added something like $600 million a year to the economy of Puerto Rico.

Anyway, we found out there was a great effort by a lot of people who I will always suspect wanted to ultimately develop that island for private purposes and to financially gain from that. Consequently, with no regard for the contribution it made to our defense, they started a major problem. One person was killed in 60 years on that island, and because that happened to have taken place, they used it as a reason to try to shut that down. It became quite a political football at that time. I know Al Gore was very much involved in that, and there were some great benefits, I am sure.

From World War II through the operation in Kosovo, our military has been ready to execute combat operations due to the training they were able to get on the island of Vieques. In fact, during Kosovo they used those individuals to conduct successful operations. They were all trained at no place other than Vieques. The reason for that is if they were going into Kosovo, as our Air Force was going in, they would have to be able to draw coordinates from a high enough elevation that the surface-to-air missiles would not be able to reach them, for their safety. And if we hadn't had all those guys over there who were trained at Vieques, it was speculated that they would not have been successful.

Secretary Richard Danzig, who was then the Secretary of the Navy, said that ''only by providing this preparation can we fairly ask our servicemembers to put their lives at risk.'' Admiral Johnson, then Chief of Naval Operations, and General Jones, then Commandant of the Marine Corps, said that Vieques provides integrated live-fire training ''critical to our readiness'' and that the failure to provide for adequate live-fire training for our naval forces before deployment will place those forces at an unacceptably high risk during deployment. Those are quotes from those two individuals.

Admiral Ellis, then director of operations, plans, and policies on the staff of the commander in chief of the U.S. Atlantic Fleet, said during his confirmation hearing—and I was there at that time—to be commander of Strategic Command, ''Those types of facilities, particularly those in which we can bring together all of the naval, and that means both Navy and Marine Corps, combat power for integrated and joint training, are particularly useful elements of the overall warfighting preparation.''

At the time we felt there was a problem, I personally went around the world to every place that might have been a substitute for Vieques. I went to Cape Wrath—I always remember that—which I think is in northern Scotland, and I went to Southern Sardinia in Italy, and none of those places were adequate and none could provide the same type of support.

Admiral Fallon, then commander of the Navy's Second Fleet, and General Pace—remember Peter Pace—the commander of all Marine Forces in the Atlantic, testified that the United States needs Vieques as a training ground to prepare our young men and women for the challenges of deployed military operations.

GEN Wes Clark, the Supreme Allied Commander at that time, said: ''The live fire training that our forces were exposed to at training ranges such as Vieques helped ensure that the forces assigned to this theater''—and he was talking about Kosovo. That is when we had to be ready on arrival to fight and win and survive, which we did.

CAPT James Stark, then the commanding officer of Roosevelt Roads Naval Station—there were about 7,000 of our sailors there—said:

> When you steam off to battle you're either ready or you're not. If you're not, that means casualties. That means more POWs. That means less precision and longer campaigns. You pay a price for all this in war, and that price is blood.

Admiral Murphy, then commander of the Sixth Fleet of the Navy, said the loss of training on Vieques would ''cost American lives.'' And it has cost American lives, and that has been since 2002. We are talking about American lives unnecessarily put at risk if they are not fully trained for combat operations.

I remember one person back at that time talking about the analogous situation of a football team where you have all the quarterbacks training over here, all the backs over here, and all the defensive people training over here, but never training together, and then they go and lose. You have to have integrated training. We don't even have that today. We have tried to find and to replicate that effort, and it isn't there.

This week, I understand—and the reason I came down quite unprepared is because I didn't know this was coming up—the House Natural Resources Committee is going to consider legislation that provides bankruptcy powers to Puerto Rico while subjecting it to the authority of a Federal oversight board. This is something that is going to become very controversial. There will be a lot of people around saying: Why are we doing this? And once you provide these benefits to Puerto Rico, there is no reason why others won't line up and want the same thing.

I really am concerned that Puerto Rico, apparently—and I don't know if this is true, but they are saying it—owes some $73 billion in government debt. In January, Puerto Rico started defaulting on part of that debt.

Section 411 of this legislation—we are talking about the legislation that will be discussed tomorrow over in the House—would turn over approximately 3,000 acres of Department of Interior conservation zones that were formerly part of Vieques.

What happened in 2002 was that the land that had been used for the training range was turned over to this department. Now they are talking about taking it out, I suppose, for people to develop.

I remember so well the time when we were talking about closing Vieques. I was the chairman of the Senate Armed Services Committee Readiness Subcommittee. Puerto Rico's Governor Rossello came. He is not in office anymore. But he made all kinds of threats: It is just a bluff that it would be closing.

I made the statement that if we are denied the opportunity to use the island of Vieques for joint training, then we were going to lose Roosevelt Roads.

Governor Rossello sat there and said: INHOFE is not telling the truth. We are not going to lose that.

Of course, they did lose it. So in 2003 the total impact from the Navy was estimated to be $600 million a year. The departure of the Navy also impacted business and contracts, as we know.

I was visiting with Miriam Ramirez just today. At the time, she was in the State Senate in Puerto Rico and was talking about the disastrous economic effects if they closed Vieques. She is still concerned about that, and many of the people who were the strongest opponents of my efforts at that time to keep Vieques operating are now saying we should have left it open.

So I think any kind of a deal that is made has to include consideration that the training is still available. There is still no range like Vieques anywhere in the Western Hemisphere. What can be done in Vieques cannot be done in one location by a joint force. I understand firsthand both the importance and the significance of having a range in your home State.

I remember a popular TV show at that time called ''Crossfire.'' I was on the show in May of 2000. Juan Figueroa was the president of the Puerto Rican Legal Defense and Education Fund, and we were debating this on live TV.

He said: Well, how would you, INHOFE, like to have a live range in your State of Oklahoma?

I said: Let me tell you about Fort Sill. They train 360 days out of the year, 24 hours a day, and they make all kinds of noise. It is within 1 mile of a population of 100,000 people—at that time, Vieques was within 9.5 miles of 9,000 people—and there are all these people who hear this noise down there. They were in town last week. They said: When we hear that noise, it is the sound of freedom.

Here is something interesting. They opened up what is considered to be the most modern, most progressive elementary school. They call it Freedom Elementary School. They named it after that phrase: It is the sound of freedom.

So this is what is happening. I am very much concerned that we are going to stumble and pass up an opportunity that might still be there. We have an opportunity to actually go back and use that for some of our joint training.

So later this week I am going to go back and relive the history on the 4-year battle of Vieques. Hopefully, this might be an opportunity for us to save American lives and to have integrated training, which we still don't have today and which we had back in that time.

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

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

## TRIBUTE TO ROBERT HAWKES GRAY

Mr. LEAHY. Mr. President, I wish to pay tribute to an extraordinary Vermonter, Robert Hawkes Gray. Bob, as he is known to family and friends, grew up in Putney where his parents worked at the Putney School. His father, Edward, was in charge of buildings and grounds, and his mother, Mabel, ran the kitchen. Ed's ability to fix anything and Mabel's cooking and way of keeping order are remembered vividly and fondly to this day by thousands of Putney graduates.

Bob attended Putney where he learned to ski cross-country thanks to Olympian skier John Caldwell, the father of cross-country skiing in America who taught at the school. Bob went on to run the outdoor work program at Putney and coached cross-country skiing and running. He became an Olympian himself, competing in the 1968 and 1972 winter games, and was inducted into Vermont's Ski and Snowboard Museum Hall of Fame.

After skiing, Bob's lifetime passion has been farming. He and his wife, Kim, own and manage Four Corners Farm, one of the most successful vegetable and dairy farms in Vermont. Located on a beautiful hillside that levels off along the Connecticut River in South Newbury, the sprawling acreage of the farm is a model of order and astonishing productivity. Just about anything that will grow in Vermont, either in fields or in greenhouses heated by wood stoves, can be found there in abundance.

Everyone knows that farm work is hard by any standard. It means rising before sunrise and long hours of strenuous physical labor that continues into the night. Anyone who visits Four Corners Farm can't help but wonder how they do it all. It is a testament to the benefits of regular physical exercise, as Bob, now 76, looks closer to 60 and has the strength of someone half his age. It wasn't all due to farming though. It is said that, when Jack Dempsey was the world heavyweight champion, Ed Gray's biceps measured the same diameter. Of course, Ed was an accomplished gardener himself.

I could go on about Bob's talents as a farmer. A teacher by instinct, anyone who visits the farm may find themselves treated to a lesson in pruning tomato plants, planting and mulching strawberry seedlings, or the peculiar habits of honey bees. Kim, a former alpine ski racer herself, is also a gifted farmer whose stamp on the business can be seen everywhere. Neither could have made Four Corners Farm what it is today without the other.

Bob never stopped skiing for fun, but he didn't take up racing again until the 1990s. This past winter he showed that, if you love something enough and give it everything you have got, just about anything is possible.

At the World Masters cross-country ski races in Voukatti, Finland, and at the National Masters at Royal Gorge, CA, Bob won a gold medal, two silvers, and a bronze. Some might think that, by the time you get to be 76, you are probably skiing pretty slowly and there isn't that much competition in your age group anyway. Let's just say that at the Masters no one skis slowly—no one skis anything remotely like slowly. These are the best skiers in the world, and to the rest of us mere mortals, there isn't that much difference between them and today's Olympians.

A March 31, 2016, article in the Valley News, entitled ''Septuagenarian Gray Skiing His Way to Wins'' tells the story. I congratulate Bob Gray. He exemplifies the very best of Vermont for his inspiring work ethic, his ski racing accomplishments, and the example he has set for future generations of Vermont skiers and farmers. I ask unanimous consent that the article be printed in the RECORD.

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

[From the Valley News, Mar. 31, 2016]

### SEPTUAGENARIAN GRAY SKIING HIS WAY TO WINS

(By Jared Pendak, Valley News Staff Writer)

NEWBURY, VT.—Bob Gray returned to cross country skiing several years ago, primarily as a way to keep his heart pumping. As it turned out, he's more than capable of breaking the hearts of opponents.

Gray, 76, recently swept a pair of races at the National Masters Championships in Soda Springs, Calif., winning the Masters 5B (ages 75–79) 10K classic race on March 19 in 33 minutes, 58.6 seconds, more than nine minutes faster than runner up Hans Muehlegger, of Idaho, and good for 20th overall in a field of 53.

The next day, Gray placed fifth overall while winning his 70–79 age group in the season-ending U.S. Marathon National Championship, finishing the 14K bronze race in 48:12.1—again more than nine minutes ahead of Muehlegger.

A two-time Olympian who competed on the U.S. Nordic Ski Team from 1960–74, Gray had also swept both events in the 2015 National Masters Championships, held closer to home at the Craftsbury (Vt.) Nordic Center.

''There isn't much competition for my age group in that event,'' said Gray, who co-owns the Four Corners produce and dairy farm in Newbury, Vt. ''I'd like to think part of it is that I'm in pretty good shape.''

Gray's competition was stiffer last month at the Masters World Cup in Vuokatti, Finland, where he left with two silver medals and a bronze. On Feb. 6, he bettered 75–year-old Frenchman Daniel Chopard by two seconds for second place in the 10K skate in 33:40, then beat Chopard by 35 seconds with a time of 47:34.1 in the 15K skate Feb. 12.

Norwegian Finn Magnar Hagen decidedly won both skate races, finishing the 10K a good 2:40 ahead of Gray and besting him in the 15K by nearly four minutes.

''There was just no catching Finn; he was just gone,'' said Gray. ''On the other hand, me and Chopard had a great time going back and forth. We'd pass each other and say, 'All right, I'll see you up ahead on the hill.' ''

Neither Hagen nor Chopard competed in the 5K classic on Feb. 8, a race in which the top four were separated by just 17 seconds. Russia's Gennady Ushakov won in 18:10.9, followed by Austrian Josef Schniagl, Gray (18:19.7) and Finland's Taplo Wallenkus (18:27.9).

''I think I had a chance to win that race, but my skis just weren't up to par with some of the skis these other guys had,'' Gray said. ''I made one tactical error, started kicking too lightly and it got me off-track. I was still able to make up most of the places I lost and close the gap. It was a close race, a fun race.''

Gray, a Vermont Ski & Snowboard Museum Hall of Fame inductee whose wife, Kim, is a former U.S. Alpine skier, competed in the 1968 and '72 Olympic Games. His best finish was 12th place in the 4x1OK relay in the '68 Games in Grenoble, France, complementing three combined top-50s in individual events at Grenoble and the '72 Games in Sapporo, Japan.

The Putney, Vt., native also skied four seasons in the FIS Cup (now known as the FIS World Cup), winning national titles in the 15K and 50K and earning the top U.S. ranking in 1973.

The Grays opened the Green Mountain Touring Center in Randolph in 1977 while running their first farm in Hartland Four Corners, inspiring the moniker they kept even after moving operations to their plot in Newbury.

Bob Gray later had about a 12-year hiatus from the sport while devoted to raising the couple's three children and farming, not strapping on skis again until the early 1990s.

He competed off and on in various national and international competitions, capturing bronze at an event in Quebec City in 2001 and two silvers and a bronze five years later in British Columbia. He began refocusing on training and competing in earnest several years ago, motivated equally by the desire to keep his heart rate up as much as keeping his competitive juices going.

''When you get older, if you don't keep moving, you get sick and die,'' Gray said plainly. ''So much of your health is about staying active and exercising. I get some of that on the farm, but I'm much more of a manager type now than I used to be. So (returning to skiing) is a way to keep my heart beating.''

Like any snow sports athlete based in the area, Gray faced challenges finding suitable surfaces to train on this winter. He ventured to Craftsbury Nordic Center at times to practice on their manmade trails, but most often settled for dry-land exercises.

''I'd go up (North Haverhill's) Black Mountain, Mount Moosilauke, sometimes Mount Ascutney, always with ski poles to help practice balance,'' Gray said. ''I'd go uphill on

paved roads on rollerblades—I like rollerblades better than roller skis. I can go from here up Snake Road to West Newbury, which is about three miles, so that's perfect. The only problem with that is that I'm too tired to skate home after that so I have to have someone come get me.''

Gray, who was trained in his youth by former Dartmouth skier and Olympian John Caldwell, would like to see more kids today on Nordic skis. He's given lessons in recent years at Strafford Nordic Center and elsewhere.

''It's a great sport, a great way to get kids off of the couch or away from the computer,'' Gray said. ''Plus, you can do it until you're my age.''

## TRIBUTE TO MAURICE GEIGER

Mr. LEAHY. Mr. President, I wish to recognize Maurice Geiger, known by family and friends as Maury, an extraordinary individual who, although a longtime resident of Conway, NH, with his wife, Nancy, is deserving of the title of honorary Vermonter.

Maury Geiger's lengthy career began in the U.S. Navy back in the 1950s, from where he went on to Georgetown Law School and jobs at the Bureau of Prisons and the Department of Justice. He later served as a county prosecutor in New Hampshire, founded the Rural Justice Center in Montpelier, VT, where I first got to know him, became a national expert in court administration, and has provided advice and guidance to help reform dysfunctional justice systems in foreign countries for more than two decades.

In no country has Maury devoted more passion, time, and energy than Haiti, where justice has long been more of a fantasy than a reality for the majority of the Haitian people.

Since the 1990s, Maury has traveled to Haiti scores of times, often paying out of his own pocket. His purpose was simple: to help improve access to justice for thousands of people caught up in a byzantine system in which it is common to be detained in squalid, grossly overcrowded, sweltering prisons rampant with life-threatening diseases, for months and years, without ever seeing a lawyer or judge or being formally charged with any crime.

Over the years, often against great odds, Maury has worked to train numerous Haitian prosecutors, judges, and other judicial officials and to institute recordkeeping systems to improve case management and reduce the chance that inmates are forgotten or their case files are lost.

Maury is not only among a handful of the most experienced experts in the field of court administration; he is a person of exemplary integrity. He has never had the slightest interest in profiting himself, as his modest lifestyle demonstrates, but rather to do whatever he could to provide help and dignity to those who are the least able to help themselves. He has done so, year after year, with uncommon compassion and commitment, never losing his wry sense of humor, in a country where the political will for justice reform at the highest levels of government has often been weak or lacking altogether.

Maury is in Haiti again this week, and I want him to know that the example he has set of selflessness, of caring, commitment to human rights and equal access to justice, and of an unwavering belief in the basic dignity of all people regardless of their station in life, is one that every law student, every lawyer, every prosecutor, every judge, and every prison warden should strive to emulate.

## HONORING POLICE OFFICER SUSAN FARRELL

Mr. GRASSLEY. Mr. President, Des Moines police officer Susan Farrell had a lifelong dream of a career in law enforcement. At the young age of 30, she was living out her dream and on course for a bright career.

But on March 26, just five months after joining the Des Moines Police Department, Officer Farrell lost her life in the line of duty along with fellow officer Carlos Puente-Morales when their vehicle was struck by another that was driving the wrong direction on Interstate 80 near Waukee. I wish to take a moment to celebrate Officer Farrell's life and service.

Early on, growing up in the Des Moines area, Officer Farrell knew she wanted a career in public service. She studied criminal justice at Hamilton College and returned to her home town after graduating to begin living her dream. She worked as a detention officer in Polk County Jail for several years and was promoted to deputy just a year ago. She joined the Des Moines Police Department last fall and was excited to expand her education there.

Along the way, Officer Farrell quickly earned the respect of her colleagues. She was someone they could always count on to help resolve situations. She also received awards of commendation and lifesaving for her work on the response team. One colleague summed up her abilities like this: ''There wasn't a situation where I wouldn't want Susan with me.''

Officer Farrell will be greatly missed by her family and friends, as well as the Des Moines community that she worked to protect.

I express my deepest sympathies to Officer Farrell's family, friends, and colleagues and my sincere gratitude for her service to our State and for her work to keep our communities safe.

## HONORING POLICE OFFICER CARLOS PUENTE-MORALES

Mr. GRASSLEY. Mr. President, Des Moines Police Officer Carlos Puente-Morales's life was marked by a commitment to serving others and frequent expressions of love—love for his family and love for those he worked with.

On March 26, Officer Puente-Morales lost his life in the line of duty along with fellow officer Susan Farrell when their vehicle was struck by another that was driving the wrong direction on Interstate 80 near Waukee. I wish to take a moment to celebrate the life and service of Officer Puente-Morales.

Officer Puente-Morales served tours in Iraq and Afghanistan in the Iowa Army National Guard, where he attained the rank of staff sergeant. He served his community as a deputy sheriff for Franklin County and as an Ottumwa police officer before coming to Des Moines to be closer to family. He joined the Des Moines police force just last year.

Des Moines Police Chief Dana Wingert has referred to Officer Puente-Morales as a loyal servant. I believe this to be a very fitting description. He was loyal to his family, to his community, to his country, and he did it with a heart full of love. He was just 34 years old when he left us, but his service and the example he set for all of us will endure for many years to come.

Officer Puente-Morales will be missed by his family and the community that he served.

Officer Puente-Morales's mother wisely said, ''We shouldn't wait for a tragedy to recognize our heroes.'' She is exactly right. On behalf of Iowans and all Americans, I express my gratitude for Officer Puente-Morales's service to community and country. My deepest sympathy is with his family in this difficult time. I thank all those who walk in Officer Puente-Morales's *COM007*footsteps to protect and serve.

## CONGRATULATING LEONARD MINSKY

Ms. COLLINS. Mr. President, at its 214th commencement on May 14, 2016, the University of Maine at Orono will award an honorary doctorate degree to Leonard Minsky of Bangor. Today I wish to congratulate my dear friend for this recognition and to join people throughout Maine in thanking him for his uncommon generosity, vision, and dedication that have made our university's flagship campus a center for the arts and humanities.

A member of the class of 1950, Leonard received an outstanding education at UMaine and has never stopped giving back. His passion for the arts and commitment to the highest expressions of human ideals are evident throughout the beautiful Orono campus. Minsky Recital Hall in the school of performing arts is a marvelous place for students, faculty, and world-class visiting artists to perform. In recent years, I have had the pleasure of hearing the University Singers, which included my niece, perform there.

The Minsky Gallery in the Maine Center for the Arts celebrates the visual arts around the world. The Minsky Culture Lab at the Hudson Museum offers interactive, hands-on experiences for Maine schoolchildren and UMaine students. With Leonard's support, the UMaine Museum of Art in downtown Bangor features the best in modern and

contemporary art, from Andrew Wyeth to Andy Warhol.

Leonard's partner in these endeavors is his partner in life, his extraordinary wife, Renee. Leonard's service has included leadership roles on the university's development council, the Campaign for Maine, and the UMaine Board of Visitors. Renee, one of the first volunteer docents at the Hudson Museum, has held leadership roles on advisory boards for both the Hudson Museum and the Maine Center for the Arts. Both have been active Patrons of the Arts, the UMaine program that supports tours by university performing arts ensembles and that encourages student involvement in the arts through outreach to elementary and secondary schools across Maine.

The university's Fogler Library, Maine's largest research library, is home to the Minsky Jewish Heritage Collection. This priceless cultural and historical resource is a gift from Renee and Leonard Minsky, along with his brother, Norman.

For several years, I had the good fortune to live just across the street in Bangor from Renee and Leonard Minsky. They were wonderful neighbors. Since that time, I have been blessed with their friendship and inspired by their leadership.

Students, faculty, and visitors to the UMaine campus cannot help but feel similarly blessed and inspired. The energy and excitement of the University of Maine's arts and humanities community that Leonard Minsky has helped to create enriches our State today and will do so for generations to come.

## 200TH ANNIVERSARY OF THE TOWN OF KINGFIELD, MAINE

Ms. COLLINS. Mr. President, today I wish to commemorate the 200th anniversary of the town of Kingfield, ME. Known today as a gateway to the rugged and beautiful Longfellow Mountains, Kingfield was built with a spirit of determination and resiliency that still guides the community today.

Kingfield's incorporation on January 24, 1816, was but one milestone on a long journey of progress. For thousands of years, the mountains and river valleys of western Maine were the hunting grounds of the Abenaki Tribe. The reverence the Abenaki had for the natural beauty and resources of the region is upheld by the people of Kingfield today.

The town's namesake is a central figure in Maine history. In 1807, merchant and shipbuilder William King and his partners purchased lands in the wilderness and began attracting settlers. In 1820, Maine achieved statehood, and William King, by then a respected statesman and decorated military officer, became its first Governor.

The early settlers were drawn by fertile soil, vast forests, and fast-moving waters, which they turned into productive farms and busy mills. Roads and a railway were built, and the wealth produced by hard work and determination was invested in schools and churches to create a true community.

Among the earliest settlers was Salomon Stanley, whose descendants became the business, social, and religious leaders of the town. At the dawn of the 20th century, his twin sons Francis Edgar and Freelan Oscar invented the groundbreaking Stanley Steamer automobile and were renowned violin makers. Along with their sister, Chansonetta, they introduced many technological and artistic advancements to the growing field of photography. The Stanley Museum, located in a beautiful century-old Georgian schoolhouse, celebrates the genius of a remarkable family.

When industry in Kingfield began to decline in the 1950s, outdoor recreation rose to prominence, driven by the energy, enthusiasm, and vision of the townspeople. Today skiing at Sugarloaf Mountain Resort, hiking, golf, and snowmobiling, along with some of the most spectacular scenery of the Appalachian Trail, place Kingfield among America's favorite destinations for the outdoor enthusiast. The decision by Nestle's Poland Spring to open a bottling plant in the town is a testament to the region's pristine environment and diversifying economy.

From the valiant service of Colonel William King in the War of 1812 to the conflicts of our time, Kingfield is a town of patriots. It is significant that the town's plans for its yearlong bicentennial celebration include enhancements to the memorials honoring Kingfield veterans.

Kingfield is also a town of involved citizens. The active historical society, volunteer fire department, and library are evidence of a strong community spirit. The planning and volunteerism that have gone into the bicentennial festivities are evidence that Kingfield's spirit only grows stronger.

This 200th anniversary is not just about something that is measured in calendar years; it is about human accomplishment and an occasion to celebrate the people who, for more than two centuries, have worked together and cared for one another. Thanks to those who came before, Kingfield has a wonderful past. Thanks to those who are there today, Kingfield has a bright future.

## TRIBUTE TO LIEUTENANT COLONEL EDWARD P. ASH

Mrs. MURRAY. Mr. President, I wish to pay tribute to my constituent LTC Edward P. ''Ned'' Ash for his exemplary dedication to duty and service to the U.S. Army and to the United States of America. Lieutenant Colonel Ash will retire this summer after more than two decades in the U.S. Army.

Entering the Army from Vancouver, WA, Lieutenant Colonel Ash earned a commission from the U.S. Military Academy at West Point with a degree in international relations and was commissioned an armor officer in 1994.

Lieutenant Colonel Ash served in a variety of cavalry units and assignments during his 22 years of service. As a lieutenant, he served as a tank platoon leader, scout platoon leader, troop executive officer, and as a squadron staff officer in the 2nd Squadron, 3d Armored Cavalry Regiment. As a captain from 1999 to 2001, Lieutenant Colonel Ash remained in a hardship assignment with the 2nd Infantry Division for 3 years to serve in Korea. While assigned to the 2nd Infantry Division, he commanded Bravo Troop and Headquarters Troop in the 4th Squadron, 7th Cavalry Regiment. After working at the national training center, where Lieutenant Colonel Ash trained units that were preparing to deploy in support of Operations Iraqi Freedom and Enduring Freedom, he was assigned to the 1st Squadron, 71st Cavalry Regiment. He deployed with this unit to Iraq while serving as the operations officer and then to Afghanistan as the squadron executive officer.

Lieutenant Colonel Ash spent his last 4 years in the Army as a budget liaison in the office around the corner from mine in the Russell Senate Office Building and has become a fixture in the Halls of the U.S. Senate. My staff have called on him many times to help with issues affecting the soldiers and military families in Washington State and around the country. Lieutenant Colonel Ash has approached every inquiry from my staff, from requisition requests for tents to detailed questions about national strategy, with the same calm wisdom and thoughtfulness that puts serving people and getting results above all else. Lieutenant Colonel Ash has also led the teams that supported the logistic requirements for the funerals of two of my colleagues who served in the Army: Senator Daniel Inouye and Senator Frank Lautenberg. His efforts during these funerals helped ensure that they were conducted with the dignity befitting the memories of these giants of the Senate. I can confidently say that Lieutenant Colonel Ash's leadership has positively impacted his soldiers, peers, and superiors throughout his career.

On behalf of a grateful nation, I join my colleagues today in recognizing and commending LTC Edward P. Ash for over two decades of service to his country. We wish Ned and his wife, Jamie Skaluba, all the best as they continue their journey of service.

## ADDITIONAL STATEMENTS

### TRIBUTE TO JORDAN HANSON

• Mr. ROUNDS. Mr. President, today I recognize Jordan Hanson, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Jordan is a graduate of Watertown High School in Watertown, SD. Currently, she is attending the University of South Dakota, where she is studying

political science and strategic communications. Jordan is a hard worker who has been devoted to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Jordan for all of the fine work she has done and wish her continued success in the years to come.●

## TRIBUTE TO JOSH JORGENSEN

● Mr. ROUNDS. Mr. President, today I recognize Josh Jorgensen, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Josh is a graduate of O'Gorman Catholic High School in Sioux Falls, SD. In May he will graduate from the University of South Dakota with his degrees in political science and media and journalism. Josh is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience and who has been a true asset to the office.

I extend my sincere thanks and appreciation to Josh for all of the fine work he has done and wish him continued success in the years to come.●

## 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–5066. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting legislative proposals relative to the ''National Defense Authorization Act for Fiscal Year 2017''; to the Committee on Armed Services.

EC–5067. A communication from the Chief Human Capital Officer, Department of Energy, transmitting, pursuant to law, five (5) reports relative to vacancies in the Department of Energy, received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2016; to the Committee on Energy and Natural Resources.

EC–5068. A communication from the Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, a report entitled ''Annual Report to Congress on Federal Government Energy Management and Conservation Programs, Fiscal Year 2014''; to the Committee on Energy and Natural Resources.

EC–5069. A communication from the Director, Directorate of Whistleblower Protection Programs, Occupational Safety and Health Administration, transmitting, pursuant to law, the report of a rule entitled ''Procedures for Handling Retaliation Complaints Under the Employee Protection Provision of the Consumer Financial Protection Act of 2010'' (RIN1218–AC58) received in the Office of the President of the Senate on April 4, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC–5070. A communication from the Director, Directorate of Whistleblower Protection Programs, Occupational Safety and Health Administration, transmitting, pursuant to law, the report of a rule entitled ''Procedures for Handling Retaliation Complaints Under Section 31307 of the Moving Ahead for Progress in the 21st Century Act (MAP–21)'' (RIN1218–AC88) received in the Office of the President of the Senate on April 4, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC–5071. A communication from the Assistant Secretary of the Interior (Indian Affairs), transmitting, pursuant to law, a report entitled ''Fiscal Year 2014 Report to Congress Pursuant to 25 U.S.C. 450j–1(c) on the Funding Requirements for Contract Support Costs''; to the Committee on Indian Affairs.

EC–5072. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Amendments to the Rules of Practice for Trials Before the Patent Trial and Appeal Board'' (RIN0651–AD01) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2016; to the Committee on the Judiciary.

EC–5073. A communication from the Secretary of Veterans Affairs, transmitting draft legislation entitled ''Department of Veterans Affairs Accountability Enhancement Act''; to the Committee on Veterans' Affairs.

EC–5074. A communication from the Senior Assistant Chief Counsel for Hazmat Safety Law, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Materials: Reverse Logistics (RRR)'' (RIN2137–AE81) 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–5075. A communication from the Chief Counsel, Saint Lawrence Seaway Development Corporation, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Tariff of Tolls'' (RIN2135–AA38) 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–5076. A communication from the Chief Counsel, Saint Lawrence Seaway Development Corporation, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Seaway Regulations and Rules: Periodic Update, Various Categories'' (RIN2135–AA39) 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.

## 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. ROBERTS:

S. 2770. A bill to amend the Communications Act of 1934 to require providers of a covered service to provide call location information concerning the telecommunications device of a user of such service to an investigative or law enforcement officer in an emergency situation involving risk of death or serious physical injury or in order to respond to the user's call for emergency services; to the Committee on Commerce, Science, and Transportation.

By Mr. INHOFE:

S. 2771. A bill to amend title 38, United States Code, to expand the qualifications for licensed mental health counselors of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Ms. BALDWIN (for herself and Mr. MORAN):

S. 2772. A bill to eliminate the requirement that veterans pay a copayment to the Department of Veterans Affairs to receive opioid antagonists or education on the use of opioid antagonists; to the Committee on Veterans' Affairs.

By Ms. AYOTTE (for herself, Mrs. CAPITO, Mr. PORTMAN, Mr. BURR, and Mr. HELLER):

S. 2773. A bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MORAN (for himself and Mrs. ERNST):

S. 2774. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain amounts realized on the disposition of property raised or produced by a student farmer, and for other purposes; to the Committee on Finance.

By Mr. HATCH (for himself and Mr. WYDEN):

S. 2775. A bill to amend the Internal Revenue Code of 1986 to make technical corrections, and for other purposes; to the Committee on Finance.

By Mr. BOOKER:

S. 2776. A bill to amend the Safe Drinking Water Act to condition the receipt of funds by a State for a drinking water treatment revolving loan fund on the State carrying out a program to test for lead in drinking water for schools; to the Committee on Environment and Public Works.

By Mr. CASSIDY (for himself and Mr. BOOZMAN):

S. 2777. A bill to modernize the prescription verification process for contact lenses, to clarify consumer protections regarding false advertising of contact lenses, and for other purposes; 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 Mrs. FISCHER (for herself and Mr. SASSE):

S. Res. 417. A resolution celebrating the 144th anniversary of Arbor Day; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 275

At the request of Mr. ISAKSON, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 275, a bill to amend title XVIII of the Social Security Act to provide for the coverage of home as a site of care for infusion therapy under the Medicare program.

S. 979

At the request of Mr. NELSON, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 979, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 1503

At the request of Mr. BLUMENTHAL, the name of the Senator from Arkansas

(Mr. BOOZMAN) was added as a cosponsor of S. 1503, a bill to provide for enhanced Federal efforts concerning the prevention, education, treatment, and research activities related to Lyme disease and other tick-borne diseases, including the establishment of a Tick-Borne Diseases Advisory Committee.

S. 1555

At the request of Ms. HIRONO, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1555, a bill to award a Congressional Gold Medal, collectively, to the Filipino veterans of World War II, in recognition of the dedicated service of the veterans during World War II.

S. 1562

At the request of Mr. WYDEN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1562, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

At the request of Mr. BLUNT, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 1562, supra.

S. 1715

At the request of Mr. HOEVEN, the names of the Senator from Michigan (Mr. PETERS), the Senator from Arkansas (Mr. BOOZMAN) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 1715, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 400th anniversary of the arrival of the Pilgrims.

S. 1911

At the request of Ms. COLLINS, the names of the Senator from Utah (Mr. HATCH) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 1911, a bill to implement policies to end preventable maternal, newborn, and child deaths globally.

S. 2180

At the request of Mr. KIRK, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 2180, a bill to amend the Age Discrimination in Employment Act of 1967 and other laws to clarify appropriate standards for Federal employment discrimination and retaliation claims, and for other purposes.

S. 2210

At the request of Mr. BLUMENTHAL, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 2210, a bill to require the Secretary of Veterans Affairs to carry out a program to establish peer specialists in patient aligned care teams at medical centers of the Department of Veterans Affairs, and for other purposes.

S. 2217

At the request of Mr. BLUNT, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 2217, a bill to amend the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants and similar retail food establishments, and to amend the authority to bring proceedings under section 403A.

S. 2251

At the request of Ms. WARREN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2251, a bill to provide for a supplementary payment to Social Security beneficiaries, supplemental security income beneficiaries, and recipients of veterans benefits, and for other purposes.

S. 2332

At the request of Mr. SCHUMER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 2332, a bill to amend the National Child Protection Act of 1993 to establish a permanent background check system.

S. 2348

At the request of Mr. HATCH, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2348, a bill to implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs, and for other purposes.

S. 2502

At the request of Mr. ISAKSON, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 2502, a bill to amend the Employee Retirement Income Security Act of 1974 to ensure that retirement investors receive advice in their best interests, and for other purposes.

S. 2540

At the request of Mr. REID, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 2540, a bill to provide access to counsel for unaccompanied children and other vulnerable populations.

S. 2548

At the request of Mr. KAINE, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 2548, a bill to establish the 400 Years of African-American History Commission, and for other purposes.

S. 2612

At the request of Mr. LEAHY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2612, a bill to ensure United States jurisdiction over offenses committed by United States personnel stationed in Canada in furtherance of border security initiatives.

S. 2614

At the request of Mr. SCHUMER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2614, a bill to amend the Violent Crime Control and Law Enforcement Act of 1994, to reauthorize the Missing Alzheimer's Disease Patient Alert Program, and to promote initiatives that will reduce the risk of injury and death relating to the wandering characteristics of some children with autism.

S. 2726

At the request of Mr. KIRK, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 2726, a bill to hold Iran accountable for its state sponsorship of terrorism and other threatening activities and for its human rights abuses, and for other purposes.

S. 2752

At the request of Mr. RUBIO, the name of the Senator from Kansas (Mr. ROBERTS) 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 Arkansas (Mr. BOOZMAN) 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. 2769

At the request of Mr. SCHUMER, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 2769, a bill to require the Federal Aviation Administration to establish minimum standards for space for passengers on passenger aircraft.

S. RES. 349

At the request of Mr. ROBERTS, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. Res. 349, a resolution congratulating the Farm Credit System on the celebration of its 100th anniversary.

S. RES. 368

At the request of Mr. CARDIN, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. Res. 368, a resolution supporting efforts by the Government of Colombia to pursue peace and the end of the country's enduring internal armed conflict and recognizing United States support for Colombia at the 15th anniversary of Plan Colombia.

AMENDMENT NO. 3483

At the request of Mr. SCHUMER, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of amendment No. 3483 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 Maine (Mr. KING) was added as a cosponsor of amendment No. 3492 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 names of the Senator from Maryland (Ms. MIKULSKI), the Senator from New Jersey (Mr. BOOKER), the Senator from North Dakota (Ms. HEITKAMP) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of amendment No. 3500 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. 3522

At the request of Ms. CANTWELL, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of amendment No. 3522 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. 3524

At the request of Mr. BENNET, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of amendment No. 3524 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. 3527

At the request of Mr. RUBIO, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of amendment No. 3527 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. 3539

At the request of Mr. BLUNT, the names of the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Oregon (Mr. MERKLEY), the Senator from Vermont (Mr. LEAHY), the Senator from Massachusetts (Mr. MARKEY), the Senator from Ohio (Mr. BROWN), the Senator from Connecticut (Mr. MURPHY), the Senator from Iowa (Mr. GRASSLEY), the Senator from Montana (Mr. DAINES), the Senator from Delaware (Mr. COONS), the Senator from Montana (Mr. TESTER), the Senator from Illinois (Mr. KIRK), the Senator from Michigan (Ms. STABENOW) and the Senator from Alaska (Mr. SULLIVAN) were added as cosponsors of amendment No. 3539 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. 3556

At the request of Mr. FLAKE, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 3556 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. 3557

At the request of Mr. FLAKE, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of amendment No. 3557 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. 3558

At the request of Mrs. FEINSTEIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of amendment No. 3558 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. HATCH (for himself and Mr. WYDEN):

S. 2775. A bill to amend the Internal Revenue Code of 1986 to make technical corrections, and for other purposes; to the Committee on Finance.

Mr. HATCH. Mr. President, as Chairman and Ranking Member of the Senate Finance Committee, Senator WYDEN and I introduce S. 2775, the Technical Corrections Act of 2016, which, if enacted, will make technical and clerical corrections to the PATH Act, the major tax bill passed and signed into law this past December, and other recently passed pieces of tax legislation.

Ranking Member WYDEN and I have asked the nonpartisan Joint Committee on Taxation to make available to the public a technical explanation of S. 2775. That technical explanation, which can be found in report number JCX–16–16, expresses the Finance Committee's understanding of this important legislation and is available on the JCT's website at www.jct.gov.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 417—CELEBRATING THE 144TH ANNIVERSARY OF ARBOR DAY

Mrs. FISCHER (for herself and Mr. SASSE) submitted the following resolution; which was considered and agreed to:

S. RES. 417

Whereas Arbor Day was founded in Nebraska City, Nebraska on April 10, 1872, to recognize the importance of planting trees;

Whereas it is estimated that on the first Arbor Day, more than 1,000,000 trees were planted in the State of Nebraska alone;

Whereas Arbor Day is observed in all 50 States and across the world;

Whereas participating in Arbor Day activities promotes civic participation and highlights the importance of planting and caring for trees and vegetation;

Whereas those activities provide an opportunity to convey to future generations the value of land and stewardship;

Whereas National Arbor Day is observed on the last Friday of April each year; and

Whereas April 29, 2016, marks the 144th anniversary of Arbor Day: Now, therefore, be it

*Resolved,* That the Senate—

(1) recognizes April 29, 2016, as ''National Arbor Day'';

(2) celebrates the 144th anniversary of Arbor Day;

(3) supports the goals and ideals of National Arbor Day; and

(4) encourages the people of United States to participate in National Arbor Day activities.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 3565. Mr. CORNYN (for himself, Mr. FLAKE, Mr. HELLER, 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.

SA 3566. 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 3567. Mr. COCHRAN (for himself, Mr. HOEVEN, and Mr. WICKER) 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 3568. Ms. COLLINS (for herself and Mr. KING) 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 3569. Ms. COLLINS (for herself and Mr. CASEY) 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 3570. Ms. HEITKAMP (for herself and 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 3571. 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 3572. 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 3573. 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 3574. 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 3575. 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 3576. 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 3577. 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 3578. 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 3579. 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 3580. 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 3581. 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 3582. 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 3583. Mr. BLUMENTHAL (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 3584. 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 3585. 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 3586. Mr. DURBIN 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 3587. 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 3588. Ms. CANTWELL 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 3589. Mr. KING (for himself, Ms. COLLINS, Ms. AYOTTE, Mrs. SHAHEEN, and Ms. BALDWIN) 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 3590. 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 3591. Mr. SESSIONS 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 3592. Mr. LANKFORD 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 3593. Mr. LANKFORD 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 3594. Mr. LANKFORD 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 3595. Mr. LANKFORD 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 3596. Mr. INHOFE 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 3597. Mr. INHOFE 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 3598. Mr. INHOFE 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 3599. Mr. CRAPO (for himself and 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; which was ordered to lie on the table.

SA 3600. Ms. CANTWELL (for herself and Mrs. MURRAY) 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 3601. Mr. MORAN (for himself and Mr. SESSIONS) 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 3602. 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 3603. 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 3604. 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 3605. 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 3606. 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 3607. Ms. HIRONO (for herself 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 3608. Ms. HIRONO (for herself 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 3609. Mr. MENENDEZ 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 3610. Mr. MENENDEZ 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 3611. Mr. GARDNER 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 3612. Mr. ISAKSON (for himself and Ms. KLOBUCHAR) 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 3613. 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 3614. Mr. DAINES (for himself and Ms. MURKOWSKI) 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 3615. Mr. MORAN (for himself and Mr. COONS) 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 3616. Mr. HATCH (for himself, Mr. COATS, and Mr. CARDIN) 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 3617. Mr. HATCH (for himself, Mr. ROBERTS, Mr. CASEY, and Mr. MORAN) 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 3618. Mr. HATCH (for himself, Mr. HELLER, and Mr. CARPER) 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 3619. Mr. HATCH (for himself, Mr. THUNE, and Mr. MENENDEZ) 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 3620. Mr. BOOKER 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 3621. Mr. NELSON 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 3622. 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; which was ordered to lie on the table.

SA 3623. Mr. WHITEHOUSE (for himself and Mr. INHOFE) 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 3624. Mr. SCHATZ (for himself and Mr. HEINRICH) 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 3625. Mr. KAINE 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 3626. Mr. KAINE 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 3627. Mr. NELSON 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 3628. Mrs. MURRAY (for herself and Ms. CANTWELL) 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 3629. Mrs. MURRAY (for herself and Ms. CANTWELL) 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 3630. Ms. HIRONO (for herself, Ms. MURKOWSKI, Mr. SCHATZ, and Mr. SULLIVAN) 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 3631. Mr. THUNE (for 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, supra; which was ordered to lie on the table.

SA 3632. Mrs. MURRAY (for herself and Ms. CANTWELL) 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 3633. Mr. NELSON (for himself and Mr. COATS) 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 3634. Mr. NELSON 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 3635. Mr. BOOZMAN (for himself, Mr. WARNER, and 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; which was ordered to lie on the table.

SA 3636. Mr. INHOFE 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 3637. 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 3638. Mr. BROWN (for himself and Mr. PORTMAN) 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 3639. Mr. KAINE (for himself and 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.

## TEXT OF AMENDMENTS

**SA 3565.** Mr. CORNYN (for himself, Mr. FLAKE, Mr. HELLER, 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 appropriate place, insert the following:

**TITLE ____—CROSS-BORDER TRADE ENHANCEMENT ACT OF 2016**

**SEC. __01. SHORT TITLE.**

This title may be cited as the ''Cross-Border Trade Enhancement Act of 2016''.

**SEC. __02. REPEAL AND TRANSITION PROVISION.**

(a) REPEAL.—Subject to subsections (b) and (c), section 560 of the Department of Homeland Security Appropriations Act, 2013 (division D of Public Law 113–6; 127 Stat. 378) and section 559 of the Department of Homeland Security Appropriations Act, 2014 (division F of Public Law 113–76; 6 U.S.C. 211 note) are repealed.

(b) AGREEMENTS IN EFFECT.—Notwithstanding subsection (a), nothing in this Act may be construed as affecting in any manner an agreement entered into pursuant to section 560 of the Department of Homeland Security Appropriations Act, 2013 (division D of Public Law 113–6; 127 Stat. 378) or section 559 of the Department of Homeland Security Appropriations Act, 2014 (division F of Public Law 113–76; 6 U.S.C. 211 note) that is in effect on the day before the date of the enactment of this Act, and any such agreement shall continue to have full force and effect on and after such date.

(c) PROPOSED AGREEMENTS.—Notwithstanding subsection (a), nothing in this Act may be construed as affecting in any manner a proposal accepted for consideration by U.S. Customs and Border Protection pursuant to section 559 of the Department of Homeland Security Appropriations Act, 2014 (division F of Public Law 113–76; 6 U.S.C. 211 note) that was accepted prior to the date of the enactment of this Act.

**SEC. __03. DEFINITIONS.**

In this title:

(1) ADMINISTRATION.—The term ''Administration'' mean the General Services Administration.

(2) ADMINISTRATOR.—The term ''Administrator'' mean the Administrator of the Administration.

(3) COMMISSIONER.—The term ''Commissioner'' means the Commissioner of U.S. Customs and Border Protection.

(4) DONATION AGREEMENT.—The term ''donation agreement'' means an agreement made under section __05(a).

(5) FEE AGREEMENT.—The term ''fee agreement'' means an agreement made by the Commissioner under section __04(a)(1).

(6) PERSON.—The term ''person'' means—

(A) an individual;

(B) a corporation, partnership, trust, estate, association, or any other private or public entity;

(C) a Federal, State, or local government;

(D) any subdivision, agency, or instrumentality of a Federal, State, or local government; or

(E) any other governmental entity.

(7) RELEVANT COMMITTEES OF CONGRESS.—The term ''relevant committees of Congress'' means—

(A) the Committee on Environment and Public Works, the Committee on Finance, the Committee on Homeland Security and Governmental Affairs, and the Committee on the Judiciary of the Senate; and

(B) the Committee on Homeland Security, the Committee on the Judiciary, and the Committee on Transportation and Infrastructure of the House of Representatives.

**SEC. __04. AUTHORITY TO ENTER INTO FEE AGREEMENTS FOR THE PROVISION OF CERTAIN SERVICES OF U.S. CUSTOMS AND BORDER PROTECTION.**

(a) FEE AGREEMENTS.—

(1) AUTHORITY FOR FEE AGREEMENTS.—Notwithstanding section 13031(e) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(e)) and section 451 of the Tariff Act of 1930 (19 U.S.C. 1451), the Commissioner may, upon the request of any person, enter into an agreement with that person under which—

(A) U.S. Customs and Border Protection will provide the services described in paragraph (2) at a port of entry or any other facility where U.S. Customs and Border Protection provides or will provide services;

(B) such person will remit a fee imposed under subsection (b) to U.S. Customs and Border Protection in an amount equal to the full costs incurred or that will be incurred in providing such services; and

(C) any additional facilities which U.S. Customs and Border Protection deems necessary for the provision of services under an agreement entered into under this section shall be provided, maintained, and equipped by such person in accordance with U.S. Customs and Border Protection specifications.

(2) SERVICES DESCRIBED.—Services described in this paragraph are any services related to, or in support of, customs, agricultural processing, border security, or inspection-related immigration matters provided by an employee or contractor of U.S. Customs and Border Protection at ports of entry or any other facility where U.S. Customs and Border Protection provides or will provide services.

(3) MODIFICATION OF PRIOR AGREEMENTS.—The Commissioner, at the request of a person who has previously entered into an agreement with U.S. Customs and Border Protection for the reimbursement of fees in effect on the date of enactment of this Act, may modify such agreement to implement any provisions of this title.

(4) NUMERICAL LIMITATIONS.—Except as provided in paragraphs (5) and (6), there shall be no limit to the number of fee agreements that may be entered into by the Commissioner.

(5) AUTHORITY FOR NUMERICAL LIMITATIONS.—

(A) RESOURCE AVAILABILITY.—If the Commissioner finds that resource or allocation constraints would prevent U.S. Customs and Border Protection from fulfilling, in whole or in part, requests for services under the terms of existing or proposed fee agreements, the Commissioner shall impose annual limits on the number of new fee agreements.

(B) ANNUAL REVIEW.—If the Commissioner limits the number of new fee agreements under this paragraph, the Commissioner shall annually evaluate and reassess such limits and publish the results of such evaluation and affirm any such limits that shall remain in effect in a publicly available format.

(6) NUMERICAL LIMITATIONS AT AIR PORTS OF ENTRY.—

(A) IN GENERAL.—The Commissioner may not enter into more than 10 fee agreements

per year to provide U.S. Customs and Border Protection services at air ports of entry.

(B) CERTAIN COSTS.—A fee agreement for U.S. Customs and Border Protection services at an air port of entry may only provide for the reimbursement of—

(i) salaries and expenses of not more than 5 full-time equivalent U.S. Customs and Border Protection officers;

(ii) costs incurred by U.S. Customs and Border Protection for the payment of overtime to employee;

(iii) the salaries and expenses of employees of U.S. Customs and Border Protection to support U.S. customs and Border Protection officers in performing law enforcement functions at air ports of entry, including primary and secondary processing of passengers; and

(iv) other costs incurred by U.S. Customs and Border Protection relating to services described in paragraph (2), such as temporary placement or permanent relocation of such employees.

(C) PRECLEARANCE.—The authority in the section may not be used to enter into new preclearance agreements or initiate the provision of U.S. Customs and Border Protection services outside of the United States.

(7) DENIED APPLICATION.—If the Commissioner denies a proposal for a fee agreement, the Commission shall provide the person who submitted the proposal a detailed justification for the denial.

(8) CONSTRUCTION.—Nothing in this section may be construed—

(A) to require a person entering into a fee agreement to cover costs that are otherwise the responsibility of the U.S. Customs and Border Protection or any other agency of the Federal Government and are not incurred, or expected to be incurred, to cover services specifically covered by an agreement entered into under authorities provided by this title; or

(B) to unduly and permanently reduce the responsibilities or duties of U.S. Customs and Border Protection to provide services at ports of entry that have been authorized or mandated by law and are funded in any appropriation Act or from any accounts in the Treasury of the United States derived by the collection of fees.

(b) FEE.—

(1) IN GENERAL.—A person who enters into a fee agreement shall pay a fee pursuant to such agreement in an amount equal to the full cost of U.S. Customs and Border Protection—

(A) of the salaries and expenses of individuals employed or contracted by U.S. Customs and Border Protection to provide such services; and

(B) of other costs incurred by U.S. Customs and Border Protection related to providing such services, such as temporary placement or permanent relocation of employees.

(2) ADVANCE PAYMENT.—The Commissioner, with approval from a person requesting services of U.S. Customs and Border Protection services pursuant to a fee agreement, may accept the fee for services prior to providing such services.

(3) OVERSIGHT OF FEES.—The Commissioner shall develop a process to oversee the activities for which fees are charged pursuant to a fee agreement that includes the following:

(A) A determination and report on the full cost of providing services, including direct and indirect costs, as well as a process, through consultation with affected parties and other interested stakeholders, for increasing such fees as necessary.

(B) The establishment of a periodic remittance schedule to replenish appropriations, accounts or funds, as necessary.

(C) The identification of costs paid by such fees.

(4) DEPOSIT OF FUNDS.—Amounts collected pursuant to a fee agreement shall—

(A) be deposited as an offsetting collection;

(B) remain available until expended, without fiscal year limitation; and

(C) be credited to the applicable appropriation, account, or fund for the amount paid out of that appropriation, account, or fund for—

(i) any expenses incurred or to be incurred by U.S. Customs and Border Protection in providing such services; and

(ii) any other costs incurred by U.S. Customs and Border Protection relating to such services.

(5) TERMINATION BY THE COMMISSIONER.—

(A) IN GENERAL.—The Commissioner shall terminate the services provided pursuant to a fee agreement with a person that, after receiving notice from the Commissioner that a fee imposed under the fee agreement is due, fails to pay such fee in a timely manner.

(B) EFFECT OF TERMINATION.—At the time services are terminated pursuant to subparagraph (A), all costs incurred by U.S. Customs and Border Protection which have not been paid, will become immediately due and payable.

(C) INTEREST.—Interest on unpaid fees will accrue based on the quarterly rate(s) established under sections 6621 and 6622 of the Internal Revenue Code of 1986.

(D) PENALTIES.—Any person that fails to pay any fee incurred under a fee agreement in a timely manner, after notice and demand for payment, shall be liable for a penalty or liquidated damage equal to 2 times the amount of such fee.

(E) AMOUNT COLLECTED.—Any amount collected pursuant to a fee agreement shall be deposited into the account specified under paragraph (4) and shall be available as described therein.

(F) RETURN OF UNUSED FUNDS.—The Commissioner shall return any unused funds collected under a fee agreement that is terminated for any reason, or in the event that the terms of such agreement change by mutual agreement to cause a reduction of U.S. Customs and Border Protections services. No interest shall be owed upon the return of any unused funds. (i)

(6) TERMINATION BY THE SPONSOR.—Any person who has previously entered into an agreement with U.S. Customs and Border Protection for the reimbursement of fees in effect on the date of enactment of this Act, or under the provisions of this Act, may request that such agreement make provision for termination at the request of such person upon advance notice, the length and terms of which shall be negotiated between such person and U.S. Customs and Border Protection.

(c) ANNUAL REPORT AND NOTICE TO CONGRESS.—The Commissioner shall—

(1) submit to the relevant committees of Congress an annual report that identifies each fee agreement made during the previous year and, consistent with the requirements of section 907 of the Trade Facilitation and Trade Enforcement Act of 2015 (Public Law 114–125), or pertaining to authorities and programs repealed and transitioned under section ____02 of this title or otherwise authorized by this section; and

(2) not less than 3 days before entering into a fee agreement, notify the members of Congress that represent the State or district in which the affected port or facility is located.

(d) EFFECTIVE PERIOD.—The authority for the Commission to enter into new fee agreements shall be in effect until September 30, 2025. Any fee agreement entered into prior to that date shall remain in effect under the terms of that fee agreement.

**SEC. __05. AUTHORITY TO ENTER INTO AGREEMENTS TO ACCEPT DONATIONS FOR PORTS OF ENTRY.**

(a) AGREEMENTS AUTHORIZED.—

(1) COMMISSIONER.—The Commissioner, in collaboration with the Administrator as provided under subsection (f), may enter into an agreement with any person to accept a donation of real or personal property, including monetary donations, or nonpersonal services, for activities in subsection (b) at a new or existing land, sea, or air port of entry, or any facility or other infrastructure at a location where U.S. Customs and Border Protection performs or will be performing inspection services within the United States.

(2) ADMINISTRATOR.—Where the Administrator owns or leases a new or existing land port of entry, facility, or other infrastructure at a location where U.S. Customs and Border Protection performs or will be performing inspection services, the Administrator, in collaboration with the Commissioner, may enter into an agreement with any person to accept a donation of real or personal property, including monetary donations, or nonpersonal services, at that location for activities set forth in subsection (b).

(b) USE.—A donation made under a donation agreement may be used for activities related to construction, alteration, operation or maintenance, including expenses related to—

(1) land acquisition, design, construction, repair, and alteration;

(2) furniture, fixtures, equipment, and technology, including installation and the deployment thereof; and

(3) operation and maintenance of the facility, infrastructure, equipment, and technology.

(c) LIMITATION ON MONETARY DONATIONS.—Any monetary donation accepted pursuant to a donation agreement may not be used to pay the salaries of employees of U.S. Customs and Border Protection who perform inspection services.

(d) TRANSFER.—

(1) AUTHORITY TO TRANSFER.—Donations accepted by the Commissioner or the Administrator under a donation agreement may be transferred between U.S. Customs and Border Protection and the Administration.

(2) NOTIFICATION.—Prior to executing a transfer under this subsection, the Commissioner or Administrator shall notify a person that entered into the donation agreement of an intent to transfer the donated property or services.

(e) TERM OF DONATION AGREEMENT.—The term of a donation agreement may be as long as is required to meet the terms of the agreement.

(f) ROLE OF ADMINISTRATOR.—The Administrator's role, involvement, and authority under this section is limited with respect to donations made at new or existing land ports of entry, facilities, or other infrastructure owned or leased by the Administration.

(g) EVALUATION PROCEDURES.—

(1) REQUIREMENTS FOR PROCEDURES.—Not later than 180 days after the date of enactment, the Commissioner, in consultation with the Administrator as appropriate, shall issue procedures for evaluating proposals for donation agreements.

(2) AVAILABILITY.—The procedures issued under paragraph (1) shall be made available to the public.

(3) COST-SHARING ARRANGEMENTS.—In issuing the procedures under paragraph (1), the Commissioner, in consultation with the Administration, shall evaluate the use of authorities provided under this section to enter into cost-sharing or reimbursement agreements with eligible persons and determine whether such agreements may improve facility conditions or inspection services at new or existing land, sea, or air ports of entry.

(h) DETERMINATION AND NOTIFICATION.—

(1) IN GENERAL.—Not later than 60 days after receiving a proposal for a donation agreement, the Commissioner, and Administrator if applicable, shall notify the person that submitted the proposal as to whether it is complete or incomplete.

(2) INCOMPLETE PROPOSALS.—If the Commissioner, and Administrator if applicable, determines that a proposal is incomplete, the person that submitted the proposal shall be notified and provided with—

(A) a detailed description of all specific information or material that is needed to complete review of the proposal; and

(B) allow the person to resubmit the proposal with additional information and material described under subparagraph (A) to complete the proposal.

(3) COMPLETE APPLICATIONS.—Not later than 180 days after receiving a completed and final proposal for a donation agreement, the Commissioner, and Administrator if applicable, shall—

(A) make a determination whether to deny or approve the proposal; and

(B) notify the person that submitted the proposal of the determination.

(4) CONSIDERATIONS.—In making the determination under paragraph (3)(A), the Commissioner, and Administrator if applicable, shall consider—

(A) the impact of the proposal on reducing wait times at that port of entry or facility and other ports of entry on the same border;

(B) the potential of the proposal to increase trade and travel efficiency through added capacity; and

(C) the potential of the proposal to enhance the security of the port of entry or facility.

(i) SUPPLEMENTAL FUNDING.—Any property, including monetary donations and nonpersonal services, donated pursuant to a donation agreement may be used in addition to any other funds, including appropriated funds, property, or services made available for the same purpose.

(j) RETURN OF DONATION.—If the Commissioner or the Administrator does not use the property or services donated pursuant to a donation agreement, such donated property or services shall be returned to the person that made the donation.

(k) INTEREST PROHIBITED.—No interest may be owed on any donation returned to a person under this subsection.

(l) ANNUAL REPORT AND NOTICE TO CONGRESS.—The Commissioner, in collaboration with the Administrator if applicable, shall—

(1) submit to the relevant committees of Congress an annual report that identifies each donation agreement made during the previous year; and

(2) not less than 3 days before entering into a donation agreement, notify the members of Congress that represent the State or district in which the affected port or facility is located.

(m) RULE OF CONSTRUCTION.—Except as otherwise provided in this section, nothing in this section may be construed as affecting in any manner the responsibilities, duties, or authorities of U.S. Customs and Border Protection or the Administration.

(n) EFFECTIVE PERIOD.—The authority for the Commission or the Administrator to enter into new donation agreements shall be in effect until September 30, 2025. Any donation agreement entered into prior to that date shall remain in effect under the terms of that donation agreement.

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**SA 3566.** 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. _____. DEMONSTRATION PROGRAM FOR IMPROVEMENT OF GENERAL AVIATION AIRPORT GRANTS.**

(a) IN GENERAL.—

(1) AUTHORITY.—The Secretary of Transportation is authorized to carry out a demonstration program for improved administration of general aviation airport grants, as described in this section.

(2) GUIDANCE.—

(A) REQUIREMENT FOR GUIDANCE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Transportation shall issue guidance to carry out a demonstration program authorized under paragraph (1).

(B) REPORTING AND REVIEW.—The guidance required by subparagraph (A) may include periodic reporting and review guidelines for States participating in the such demonstration program, as specified by the Secretary.

(b) AUTHORITY FOR AN ALTERNATE DISTRIBUTION OF FUNDS.—States that are selected to participate in the demonstration program shall not be subject to the allocation requirements of paragraph (3)(A) of section 47114(d) of title 49, United States Code, for funds made available under such section after the date of the enactment of this Act for use at nonprimary classified airports within such States.

(c) PERIOD OF AVAILABILITY.—Notwithstanding any other provision of law, the period of availability for an amount made available to States under the terms of the demonstration program shall be available to be obligated for grants only during the fiscal year for which such amount was apportioned and the two fiscal years immediately after that year. If such amount is not obligated under the terms of the demonstration program within that time, such amount shall be added to the discretionary fund provided for under section 47115 of title 49, United States Code.

(d) AIR SIDE NEEDS.—In selecting projects at nonprimary entitlement airports, States participating in the demonstration program shall ensure that funds apportioned to airport sponsors are only made available for construction costs of revenue producing aeronautical support facilities if such sponsor has made adequate provision for financing airside needs consistent with the terms of section 47110(h) of title 49, United States Code.

(e) STATE PARTICIPATION.—

(1) NUMBER OF STATES.—The Secretary of Transportation may select not more than 5 States to participate in the demonstration program.

(2) DURATION OF PARTICIPATION.—A State selected to participate in the demonstration program shall remain in the demonstration program until the State terminates its participation. If a State terminates participation under this paragraph, the Secretary may select another State to participate in the demonstration program.

(3) STATE ELIGIBILITY.—A State is eligible to participate in the demonstration program if the State—

(A) for not less than 3 States, as of the date of the enactment of this Act, is authorized by the Secretary to carry out a block grant program under section 47128 of title 49, United States Code; and

(B) submits an application for the participation that includes the certification described in paragraph (4) and that make adequate provision for airside needs.

(4) CERTIFICATION.—The certification described in this paragraph is a certification made by a State that includes each of the following:

(A) That the alternate distribution permitted under the demonstration program will occur in a manner that ensures all nonprimary classified airports in the State are adequately maintained in accordance with all relevant safety standards.

(B) That the State has a capital improvement planning process and priority system sufficient to carry out such alternate distribution in a manner consistent with airport safety and security needs.

(C) That the State has sufficient communication capabilities and protocols to notify and consult with local jurisdictions having control over nonprimary classified airports regarding such alternate distribution.

(D) That the State—

(i) continues to meet other application and selection requirements set out in section 47128(b) of title 48, United States Code; or

(ii) if the State is not carrying out a block grant program under section 47128 of title 49, United States Code, meets requirements that are equivalent, as determined appropriate by the Secretary.

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**SA 3567.** Mr. COCHRAN (for himself, Mr. HOEVEN, and Mr. WICKER) 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:

On page 74, strike line 19 and insert the following: under section 44802(a) of that title, and in coordination with the Center of Excellence for Unmanned Aircraft Systems.

(c) USE OF CENTER OF EXCELLENCE FOR UNMANNED AIRCRAFT SYSTEMS.—The Administrator, in carrying out research necessary to establish the consensus safety standards and certification requirements in section 44803 of title 49, United States Code, as added by section 2124, shall, to the maximum extent practicable, leverage the research and testing capacity and capabilities of the Center of Excellence for Unmanned Aircraft Systems and the test sites (as defined in 44801 of such title, as added by section 2121).

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**SA 3568.** Ms. COLLINS (for herself and Mr. KING) 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. ___. TRANSIT STOPS IN THE UNITED STATES BY FOREIGN AIR CARRIERS TRAVELING TO OR FROM CUBA.**

(a) IN GENERAL.—Except as provided in subsection (c), the President may not regulate or prohibit, directly or indirectly, the provision of technical services otherwise permitted under an international air transportation agreement in the United States for an aircraft of a foreign air carrier that is en route to or from Cuba.

(b) EFFECT OF EXISTING REGULATIONS.—Any regulation in effect on the date of the enactment of this Act that regulates or prohibits

the services described in subsection (a) shall cease to have any force or effect with respect to such services.

(c) EXCEPTIONS.—

(1) IN GENERAL.—This section shall not apply if—

(A) the United States is at war with Cuba;

(B) armed hostilities between the United States and Cuba are in progress; or

(C) there is imminent danger to the public health or physical safety of United States citizens.

(2) CUBAN AIR CARRIERS.—This section shall not apply to foreign air carriers that are owned by the Government of Cuba or are based in Cuba.

(d) APPLICABILITY.—The provisions of this section shall apply to—

(1) actions taken by the President before the date of the enactment of this Act that are in effect on such date of enactment; and

(2) actions taken on or after such date of enactment.

(e) INAPPLICABILITY.—The provisions of this section shall apply notwithstanding section 102(h) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6032(h)) and section 910(b) of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7209(b)).

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**SA 3569.** Ms. COLLINS (for herself and Mr. CASEY) 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 IN CREDIT FOR COMBINED HEAT AND POWER SYSTEM PROPERTY.**

(a) INCREASED ENERGY PERCENTAGE.—Clause (i) of section 48(a)(2)(A) of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of subclause (III), by redesignating subclause (IV) as subclause (V), and by inserting after subclause (III) the following new subclause:

''(IV) energy property described in paragraph (3)(A)(v), and''.

(b) MODIFICATION OF CERTAIN CAPACITY LIMITATIONS.—Section 48(c)(3)(B) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''15 megawatts'' in clause (ii) and inserting ''25 megawatts'',

(2) by striking ''20,000 horsepower'' in clause (ii) and inserting ''34,000 horsepower'', and

(3) by striking clause (iii).

(c) EXTENSION OF CREDIT FOR COMBINED HEAT AND POWER SYSTEM PROPERTY.—Section 48(c)(3)(A)(iv) of the Internal Revenue Code of 1986 is amended by striking ''January 1, 2017'' and inserting ''January 1, 2022''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to periods after the date of the enactment of this Act, under rules similar to the rules of section 48(m) of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990).

(2) EXTENSION OF CREDIT.—The amendment made by subsection (c) shall apply to property placed in service after December 31, 2016.

**SEC. _____. ENERGY CREDIT FOR WASTE HEAT TO POWER PROPERTY.**

(a) IN GENERAL.—Subparagraph (A) of section 48(a)(3) of the Internal Revenue Code of 1986 is amended by striking ''or'' at the end of clause (vi), by inserting ''or'' at the end of clause (vii), and by adding at the end the following new clause:

''(viii) waste heat to power property,''.

(b) WASTE HEAT TO POWER PROPERTY.—Subsection (c) of section 48 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(5) WASTE HEAT TO POWER PROPERTY.—

''(A) WASTE HEAT TO POWER PROPERTY.—The term 'waste heat to power property' means property comprising a system which generates electricity through the recovery of a qualified waste heat resource.

''(B) QUALIFIED WASTE HEAT RESOURCE DEFINED.—The term 'qualified waste heat resource' means—

''(i) exhaust heat or flared gas from any industrial process,

''(ii) waste gas or industrial tail gas that would otherwise be flared, incinerated, or vented,

''(iii) a pressure drop in any gas for an industrial or commercial process, or

''(iv) such other forms of waste heat resources as the Secretary may determine.

''(C) EXCEPTION.—The term 'qualified waste heat resource' does not include any heat resource from a process whose primary purpose is the generation of electricity utilizing a fossil fuel or nuclear energy.

''(D) TERMINATION.—The term 'waste heat to power property' shall not include any property placed in service after December 31, 2021.''.

(c) INCREASED ENERGY PERCENTAGE.—Clause (i) of section 48(a)(2)(A) of the Internal Revenue Code of 1986, as amended by this Act, is further amended by striking ''and'' at the end of subclause (IV) and inserting after the new subclause (V) the following new subclause:

''(VI) energy property described in paragraph (3)(A)(viii), and''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to periods after the date of the enactment of this Act, under rules similar to the rules of section 48(m) of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990).

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**SA 3570.** Ms. HEITKAMP (for herself and 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 end of title V, add the following:

**SEC. 5032. REPORT ON EFFECTS ON AIRPORTS OF COLLEGIATE AVIATION FLIGHT TRAINING OPERATIONS.**

(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 submit to Congress a report assessing the importance of collegiate aviation flight training operations and the effect of such operations on the economy and infrastructure of airports in the National Plan of Integrated Airport Systems.

(b) ELEMENTS.—In the report required by subsection (a), the Administrator shall include the following:

(1) An assessment of the total capacity of collegiate aviation flight training programs in the United States to meet the needs of the United States to train commercial pilots.

(2) An assessment of the footprint of collegiate aviation flight training operations at the airports in the United States.

(3) An assessment of whether infrastructure beyond that necessary for operations of commercial air carriers is needed at airports at which collegiate aviation flight training operations are conducted.

(4) If such infrastructure is needed, an estimate of the cost of such infrastructure.

(5) An identification of funding sources, available before the date of the enactment of this Act or that may become available after such date of enactment, that may be used to construct such infrastructure.

(6) Recommendations for improving technical and financial assistance to airports to construct such infrastructure.

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**SA 3571.** 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 197, between lines 8 and 9, insert the following:

(c) JOINT TASK FORCE.—

(1) ESTABLISHMENT.—Not later than 30 days after the date of the enactment of this Act, the Administrator, in coordination with the Attorney General, the Secretary of Homeland Security, the head of the Federal agency authorized to regulate the use of laser pointers, and any other appropriate Federal stakeholders, shall establish a joint task force (referred to in this section as the ''Laser Pointer Safety Task Force'') to address dangers from laser pointers by establishing a coordinated response to mitigate the threat of laser pointers aimed at aircraft.

(2) REPRESENTATION.—The Administrator shall appoint a representative of the Federal Aviation Administration to lead the Laser Pointer Safety Task Force, which shall also includes representatives of the Department of Justice, the Department of Homeland Security, the Federal agency authorized to regulate the use of laser pointers, and any other appropriate Federal stakeholder.

(3) PUBLIC EDUCATION CAMPAIGN.—The Laser Pointer Safety Task Force shall develop a public education campaign to inform the public of the dangers of pointing a laser at aircraft.

(4) INCIDENT DETECTION AND REPORTING.—The Laser Pointer Safety Task Force shall develop methods for—

(A) encouraging the reporting of incidents of laser pointers aimed at an aircraft; and

(B) assess what technology could be used to enhance the detection of such incidents and to protect pilots from such incidents.

(5) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Laser Pointer Safety Task Force shall submit a report to Congress that describes its efforts under this subsection and includes recommendations for further measures needed to prevent or respond to the use of laser pointers against aircraft.

(6) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for the Laser Pointer Safety Task Force to carry out the objectives set forth in this subsection.

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**SA 3572.** 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 188, beginning on line 14, strike ''first- or second-class airman'' and insert ''first-, second-, or third-class airman''.

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**SA 3573.** 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 subtitle F of title II and insert the following:

**Subtitle F—Exemption From Medical Certification Requirements**

**SEC. 2601. REPORTING BY PILOTS EXEMPT FROM MEDICAL CERTIFICATION REQUIREMENTS.**

Not later than 180 days after the date of the enactment of this Act, the Secretary of Transportation shall require any pilot who is exempt from medical certification requirements to submit, not less frequently than once every 180 days, a report to the Department of Transportation that—

(1) identifies the pilot's status as an active pilot; and

(2) includes a summary of the pilot's recent flight hours.

**SEC. 2602. GOVERNMENT ACCOUNTABILITY OFFICE REPORT ASSESSING EFFECT ON PUBLIC SAFETY OF EXEMPTION FOR SPORT PILOTS FROM REQUIREMENT FOR A MEDICAL CERTIFICATE.**

Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that assesses the effect of section 61.23(c)(ii) of title 14, Code of Federal Regulations (permitting a person to exercise the privileges of a sport pilot certificate without holding a medical certificate), on public safety since 2004.

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**SA 3574.** 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 244, between lines 7 and 8, insert the following:

(m) RULEMAKING ESTABLISHING MINIMUM LIABILITY INSURANCE LEVELS FOR PILOTS.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a rulemaking to establish minimum levels of liability insurance for any pilot covered under this section.

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**SA 3575.** 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:

On page 57, line 12, strike ''A violation'' and insert the following:

(a) PRIVATE RIGHT OF ACTION AGAINST UNFAIR AND DECEPTIVE PRACTICES.—Section 41712 is amended by adding at the end the following:

''(d) PRIVATE RIGHT OF ACTION.—

''(1) IN GENERAL.—Any person aggrieved by an action prohibited under this section may file a civil action for damages and injunctive relief in any Federal district court or State court located in the State in which—

''(A) the unlawful action is alleged to have been committed; or

''(B) the aggrieved person resides.

''(2) ENFORCEMENT BY A STATE.—The attorney general of any State, as parens patriae, may bring a civil action to enforce the provisions of this section in—

''(A) any district court of the United States in that State; or

''(B) any State court that is located in that State and has jurisdiction over the defendant.''.

(b) VIOLATION OF A PRIVACY POLICY.—A violation

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**SA 3576.** 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 264, line 16, strike ''Not later than'' and insert the following:

(a) NO PREEMPTION OF CONSUMER PROTECTION CLAIMS.—Section 41713(b)(4) is amended by adding at the end the following:

''(D) NO PREEMPTION OF CONSUMER PROTECTION CLAIMS.—Nothing in subparagraphs (A) through (C) may be construed—

''(i) to preempt, displace, or supplant any action for civil damages or injunctive relief based on a State consumer protection statute; or

''(ii) to restrict the authority of any government entity, including a State attorney general, from bringing a legal claim on behalf of the citizens of such State.''.

(b) SUPPLEMENTAL NOTICE OF PROPOSED RULEMAKING.—Not later than

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**SA 3577.** 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 211, between lines 2 and 3, insert the following:

**SEC. 2320. CABIN AIR QUALITY TECHNOLOGY.**

(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 initiate research and development work on effective air cleaning and sensor technology for the engine and auxiliary power unit for bleed air supplied to the passenger cabin and flight deck of a pressurized aircraft.

(b) TECHNOLOGY REQUIREMENTS.—The technology developed under subsection (a) shall be capable of—

(1) removing oil-based contaminants from the bleed air supplied to the passenger cabin and flight deck; and

(2) detecting and recording oil-based contaminants in the bleed air fraction of the total air supplied to the passenger cabin and flight deck.

(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Administrator shall submit a report to Congress that describes the results of the research and development work carried out under subsection (a).

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

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**SA 3578.** 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. DIVERSIONS TO BRADLEY INTERNATIONAL AIRPORT.**

The Administrator of the Federal Aviation Administration shall coordinate with the operator of Bradley International Airport, Windsor Locks, Connecticut, to develop and implement a plan for irregular operations that result in aircraft being diverted to the airport to ensure that the airport is not adversely affected.

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**SA 3579.** 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. GOVERNMENT ACCOUNTABILITY OFFICE REPORT ON BAGGAGE FEES.**

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report assessing—

(1) the extent to which baggage fees imposed by air carriers have led to—

(A) increased security costs at airports, as reflected by the need for more security screening officials and security screening equipment; and

(B) economic disruption, such as requiring passengers to spend increased time waiting in line instead of pursuing more worthwhile, productive pursuits; and

(2) whether any increased costs have been borne disproportionately by taxpayers instead of air carriers.

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**SA 3580.** 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:

Beginning on page 106, strike line 22 and all that follows through page 107, line 9, and insert the following

''(a) PROHIBITION.—Beginning on the date that is 90 days after the date of publication of the guidance under subsection (b)(1), it

shall be unlawful for any person to introduce or deliver for introduction into interstate commerce any unmanned aircraft manufactured unless a safety statement is attached to the unmanned aircraft or accompanying the unmanned aircraft in its packaging.

''(b) SAFETY STATEMENT.—

''(1) IN GENERAL.—Not later than 90 days after the date of enactment of the Federal Aviation Administration Reauthorization Act of 2016, the Administrator of the Federal Aviation Administration shall issue guidance for implementing this section.

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**SA 3581.** 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:

Beginning on page 271, strike line 15 and all that follows through page 272, line 4, and insert the following:

(1) each covered air carrier to disclose to a consumer any ancillary fees, including the baggage fee, cancellation fee, change fee, ticketing fee, and seat selection fee of that covered air carrier in a standardized format; and

(2) notwithstanding the manner in which information regarding the fees described in paragraph (1) is collected, each ticket agent to disclose to a consumer such fees of a covered air carrier in the standardized format described in paragraph (1).

(b) REQUIREMENTS.—The regulations under subsection (a) shall require that each disclosure—

(1) if ticketing is done on an Internet Web site or other online service—

(A) be prominently displayed to the consumer through a link on the homepage of the covered air carrier or ticket agent and prior to the point of purchase; and

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**SA 3582.** 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. 31___. UNFAIR OR DECEPTIVE PRACTICES RELATING TO TRAVEL INSURANCE.**

Section 2 of the Act of the Act of March 9, 1945 (59 Stat. 33, chapter 20; 15 U.S.C. 1012) is amended by adding at the end the following:

''(c) Notwithstanding subsections (a) and (b), the Secretary of Transportation may investigate, and take action under section 41712(a) of title 49, United States Code, with respect to, unfair or deceptive practices and unfair methods of competition with respect to insurance relating to travel in air transportation.''.

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**SA 3583.** Mr. BLUMENTHAL (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. ___. REGULATIONS RELATING TO DISCLOSURE OF FLIGHT DATA.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Transportation shall prescribe regulations prohibiting an air carrier from limiting the access of consumers to information relating to schedules, fares, and fees for flights in passenger air transportation.

(b) AIR CARRIER DEFINED.—In this section, the term ''air carrier'' means an air carrier or foreign air carrier, as those terms are defined in section 40102 of title 49, United States Code.

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**SA 3584.** 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 192, between lines 20 and 21, insert the following:

''(3) the existence and utility of the National Human Trafficking Resource Center.

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**SA 3585.** 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:

After section 2307, insert the following:

**SEC. 2307A. TRAINING ON HUMAN TRAFFICKING FOR ADDITIONAL AIR CARRIER PERSONNEL.**

(a) IN GENERAL.—Each air carrier shall provide ticket counter agents, gate agents, and other personnel of such air carrier whose duties include regular interaction with passengers training on recognizing and responding to victims and potential victims of human trafficking. Such training shall be in addition to any other training provided by an air carrier to such personnel.

(b) DEFINITION.—In this section, the term ''air carrier'' means a person, including a commercial enterprise, that has been issued an air carrier operating certificate under section 44705 of title 49, United States Code.

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**SA 3586.** Mr. DURBIN 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. ___. PLANS FOR COORDINATION TO RESPOND TO SECURITY THREATS AT AIR TRAFFIC FACILITIES.**

The Administrator of the Federal Aviation Administration shall ensure that the Administration provides air navigation facilities with, as appropriate—

(1) a plan for coordination with appropriate law enforcement and other authorities in the event of an emergency or insider threat;

(2) guidelines and training for response to security threats and active shooter incidents; and

(3) guidelines for coordination between offices within the Administration, including the Office of Security and Hazardous Materials Safety and the Air Traffic Organization, on integrating security and resiliency concepts into assessment and oversight activities, including guidelines for the inspection of resiliency-focused elements including electrical systems, telecommunications, and the incorporation of best practices in risk assessment capabilities.

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**SA 3587.** 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. _____. GREENHOUSE GAS USE AND REUSE CREDIT.**

(a) SHORT TITLE.—This section may be cited as the ''Greenhouse Gas Biological Use and Reuse Act of 2016''.

(b) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

**''SEC. 45S. CREDIT FOR GREENHOUSE GAS USE AND REUSE.**

''(a) ALLOWANCE OF CREDIT.—For purposes of section 38, the greenhouse gas use and reuse credit determined under this section for any taxable year is an amount equal to the sum of—

''(1) 30 percent of the qualified investment for such taxable year with respect to greenhouse gas use and reuse equipment, plus

''(2) the applicable amount (as determined under subsection (g)) per metric ton of carbon dioxide equivalent of greenhouse gas emissions—

''(A) for a facility—

''(i) in which greenhouse gas use and reuse equipment has been placed in service,

''(ii) for which the Secretary has determined that the property described in clause (i) satisfies the requirements under subsection (b)(2), and

''(iii) which is located within the United States (within the meaning of section 638(1)) or a possession of the United States (within the meaning of section 638(2)), and

''(B) which the taxpayer demonstrates, based upon an analysis of lifecycle greenhouse gas emissions (as described in section 211(o)(1)(H) of the Clean Air Act (42 U.S.C. 7545(o)(1)(H)), as in effect on the date of the enactment of this section) and subject to such requirements as the Secretary, in consultation with the Secretary of Energy, determines appropriate, were avoided through the use of the property described in subparagraph (A)(i).

''(b) QUALIFIED INVESTMENT WITH RESPECT TO GREENHOUSE GAS USE AND REUSE EQUIPMENT.—

''(1) IN GENERAL.—For purposes of subsection (a)(1), the qualified investment with respect to greenhouse gas use and reuse equipment for any taxable year is the basis of any greenhouse gas use and reuse equipment placed in service at a facility by the taxpayer during such taxable year.

''(2) GREENHOUSE GAS USE AND REUSE EQUIPMENT.—The term 'greenhouse gas use and reuse equipment' means property—

''(A) installed in an industrial facility which is owned by the taxpayer,

''(B) which captures and diverts qualified greenhouse gases,

''(C) which results in a significant reduction in the greenhouse gas emissions rate for such facility as compared to such rate prior to the installation of such property through the use and reuse of the qualified greenhouse gases captured and diverted at such facility,

''(D) with respect to which depreciation is allowable,

''(E) which is constructed, reconstructed, erected, or acquired by the taxpayer,

''(F) the original use of which commences with the taxpayer, and

''(G) which is placed in service before the date which is 15 years after the date of the enactment of the Greenhouse Gas Biological Use and Reuse Act of 2016.

''(3) CAPTURE, TRANSPORTATION, AND STORAGE INFRASTRUCTURE.—For purposes of paragraph (2), greenhouse gas use and reuse equipment shall include infrastructure for the purification, transportation, and storage of qualified greenhouse gas, such as pipelines, wells, and monitoring systems.

''(c) CERTAIN PROGRESS EXPENDITURE RULES MADE APPLICABLE.—Rules similar to the rules of subsections (c)(4) and (d) of section 46 (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990) shall apply for purposes of subsection (a)(1).

''(d) 10-YEAR LIMITATION ON CREDIT FOR USE AND REUSE.—

''(1) IN GENERAL.—For purposes of paragraph (2) of subsection (a), the credit allowed under such subsection shall be not be applicable to any emissions avoided through the use of greenhouse gas use and reuse equipment installed at a facility following the applicable credit period.

''(2) APPLICABLE CREDIT PERIOD.—For purposes of paragraph (1), the 'applicable credit period' is the 10-year period beginning in the first taxable year in which a credit is allowed under paragraph (2) of subsection (a) for such facility.

''(e) RECAPTURE.—The Secretary, in consultation with the Secretary of Energy, shall provide for recapturing the benefit of any credit allowable under subsection (a) with respect to any project which fails to attain or maintain the applicable requirements under this section.

''(f) PERSON TO WHOM CREDIT IS ALLOWABLE.—

''(1) IN GENERAL.—Except as provided in paragraph (2) or in regulations prescribed by the Secretary, for purposes of paragraph (2) of subsection (a), any credit under such subsection shall be allowed to the taxpayer who—

''(A) captures and diverts the qualified greenhouse gas, and

''(B) through contract or otherwise, uses or reuses the qualified greenhouse gas in a manner meeting the requirements of subparagraph (B) of subsection (a)(2).

''(2) ELECTION TO ALLOW CREDIT TO PERSON DISPOSING OF CARBON DIOXIDE.—If the person described in paragraph (1) makes an election under this paragraph in such manner as the Secretary may prescribe by regulations, the credit under this section—

''(A) shall be allowable to the person that uses or reuses the qualified greenhouse gas in a manner meeting the requirements of subparagraph (B) of subsection (a)(2), and

''(B) shall not be allowable to the person described in paragraph (1).

''(g) APPLICABLE AMOUNT.—

''(1) IN GENERAL.—For purposes of paragraph (2) of subsection (a), the applicable amount is—

''(A) for calendar year 2016, $45, and

''(B) for any calendar year beginning after 2016, the sum of—

''(i) the product of the amount in effect under this subparagraph for the preceding calendar year and 102 percent, and

''(ii) the inflation adjustment amount determined under paragraph (2).

''(2) INFLATION ADJUSTMENT AMOUNT.—The inflation adjustment amount for any calendar year shall be an amount (not less than zero) equal to the product of—

''(A) the amount determined under paragraph (1)(B)(i), and

''(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2015' for 'calendar year 1992' in subparagraph (B) thereof.

''(3) ROUNDING.—The applicable amount determined under this subsection shall be rounded to the nearest dollar.

''(h) DEFINITIONS.—In this section:

''(1) CARBON DIOXIDE EQUIVALENT.—The term 'carbon dioxide equivalent' means, with respect to a greenhouse gas, the quantity of such gas that has a global warming potential equivalent to 1 metric ton of carbon dioxide, as determined by the Administrator of the Environmental Protection Agency.

''(2) GREENHOUSE GAS.—The term 'greenhouse gas' has the same meaning given such term under section 211(o)(1)(G) of the Clean Air Act, as in effect on the date of the enactment of this section.

''(3) QUALIFIED GREENHOUSE GAS.—The term 'qualified greenhouse gas' means a greenhouse gas captured from an industrial source which—

''(A) would otherwise be released into the atmosphere as industrial emission of greenhouse gas, and

''(B) is measured at the source of capture and verified at the point of sequestration.

''(4) USE AND REUSE.—The term 'use and reuse' means a process consisting of the biofixation of greenhouse gas through photosynthesis or chemosynthesis, such as through the growing of algae or bacteria.''.

(c) CONFORMING AMENDMENTS.—

(1) TABLE OF SECTIONS.—The table of sections for subpart D of part IV of subchapter A of chapter 1 of such Code is amended by adding at the end the following new item:

''Sec. 45S. Credit for greenhouse gas use and reuse.''.

(2) GENERAL BUSINESS CREDIT.—Section 38(b) of such Code is amended by striking ''plus'' at the end of paragraph (35), by striking the period at the end of paragraph (36) and inserting '', plus'', and by adding at the end the following new paragraph:

''(37) the credit for greenhouse gas use and reuse determined under section 45S(a),''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

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**SA 3588.** Ms. CANTWELL 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. ___. REQUIREMENT FOR LAW ENFORCEMENT OFFICERS AND EXPLOSIVE DETECTION CANINES AT AIRPORTS.**

(a) REQUIREMENT.—The Administration of the Transportation Security Administration shall require that the air transportation security program required by section 44903(c)(1) of title 49, United States Code, for each covered airport include the following:

(1) Beginning not more than 30 days after the date of the enactment of this Act, that a State or local law enforcement officer is stationed not more than 300 feet from each passenger screening checkpoint at each covered airport.

(2) Beginning not more than 180 days after the date of the enactment of this Act, that an explosives detection canine team of a State or local law enforcement agency is assigned to each terminal at each covered airport.

(b) TECHNICAL SUPPORT.—The Administrator of the Transportation Security Administration shall provide technical and other support to State or local law enforcement agencies providing the personnel described in paragraph (1) or (2) of subsection (a).

(c) COVERED AIRPORT DEFINED.—In this section, the term ''covered airport'' means the 25 airports in the United States with the highest numbers of passengers enplaned each year.

(d) FUNDING.—Out of funds made available to the Transportation Security Administration for fiscal year 2016, $20,000,000 shall be available for State and local law enforcement agencies, as a transfer of funds, to train, certify, and utilize explosives detection canines.

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**SA 3589.** Mr. KING (for himself, Ms. COLLINS, Ms. AYOTTE, Mrs. SHAHEEN, and Ms. BALDWIN) 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. _____. RESIDENTIAL ENERGY-EFFICIENT PROPERTY CREDIT FOR BIOMASS FUEL PROPERTY EXPENDITURES.**

(a) ALLOWANCE OF CREDIT.—Subsection (a) of section 25D of the Internal Revenue Code of 1986 is amended—

(1) by striking ''and'' at the end of paragraph (4),

(2) by striking the period at the end of paragraph (5) and inserting '', and'', and

(3) by adding at the end the following new paragraph:

''(6) in the case of taxable years beginning before January 1, 2021, 30 percent of the qualified biomass fuel property expenditures made by the taxpayer during such year.''.

(b) QUALIFIED BIOMASS FUEL PROPERTY EXPENDITURES.—Subsection (d) of section 25D of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(6) QUALIFIED BIOMASS FUEL PROPERTY EXPENDITURE.—

''(A) IN GENERAL.—The term 'qualified biomass fuel property expenditure' means an expenditure for property—

''(i) which uses the burning of biomass fuel to heat a dwelling unit located in the United States and used as a residence by the taxpayer, or to heat water for use in such a dwelling unit, and

''(ii) which has a thermal efficiency rating of at least 75 percent (measured by the higher heating value of the fuel).

''(B) BIOMASS FUEL.—For purposes of this section, the term 'biomass fuel' means any plant-derived fuel available on a renewable or recurring basis, including agricultural crops and trees, wood and wood waste and residues, plants (including aquatic plants), grasses, residues, and fibers. Such term includes densified biomass fuels such as wood pellets.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to expenditures paid or incurred in taxable years beginning after December 31, 2015.

**SEC. _____. INVESTMENT TAX CREDIT FOR BIOMASS HEATING PROPERTY.**

(a) IN GENERAL.—Subparagraph (A) of section 48(a)(3) of the Internal Revenue Code of 1986 is amended by striking ''or'' at the end of clause (vi), by inserting ''or'' at the end of clause (vii), and by inserting after clause (vii) the following new clause:

''(viii) open-loop biomass (within the meaning of section 45(c)(3)) heating property, including boilers or furnaces which operate at thermal output efficiencies of not less than 65 percent (measured by the higher heating value of the fuel) and which provide thermal energy in the form of heat, hot water, or steam for space heating, air conditioning, domestic hot water, or industrial process heat,''.

(b) 30-PERCENT AND 15-PERCENT CREDITS.—

(1) ENERGY PERCENTAGE.—

(A) IN GENERAL.—Subparagraph (A) of section 48(a)(2) of the Internal Revenue Code of 1986 is amended by redesignating clause (ii) as clause (iii) and by inserting after clause (i) the following new clause:

''(ii) except as provided in clause (i)(V), 15 percent in the case of energy property described in paragraph (3)(A)(viii), but only with respect to periods ending before January 1, 2021, and''.

(B) CONFORMING AMENDMENT.—Subparagraph of section 48(a)(2)(A)(iii) of such Code, as so redesignated, is amended by inserting ''or (ii)'' after ''clause (i)''.

(2) INCREASED CREDIT FOR GREATER EFFICIENCY.—Clause (i) of section 48(a)(2)(A) of such Code is amended by striking ''and'' at the end of subclause (III) and by inserting after subclause (IV) the following new subclause:

''(V) energy property described in paragraph (3)(A)(viii) which operates at a thermal output efficiency of not less than 80 percent (measured by the higher heating value of the fuel), but only with respect to periods ending before January 1, 2021,''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to periods after December 31, 2015, in taxable years ending after such date, under rules similar to the rules of section 48(m) of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990).

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**SA 3590.** 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 120, line 1, insert '', or certified commercial operators operating under contract with a public entity,'' after ''systems''.

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**SA 3591.** Mr. SESSIONS 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. ___. REQUIREMENT FOR AUTOMATED ENTRY AND EXIT SYSTEM AT NEW OR MODIFIED AIR PORTS OF ENTRY.**

No funds shall be obligated or expended for the physical modification of any existing air navigation facility that is a port of entry, or for the construction of a new air navigation facility intended to be a port of entry, unless the Secretary of Homeland Security certifies that the owner or sponsor of the facility has entered into an agreement that guarantees the installation and implementation of the automated entry and exit system described in section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b) at such facility not later than two years after the date of the enactment of this Act.

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**SA 3592.** Mr. LANKFORD 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 sections 3201, 3202, 3203, and 3204 and insert the following:

**SEC. 3202. REPEAL OF THE ESSENTIAL AIR SERVICE PROGRAM.**

Strike subchapter II of chapter 417.

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**SA 3593.** Mr. LANKFORD 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 sections 3202 and 3203 and insert the following:

**SEC. 3202. REPEAL OF SMALL COMMUNITY AIR SERVICE DEVELOPMENT PROGRAM.**

Chapter 417 is amended by striking section 41743.

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**SA 3594.** Mr. LANKFORD 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 289, line 7, strike ''$10,000,000'' and insert ''$6,000,000''.

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**SA 3595.** Mr. LANKFORD 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 264, strike lines 3 through 9, and insert the following:

(2) CONSIDERATIONS.—In conducting the review required by paragraph (1), the Secretary shall take into consideration the refund policy and alternative travel options provided or offered by an air carrier.

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**SA 3596.** Mr. INHOFE 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 75, beginning on line 11, strike ''integration'' and all that follows and insert the following: ''integration into the national airspace system of small unmanned aircraft systems that are capable of navigating beyond the visual sight of the operator through an automated onboard control system or via a data downlink that provides the operator a virtual means of onboard navigation''.

On page 80, between lines 11 and 12, insert the following:

''(h) NONAPPLICABILITY TO MODEL AIRCRAFT.—This section shall not apply to model aircraft, as defined in section 44808, and operating in accordance with that section.''.

On page 99, beginning on line 19, strike ''specific only'' and all that follows through ''model aircraft'' on line 20, and insert the following: ''applicable to an unmanned aircraft operating as a model aircraft or an unmanned aircraft being developed as a model aircraft''.

On page 100, beginning on line 11, strike '', where applicable'' and all that follows through ''the operation from each'' on line 15, and insert the following: ''with prior notice, where applicable, and coordinates with the airport air traffic control tower, to the extent practicable, when an air traffic facility is located at the airport, with respect to the operation''.

On page 101, beginning on line 2, strike ''administered'' and all that follows through ''section 44809'' on line 5, and insert the following: ''developed and administered by the community-based organization for the operation of model aircraft''.

On page 101, lines 10 and 11, strike ''with government and industry stakeholders, including'' and insert ''the''.

On page 104, strike lines 1 through 3 and insert the following:

(1)(A) the individual has successfully completed an aeronautical knowledge and safety test under subsection (c); or

(B) the individual is operating a model aircraft under section 44808 and has successfully completed an aeronautical knowledge and safety test in accordance with the safety program of the community-based organization described in subsection (a)(7) of that section;

Beginning on page 106, strike ''introduction'' on line 25 and all the follows through ''unmanned'' on page 107, line 1, and insert the following: ''initial retail sale any unmanned''.

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**SA 3597.** Mr. INHOFE 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 3110 and insert the following:

**SEC. 3110. REFUNDS FOR OTHER FEES THAT ARE NOT HONORED BY A COVERED AIR CARRIER.**

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Transportation shall promulgate regulations that require each covered air carrier to promptly provide a refund to a passenger, upon request, of any ancillary fees paid by the passenger for a service, as defined and disclosed by the air carrier, that, except as provided in subsection (b), the passenger does not receive, including on the passenger's scheduled flight or, if the flight is rescheduled, a subsequent replacement itinerary.

(b) EXCEPTIONS.—

(1) VOLUNTARY CHANGES IN ITINERARY.—Subsection (a) shall not apply if a passenger does not receive a service described in that subsection because the passenger voluntarily chose to make changes to the passenger's flight itinerary.

(2) EXTRAORDINARY CIRCUMSTANES.—An air carrier is not required to provide a refund under subsection (a) with respect to a fee for a service if the carrier is prevented from provide the service by extraordinary circumstances that could not have been avoided by the air carrier even if all reasonable measures had been taken.

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**SA 3598.** Mr. INHOFE 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 3109 and insert the following:

**SEC. 3109. REFUNDS FOR DELAYED BAGGAGE.**

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Transportation shall issue final regulations to require a covered air carrier to promptly provide a refund to a passenger, upon request, in the amount of any applicable ancillary fees paid by the passenger if the air carrier has charged the passenger an ancillary fee for checked baggage and, except as provided in subsection (b), the air carrier fails to deliver the checked baggage to the passenger within 24 hours of the time of arrival of the passenger at the passenger's destination.

(b) EXCEPTION.—An air carrier is not required to provide a refund under subsection (a) with respect to checked baggage if the air carrier is prevented from delivering checked baggage by the time specified in subsection (a) by extraordinary circumstances that could not have been avoided by the air carrier even if all reasonable measures had been taken.

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**SA 3599.** Mr. CRAPO (for himself and 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. _____. FACILITATE WATER LEASING AND WATER TRANSFERS TO PROMOTE CONSERVATION AND EFFICIENCY.**

(a) IN GENERAL.—Paragraph (12) of section 501(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(I) TREATMENT OF MUTUAL DITCH IRRIGATION COMPANIES.—

''(i) IN GENERAL.—In the case of a mutual ditch or irrigation company or of a like organization to a mutual ditch or irrigation company, subparagraph (A) shall be applied without taking into account any income received or accrued—

''(I) from the sale, lease, or exchange of fee or other interests in real property, including interests in water,

''(II) from the sale or exchange of stock in a mutual ditch or irrigation company (or in a like organization to a mutual ditch or irrigation company) or contract rights for the delivery or use of water, or

''(III) from the investment of proceeds from sales, leases, or exchanges under subclauses (I) and (II),

except that any income received under subclause (I), (II), or (III) which is distributed or expended for expenses (other than for operations, maintenance, and capital improvements) of the mutual ditch or irrigation company or of the like organization to a mutual ditch or irrigation company (as the case may be) shall be treated as nonmember income in the year in which it is distributed or expended. For purposes of the preceding sentence, expenses (other than for operations, maintenance, and capital improvements) include expenses for the construction of conveyances designed to deliver water outside of the system of the mutual ditch or irrigation company or of the like organization.

''(ii) TREATMENT OF ORGANIZATIONAL GOVERNANCE.—In the case of a mutual ditch or irrigation company or of a like organization to a mutual ditch or irrigation company, where State law provides that such a company or organization may be organized in a manner that permits voting on a basis which is pro rata to share ownership on corporate governance matters, subparagraph (A) shall be applied without taking into account whether its member shareholders have one vote on corporate governance matters per share held in the corporation. Nothing in this clause shall be construed to create any inference about the requirements of this subsection for companies or organizations not included in this clause.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after the date of the enactment of this Act.

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**SA 3600.** Ms. CANTWELL (for herself and Mrs. MURRAY) 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. ___. RESEARCH PROGRAM ON ALTERNATIVE JET FUEL TECHNOLOGY FOR CIVIL AIRCRAFT.**

Section 911 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 44504 note) is amended—

(1) in subsection (a), by striking ''to assist in'' and inserting ''with the objective of accelerating'';

(2) in subsection (c)(1)(B), by inserting ''and ability to prioritize researchable constraints'' after ''with experience''; and

(3) by adding at the end the following:

''(e) COLLABORATION AND REPORT.—

''(1) COLLABORATION.—The Administrator, in coordination with the Administrator of NASA, the Secretary of Energy, and the Secretary of Agriculture, shall continue research and development activities into the development and deployment of jet fuels described in subsection (a).

''(2) REPORT.—Not later than 180 days after the date of the enactment of the Federal Aviation Administration Reauthorization Act of 2016, the Administrator, in coordination with the Administrator of NASA, the Secretary of Energy, and the Secretary of Agriculture, and after consultation with the heads of other relevant agencies, shall—

''(A) develop a joint plan to carry out the research described in subsection (a); and

''(B) submit to Congress a report on such joint plan.''.

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**SA 3601.** Mr. MORAN (for himself and Mr. SESSIONS) 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 171, line 26, strike the period and insert the following: ''or the acceptance or validation by the FAA of a certificate or design approval of a foreign authority.''.

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**SA 3602.** 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:

On page 215, strike lines 1 through 11, and insert the following:

(3) UNDEVELOPED DEFINED.—For purposes of paragraph (1)(F), the term ''undeveloped'' means a defined geographic area where the Administrator determines low-flying aircraft are operated on a routine basis, such as low-lying forested areas with predominate tree cover under 200 feet and pasture and range land.

(4) OTHER DEFINITIONS.—The Administrator shall define such other terms as may be necessary to carry out this section.

(e) DATABASE.—The Administrator shall—

(1) develop a database that contains the location and height of each covered tower;

(2) keep the database current to the extent practicable;

(3) ensure that any proprietary information in the database is protected from disclosure in accordance with law; and

(4) ensure that, by virtue of accessing the database, users will be deemed to agree and acknowledge—

(A) that the information will be used for aviation safety purposes only; and

(B) not to disclose any such information regardless of whether the information is marked or labeled as proprietary or with a similar designation.

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**SA 3603.** 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:

On page 257, between lines 12 and 13, insert the following:

**SEC. 2606. USE OF GRAPHICS FOR TEMPORARY FLIGHT RESTRICTIONS IN NOTICES TO AIRMEN AND USE FOR OPERATIONAL PURPOSES.**

(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—

(1) incorporate graphics for temporary flight restrictions (TFR) into the notices to airmen (NOTAM) search Internet website; and

(2) ensure that such graphics are—

(A) available for operational purposes; and

(B) recognized as an acceptable source of temporary flight restriction data for flight planning.

(b) TERMINATION OF PREVIOUS INTERNET WEBSITE.—After carrying out subsection (a)(1), the Administrator shall terminate the graphic temporary flight restriction Internet website of the Administration that was in effect on the day before the date of the enactment of this Act.

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**SA 3604.** 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 COMPENSATION.—The final regulations issued under paragraph (1) may allow a passenger to select another form of compensation offered by a covered air carrier in lieu of an automatic refund if the passenger is immediately notified that he or she is entitled to a refund, among the options for compensation.

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**SA 3605.** 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. HELICOPTER NOISE ABATEMENT.**

(a) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a final rule setting forth guidelines and regulations relating to stringency standards for Stage 3 noise levels for helicopters that—

(1) create a requirement to retrofit existing helicopters to comply with Stage 3 noise levels as prescribed in subpart H of part 36 of title 14, Code of Federal Regulations; and

(2) require the retirement of helicopters not in compliance with Stage 3 noise levels by December 31, 2024.

(b) EXEMPTIONS.—Helicopters utilized for medical purposes or governmental functions (as defined in section 1.1 of title 14, Code of Federal Regulations) shall be exempt from the guidelines and regulations required by subsection (a).

(c) STAGE 3 NOISE LEVELS DEFINED.—In this section, the term ''Stage 3 noise level'' has the meaning given that term in section 36.1 of title 14, Code of Federal Regulations.

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**SA 3606.** 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:

Strike section 2153(a) and insert the following:

(a) IN GENERAL.—Small unmanned aircraft systems may use spectrum for wireless control link, tracking, diagnostics, payload communication, and collaborative-collision avoidance, such as vehicle-to-vehicle communication, and other uses, consistent with the Communications Act of 1934 (47 U.S.C. 151 et seq.), Federal Communications Commission rules, and the safety-of-life determination made by the Federal Aviation Administration, and through voluntary commercial arrangements with service providers, whether they are operating within a UTM system under section 2138 of this Act or outside such a system.

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**SA 3607.** Ms. HIRONO (for herself 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:

At the appropriate place, insert the following:

**SEC. ___. FEDERAL AVIATION ADMINISTRATION PERSONNEL MANAGEMENT SYSTEM.**

Section 40122(g)(2)(B) is amended—

(1) by inserting ''3304(f),'' before ''3308-3320''; and

(2) by inserting ''3330a, 3330b, 3330c, and 3330d,'' before ''relating''.

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**SA 3608.** Ms. HIRONO (for herself 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 324, strike line 21, and all that follows through page 325, line 3, and insert the following:

(c) APPLICATION.—The amendments made by this section shall apply with respect to any employee of the Federal Aviation Administration or the Transportation Security Administration hired on or after the date that is 1 year after the date of enactment of this Act.

(d) POLICIES AND PROCEDURES.—Not later than 270 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration and the Administrator of the Transportation Security Administration shall

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**SA 3609.** Mr. MENENDEZ 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. _____. SPECIAL RULE FOR CERTAIN FACILITIES.**

(a) IN GENERAL.—Section 45(e) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(12) SPECIAL RULE FOR CERTAIN QUALIFIED FACILITIES.—

''(A) IN GENERAL.—In the case of electricity produced at a qualified facility described in paragraph (3) or (7) of subsection (d) and placed in service before the date of the enactment of this paragraph, a taxpayer may elect to apply subsection (a)(2)(A)(ii) by substituting 'the period beginning after December 31, 2016, and ending before January 1, 2018' for 'the 10-year period beginning on the date the facility was originally placed in service'.

''(B) LIMITATION.—No credit shall be allowed under subsection (a) to any taxpayer making an election under this paragraph with respect to electricity produced and sold at a facility during any period which, when aggregated with all other periods for which a credit is allowed under this section with respect to electricity produced and sold at such facility, is in excess of 10 years.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on January 1, 2017.

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**SA 3610.** Mr. MENENDEZ 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 3103 and insert the following:

**SEC. 3103. PROTECTIONS FOR CONSUMERS PURCHASING MULTI-CITY ITINERARIES.**

(a) REVIEW.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall review whether it is an unfair and deceptive practice

under section 41712 of title 49, United States Code, for an air carrier to withhold from consumers any fare options for a flight based on whether that flight is booked as an individual flight or as part of a multi-city itinerary.

(b) REPORT TO CONGRESS.—Not later than 90 days after the review under subsection (a) is complete, the Secretary shall submit to the appropriate committees of Congress a report on the review under subsection (a), including any recommendations resulting from the review.

(c) ADVISORY COMMITTEE FOR AVIATION CONSUMER PROTECTION.—The Secretary may use the Advisory Committee for Aviation Consumer Protection, established under section 411 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 42301 prec. note), to assist in conducting the review under subsection (a) and providing recommendations under subsection (b).

**SEC. 3104. ADDITIONAL CONSUMER PROTECTIONS.**

Not later than 180 days after the date that the reviews under sections 3101, 3102, and 3103 of this Act are complete, the Secretary of Transportation shall issue a supplemental notice of proposed rulemaking to its notice of proposed rulemaking published in the Federal Register on May 23, 2014 (DOT–OST–2014–0056) (relating to the transparency of airline ancillary fees and other consumer protection issues) to consider the following:

(1) Requiring an air carrier to provide notification and refunds or other consideration to a consumer who is impacted by delays or cancellations when an air carrier has a choice as to which flights to cancel or delay during a weather-related event.

(2) Requiring an air carrier to provide notification and refunds or other consideration to a consumer who is impacted by involuntary changes to the consumer's itinerary.

(3) Requiring an air carrier to advertise to consumers all fare options for a flight, regardless of whether that flight is booked as an individual flight or multi-city itinerary.

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**SA 3611.** Mr. GARDNER 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. _____. PILOT PROGRAM ON FINANCIAL ASSISTANCE FOR AIRPORTS TO IMPROVE PHYSICAL LAYOUT OF SCREENING OPERATIONS.**

(a) IN GENERAL.—The Administrator of the Transportation Security Administration shall establish a pilot program to assess the feasibility and advisability of providing financial assistance to airports to improve the physical layout of screening operations to improve security at airports.

(b) FINANCIAL ASSISTANCE.—The Administrator may provide financial assistance under subsection (a) in the form of long-term funding obligations through letters of intent or such other instruments as the Administrator considers appropriate.

(c) COMPLETION OF PILOT PROGRAM.—The Administrator shall complete the pilot program before December 31, 2019.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator such sums as may be necessary to carry out this section.

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**SA 3612.** Mr. ISAKSON (for himself and Ms. KLOBUCHAR) 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 297, between lines 23 and 24, insert the following:

(3) utilize available resources of the Federal Aviation Administration as needed to support the development and certification of Category III Ground-Based Augmentation System (GBAS) capability and complete the investment decision process for Administration procurement and operation of GBAS capability at the key National Airspace System airports, as per the recommendations of the Performance-Based Airspace Aviation Rulemaking Committee.

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**SA 3613.** 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:

Beginning on page 178, strike line 13, and all that follows through page 180, line 15, and insert the following:

''(A) ACCEPTANCE.—Subject to subparagraph (D), the Administrator may accept an airworthiness directive (as defined in section 39.3 of title 14, Code of Federal Regulations) issued by an aeronautical safety authority of a foreign country, and leverage that aeronautical safety authority's regulatory process, if—

''(i) the country is the state of design for the product that is the subject of the airworthiness directive;

''(ii) the United States has a bilateral safety agreement relating to aircraft certification with the country;

''(iii) as part of the bilateral safety agreement with the country, the Administrator has determined that the aeronautical safety authority has an aircraft certification system relating to safety that produces a level of safety equivalent to the level produced by the system of the Federal Aviation Administration;

''(iv) the aeronautical safety authority utilizes an open and transparent public notice and comment process, including considering comments from owners and operators of foreign-registered aircraft and other aeronautical products and appliances in the issuance of airworthiness directives; and

''(v) the airworthiness directive addresses a specific issue necessary for the safe operation of aircraft subject to the directive.

''(B) ALTERNATIVE APPROVAL PROCESS.—Notwithstanding subparagraph (A), the Administrator may issue a Federal Aviation Administration airworthiness directive instead of accepting the airworthiness directive issued by the aeronautical safety authority of a foreign country if the Administrator determines that such issuance is necessary for safety or operational reasons due to the complexity or unique features of the Federal Aviation Administration airworthiness directive or the United States aviation system.

''(C) ALTERNATIVE MEANS OF COMPLIANCE.—The Administrator may—

''(i) accept an alternative means of compliance, with respect to an airworthiness directive under subparagraph (A), that was approved by the aeronautical safety authority of the foreign country that issued the airworthiness directive; or

''(ii) notwithstanding subparagraph (A), and at the request of any person affected by an airworthiness directive under that subparagraph, the Administrator shall consider an alternative means of compliance with respect to the airworthiness directive and may approve such alternative means, if appropriate.

''(D) LIMITATIONS.—The Administrator may not accept an airworthiness directive issued by an aeronautical safety authority of a foreign country if the airworthiness directive addresses matters other than those involving the safe operation of an aircraft.''.

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**SA 3614.** Mr. DAINES (for himself and Ms. MURKOWSKI) 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 CREDITS FOR ELECTRICITY PRODUCED FROM QUALIFIED HYDROPOWER AND MARINE AND HYDROKINETIC RENEWABLE ENERGY.**

(a) QUALIFIED HYDROPOWER FACILITIES.—

(1) IN GENERAL.—Clause (ii) of section 45(d)(9)(A) of the Internal Revenue Code of 1986 is amended by striking ''January 1, 2017'' and inserting ''January 1, 2020''.

(2) CONFORMING AMENDMENT.—Subparagraph (C) of section 45(d)(9) of such Code is amended by striking ''January 1, 2017'' and inserting ''January 1, 2020''.

(b) MARINE AND HYDROKINETIC RENEWABLE ENERGY.—Subparagraph (B) of section 45(d)(11) of the Internal Revenue Code of 1986 is amended by striking ''January 1, 2017'' and inserting ''January 1, 2020''.

(c) ELECTION TO TREAT QUALIFIED FACILITIES AS ENERGY PROPERTY.—Clause (ii) of section 48(a)(5)(C) of the Internal Revenue Code of 1986 is amended by inserting '', (9), or (11)'' after ''paragraph (1)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2016.

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**SA 3615.** Mr. MORAN (for himself and Mr. COONS) 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 PUBLICLY TRADED PARTNERSHIP OWNERSHIP STRUCTURE TO ENERGY POWER GENERATION PROJECTS, TRANSPORTATION FUELS, AND RELATED ENERGY ACTIVITIES.**

(a) IN GENERAL.—Subparagraph (E) of section 7704(d)(1) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''income and gains derived from the exploration'' and inserting ''income and gains derived from the following:

''(i) MINERALS, NATURAL RESOURCES, ETC.—The exploration'',

(2) by inserting ''or'' before ''industrial source'',

(3) by inserting a period after ''carbon dioxide'', and

(4) by striking '', or the transportation or storage'' and all that follows and inserting the following:

''(ii) RENEWABLE ENERGY.—The generation of electric power (including the leasing of tangible personal property used for such generation) exclusively utilizing any resource described in section 45(c)(1) or energy property described in section 48 (determined without regard to any termination date), or in the case of a facility described in paragraph (3) or (7) of section 45(d) (determined without regard to any placed in service date or date by which construction of the facility is required to begin), the accepting or processing of such resource.

''(iii) ELECTRICITY STORAGE DEVICES.—The receipt and sale of electric power that has been stored in a device directly connected to the grid.

''(iv) COMBINED HEAT AND POWER.—The generation, storage, or distribution of thermal energy exclusively utilizing property described in section 48(c)(3) (determined without regard to subparagraphs (B) and (D) thereof and without regard to any placed in service date).

''(v) RENEWABLE THERMAL ENERGY.—The generation, storage, or distribution of thermal energy exclusively using any resource described in section 45(c)(1) or energy property described in clause (i) or (iii) of section 48(a)(3)(A).

''(vi) WASTE HEAT TO POWER.—The use of recoverable waste energy, as defined in section 371(5) of the Energy Policy and Conservation Act (42 U.S.C. 6341(5)) (as in effect on the date of the enactment of the Federal Aviation Administration Reauthorization Act of 2016).

''(vii) RENEWABLE FUEL INFRASTRUCTURE.—The storage or transportation of any fuel described in subsection (b), (c), (d), or (e) of section 6426.

''(viii) RENEWABLE FUELS.—The production, storage, or transportation of any renewable fuel described in section 211(o)(1)(J) of the Clean Air Act (42 U.S.C. 7545(o)(1)(J)) (as in effect on the date of the enactment of the Federal Aviation Administration Reauthorization Act of 2016) or section 40A(d)(1).

''(ix) RENEWABLE CHEMICALS.—The production, storage, or transportation of any qualifying renewable chemical (as defined in paragraph (6)).

''(x) ENERGY EFFICIENT BUILDINGS.—The audit and installation through contract or other agreement of any energy efficient building property described in section 179D(c)(1).

''(xi) GASIFICATION WITH SEQUESTRATION.—The production of any product or the generation of electric power from a project that meets the requirements of subparagraphs (A) and (B) of section 48B(c)(1) and that separates and sequesters in secure geological storage (as determined under section 45Q(d)(2)) at least 75 percent of such project's total qualified carbon dioxide (as defined in section 45Q(b)).

''(xii) CARBON CAPTURE AND SEQUESTRATION.—

''(I) POWER GENERATION FACILITIES.—The generation or storage of electric power (including associated income from the sale or marketing of energy, capacity, resource adequacy, and ancillary services) produced from any power generation facility which is, or from any power generation unit within, a qualified facility described in section 45Q(c) which—

''(aa) in the case of a power generation facility or power generation unit placed in service after January 8, 2013, captures 50 percent or more of the qualified carbon dioxide (as defined in section 45Q(b)) of such facility and disposes of such captured qualified carbon dioxide in secure geological storage (as determined under section 45Q(d)(2)), and

''(bb) in the case of a power generation facility or power generation unit placed in service before January 9, 2013, captures 30 percent or more of the qualified carbon dioxide (as defined in section 45Q(b)) of such facility and disposes of such captured qualified carbon dioxide in secure geological storage (as determined under section 45Q(d)(2)).

''(II) OTHER FACILITIES.—The sale of any good or service from any facility (other than a power generation facility) which is a qualified facility described in section 45Q(c) and the captured qualified carbon dioxide (as so defined) of which is disposed of in secure geological storage (as determined under section 45Q(d)(2)).''.

(b) RENEWABLE CHEMICAL.—

(1) IN GENERAL.—Section 7704(d) of such Code is amended by adding at the end the following new paragraph:

''(6) QUALIFYING RENEWABLE CHEMICAL.—

''(A) IN GENERAL.—The term 'qualifying renewable chemical' means any renewable chemical (as defined in section 9001 of the Agriculture Act of 2014)—

''(i) which is produced by the taxpayer in the United States or in a territory or possession of the United States,

''(ii) which is the product of, or reliant upon, biological conversion, thermal conversion, or a combination of biological and thermal conversion, of renewable biomass (as defined in section 9001(13) of the Farm Security and Rural Investment Act of 2002),

''(iii) the biobased content of which is 95 percent or higher,

''(iv) which is sold or used by the taxpayer—

''(I) for the production of chemical products, polymers, plastics, or formulated products, or

''(II) as chemicals, polymers, plastics, or formulated products,

''(v) which is not sold or used for the production of any food, feed, or fuel, and

''(vi) which is—

''(I) acetic acid, acrylic acid, acyl glutamate, adipic acid, algae oils, algae sugars, 1,4-butanediol (BDO), iso-butanol, n-butanol, C10 and higher hydrocarbons produced from olefin metathesis, carboxylic acids produced from olefin metathesis, cellulosic sugar, diethyl methylene malonate, dodecanedioic acid (DDDA), esters produced from olefin metathesis, ethyl acetate, ethylene glycol, farnesene, 2,5-furandicarboxylic acid, gamma-butyrolactone, glucaric acid, hexamethylenediamine (HMD), 3-hydroxy propionic acid, isoprene, itaconic acid, levulinic acid, polyhydroxyalkonate (PHA), polylactic acid (PLA), polyethylene furanoate (PEF), polyethylene terephthalate (PET), polyitaconic acid, polyols from vegetable oils, poly(xylitan levulinate ketal), 1,3-propanediol, 1,2-propanediol, rhamnolipids, succinic acid, terephthalic acid, or *p*-Xylene, or

''(II) any chemical not described in clause (i) which is a chemical listed by the Secretary for purposes of this paragraph.

''(B) BIOBASED CONTENT.—For purposes of subparagraph (A)(iii), the term 'biobased content percentage' means, with respect to any renewable chemical, the biobased content of such chemical (expressed as a percentage) determined by testing representative samples using the American Society for Testing and Materials (ASTM) D6866.''.

(2) LIST OF OTHER QUALIFYING RENEWABLE CHEMICALS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury (or the Secretary's delegate), in consultation with the Secretary of Agriculture, shall establish a program to consider applications from taxpayers for the listing of chemicals under section 7874(d)(6)(A)(vi)(II) (as added by paragraph (1)).

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, in taxable years ending after such date.

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**SA 3616.** Mr. HATCH (for himself, Mr. COATS, and Mr. CARDIN) 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. _____. NOTICE REQUIRED BEFORE REVOCATION OF TAX EXEMPT STATUS FOR FAILURE TO FILE RETURN.**

(a) IN GENERAL.—Section 6033(j) of the Internal Revenue Code of 1986 is amended by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively, and by inserting after paragraph (1) the following new paragraph:

''(2) REQUIREMENT OF NOTICE.—

''(A) IN GENERAL.—Not later than 270 days after the date an organization described in paragraph (1) fails to file the annual return or notice referenced in paragraph (1) for 2 consecutive years, the Secretary shall notify the organization—

''(i) that the Internal Revenue Service has no record of such a return or notice from such organization for 2 consecutive years, and

''(ii) about the penalty that will occur under this subsection if the organization fails to file such a return or notice by the date of the next filing deadline.

The notification under the preceding sentence shall include information about how to comply with the filing requirements under subsection (a)(1) and (i).''.

(b) REINSTATEMENT WITHOUT APPLICATION.—Paragraph (3) of section 6033(j) of the Internal Revenue Code of 1986, as redesignated under subsection (a), is amended—

(1) by striking ''Any organization'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), any organization'', and

(2) by adding at the end the following new subparagraph:

''(B) RETROACTIVE REINSTATEMENT WITHOUT APPLICATION IF ACTUAL NOTICE NOT PROVIDED.—If an organization described in paragraph (1)—

''(i) demonstrates to the satisfaction of the Secretary that the organization did not receive the notice required under paragraph (2), and

''(ii) files an annual return or notice referenced in paragraph (1) for the current year, then the Secretary may reinstate the organization's exempt status effective from the date of the revocation under paragraph (1) without the need for an application.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to notices and returns required to be filed after December 31, 2015.

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**SA 3617.** Mr. HATCH (for himself, Mr. ROBERTS, Mr. CASEY, and Mr. MORAN) 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. _____. CREDIT FOR STATE LICENSURE AND CERTIFICATION COSTS OF MILITARY SPOUSES ARISING BY REASON OF A PERMANENT CHANGE IN THE DUTY STATION OF THE MEMBER OF THE ARMED FORCES TO ANOTHER STATE.**

(a) IN GENERAL.—Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 25D the following new section:

**''SEC. 25E. STATE LICENSURE AND CERTIFICATION COSTS OF MILITARY SPOUSE ARISING FROM TRANSFER OF MEMBER OF ARMED FORCES TO ANOTHER STATE.**

''(a) IN GENERAL.—In the case of an eligible individual, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the qualified relicensing costs of such individual which are paid or incurred by the taxpayer during the taxable year.

''(b) MAXIMUM CREDIT.—The credit allowed by this section with respect to each change of duty station shall not exceed $500.

''(c) DEFINITIONS.—For purposes of this section—

''(1) ELIGIBLE INDIVIDUAL.—The term 'eligible individual' means any individual—

''(A) who is married to a member of the Armed Forces of the United States at the time that the member moves to another State under a permanent change of station order, and

''(B) who moves to such other State with such member.

''(2) QUALIFIED RELICENSING COSTS.—The term 'qualified relicensing costs' means costs—

''(A) which are for a license or certification required by the State referred to in paragraph (1) to engage in the profession that such individual engaged in while within the State from which the individual moved, and

''(B) which are paid or incurred during the period beginning on the date that the orders referred to in paragraph (1)(A) are issued and ending on the date which is 1 year after the reporting date specified in such orders.

''(d) DENIAL OF DOUBLE BENEFIT.—The amount of any deduction or other credit allowable under this chapter for any expense taken into account in determining the credit allowed under this section shall be reduced by the amount of the credit under this section.''.

(b) CLERICAL AMENDMENT.—The table of sections for such subpart A is amended by inserting after the item relating to section 25D the following new item:

''Sec. 25E. State licensure and certification costs of military spouse arising from transfer of member of Armed Forces to another State.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

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**SA 3618.** Mr. HATCH (for himself, Mr. HELLER, and Mr. CARPER) 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. _____. INVESTMENT CREDIT FOR WASTE HEAT TO POWER PROPERTY.**

(a) IN GENERAL.—Subparagraph (A) of section 48(a)(3) of the Internal Revenue Code of 1986 is amended by striking ''or'' at the end of clause (vi), by striking the comma at the end of clause (vii) and inserting '', or'', and by inserting after clause (vii) the following new clause:

''(viii) waste heat to power property,''.

(b) WASTE HEAT TO POWER PROPERTY.—Subsection (c) of section 48 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(5) WASTE HEAT TO POWER PROPERTY.—

''(A) IN GENERAL.—The term 'waste heat to power property' means property—

''(i) comprising a system which generates electricity through the recovery of a qualified waste heat resource, and

''(ii) which is placed in service before January 1, 2018.

''(B) QUALIFIED WASTE HEAT RESOURCE.—The term 'qualified waste heat resource' means—

''(i) exhaust heat or flared gas from an industrial process that does not have, as its primary purpose, the production of electricity, and

''(ii) a pressure drop in any gas for an industrial or commercial process.

''(C) LIMITATIONS.—

''(i) IN GENERAL.—For purposes of subsection (a)(1), the basis of any waste heat to power property taken into account under this section shall not exceed the excess of—

''(I) the basis of such property, over

''(II) the fair market value of comparable property which does not have the capacity to capture and convert a qualified waste heat resource to electricity.

''(ii) CAPACITY LIMITATION.—The term 'waste heat to power property' shall not include any property comprising a system if such system has a capacity in excess of 50 megawatts.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to periods after the date of the enactment of this Act, in taxable years ending after such date, under rules similar to the rules of section 48(m) of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990).

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**SA 3619.** Mr. HATCH (for himself, Mr. THUNE, and Mr. MENENDEZ) 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. _____. EXCEPTION FROM PRIVATE FOUNDATION EXCESS BUSINESS HOLDING TAX FOR CERTAIN PHILANTHROPIC BUSINESS HOLDINGS.**

(a) IN GENERAL.—Section 4943 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(g) EXCEPTION FOR CERTAIN PHILANTHROPIC BUSINESS HOLDINGS.—

''(1) IN GENERAL.—Subsection (a) shall not apply with respect to the holdings of a private foundation in any business enterprise which for the taxable year meets—

''(A) the exclusive ownership requirements of paragraph (2),

''(B) the all profits to charity requirement of paragraph (3), and

''(C) the independent operation requirements of paragraph (4).

''(2) EXCLUSIVE OWNERSHIP.—The exclusive ownership requirements of this paragraph are met if—

''(A) all ownership interests in the business enterprise are held by the private foundation at all times during the taxable year, and

''(B) all the private foundation's ownership interests in the business enterprise were acquired under the terms of a will or trust upon the death of the testator or settlor, as the case may be.

''(3) ALL PROFITS TO CHARITY.—

''(A) IN GENERAL.—The all profits to charity requirement of this paragraph is met if the business enterprise, not later than 120 days after the close of the taxable year, distributes an amount equal to its net operating income for such taxable year to the private foundation.

''(B) NET OPERATING INCOME.—For purposes of this paragraph, the net operating income of any business enterprise for any taxable year is an amount equal to the gross income of the business enterprise for the taxable year, reduced by the sum of—

''(i) the deductions allowed by chapter 1 for the taxable year which are directly connected with the production of such income,

''(ii) the tax imposed by chapter 1 on the business enterprise for the taxable year, and

''(iii) an amount for a reasonable reserve for working capital and other business needs of the business enterprise.

''(4) INDEPENDENT OPERATION.—The independent operation requirements of this paragraph are met if, at all times during the taxable year—

''(A) no substantial contributor (as defined in section 4958(c)(3)(C)) to the private foundation, or family member of such a contributor (determined under section 4958(f)(4)), is a director, officer, trustee, manager, employee, or contractor of the business enterprise (or an individual having powers or responsibilities similar to any of the foregoing),

''(B) at least a majority of the board of directors of the private foundation are individuals other than individuals who are either—

''(i) directors or officers of the business enterprise, or

''(ii) members of the family (determined under section 4958(f)(4)) of a substantial contributor (as defined in section 4958(c)(3)(C)) to the private foundation, and

''(C) there is no loan outstanding from the business enterprise to a substantial contributor (as so defined) to the private foundation or a family member of such contributor (as so determined).

''(5) CERTAIN DEEMED PRIVATE FOUNDATIONS EXCLUDED.—This subsection shall not apply to—

''(A) any fund or organization treated as a private foundation for purposes of this section by reason of subsection (e) or (f),

''(B) any trust described in section 4947(a)(1) (relating to charitable trusts), and

''(C) any trust described in section 4947(a)(2) (relating to split-interest trusts).''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

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**SA 3620.** Mr. BOOKER 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:

At the end of subtitle B of title I, add the following:

**SEC. 1226. DEFINITION OF SMALL BUSINESS CONCERN.**

Section 47113(a)(1) is amended to read as follows:

''(1) 'small business concern'—

''(A) except as provided in subparagraph (B), has the same meaning given that term

in section 3 of the Small Business Act (15 U.S.C. 632); and

''(B) in the case of a concern in the construction industry, a concern shall be considered a small business concern if the concern meets the size standard for the North American Industry Classification System Code 237310, as adjusted by the Small Business Administration;''.

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**SA 3621.** Mr. NELSON 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:

At the appropriate place, insert the following:

**SEC. _____. SECURING AIRCRAFT AVIONICS SYSTEMS.**

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall consider revising Federal Aviation Administration regulations regarding airworthiness certification—

(1) to address cybersecurity for avionics systems, including software components; and

(2) to require that aircraft avionics systems used for flight guidance or aircraft control be secured against unauthorized access via passenger in-flight entertainment systems through such means as the Administrator determines appropriate to protect the avionics systems from unauthorized external and internal access.

(b) CONSIDERATION.—The Administrator's consideration and any action taken under subsection (a) shall be in accordance with the recommendations of the Aircraft Systems Information Security Protection Working Group under section 5029(d) of this Act.

On page 354, between lines 16 and 17, insert the following:

(3) IN-FLIGHT ENTERTAINMENT SYSTEMS REVIEW.—As part of its review under subparagraphs (A) and (B) of paragraph (2), the working group shall review the cybersecurity risks of in-flight entertainment systems to consider whether such systems can and should be isolated and separate from systems required for safe flight and operations, including reviewing standards for air gaps or other means determined appropriate.

On page 354, line 17, strike ''(3)'' and insert ''(4)''.

On page 354, line 23, strike ''(4)'' and insert ''(5)''.

On page 355, line 9, strike ''(5)'' and insert ''(6)''.

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**SA 3622.** 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; which was ordered to lie on the table; as follows:

On page 45, after line 20, add the following:

**SEC. 1223. PUBLIC-PRIVATE WORKING GROUP ON IMPROVING AIR TRAVEL FOR FAMILIES.**

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Transportation and the Administrator of the Federal Aviation Administration shall establish a public-private working group (in this section referred to as the ''working group'')—

(1) to examine current policies and practices of airports and air carriers for accommodating the needs of traveling families and pregnant women; and

(2) to develop recommendations for improving air travel for families and pregnant women.

(b) CONSIDERATIONS.—In carrying out the requirements under subsection (a), the working group shall—

(1) review current air carrier, security screening, and airport policies and practices for accommodating families and pregnant women;

(2) identify best practices and innovations for easing travel for families with children or older adults and pregnant women;

(3) propose improvements to security screening procedures that minimize the instances requiring parents to be separated from their children;

(4) suggest accommodations and changes that should be made in airports for pregnant passengers and pregnant workers, such as access to clean nursing rooms;

(5) suggest accommodations and changes that should be made in airports for new parents traveling with young children, including play areas for children;

(6) recommend improvements for on-boarding and off-boarding for pregnant women and families traveling with children or older adults, including advance boarding, and to ensure that families travel together in the aircraft cabin, to the extent possible;

(7) identify initiatives for ensuring all relevant stakeholders, including airport operators and air carriers, have the latest information regarding the effect of air transportation on the health needs of pregnant women and young children; and

(8) consider such other issues as the working group considers appropriate for improving the overall travel experience for families and pregnant women.

(c) MEMBERSHIP.—Members of the working group shall be appointed by the Administrator and shall include representatives of—

(1) the Department of Transportation;

(2) the Federal Aviation Administration;

(3) the Administration for Children and Families of the Department of Health and Human Services;

(4) the Transportation Security Administration;

(5) other relevant agencies;

(6) nongovernmental organizations that represent women and families caring for children or older adults;

(7) consumer advocacy groups;

(8) airports or organizations that represent airports; and

(9) air carriers.

(d) REPORT AND RECOMMENDATIONS.—Not later than one year after the date of the enactment of this Act, the Secretary and the Administrator shall submit to the appropriate committees of Congress, and release on a publicly accessible website, a report that includes—

(1) an overview of the working group's findings;

(2) a description of the working group's recommendations for airport operators and air carriers; and

(3) any policy recommendations for improving air travel for families and pregnant women.

(e) APPLICABILITY OF THE FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group.

(f) TERMINATION.—The working group shall terminate on the date that is 2 years after the date of the enactment of this Act.

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**SA 3623.** Mr. WHITEHOUSE (for himself and Mr. INHOFE) 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:

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

**PART IV—OPERATOR SAFETY**

**SEC. 2161. SHORT TITLE.**

This part may be cited as the ''Drone Operator Safety Act''.

**SEC. 2162. FINDINGS; SENSE OF CONGRESS.**

(a) FINDING.—Congress finds that educating operators of unmanned aircraft about the laws and regulations that govern such aircraft helps to ensure their safe operation.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Administrator of the Federal Aviation Administration should continue to prioritize the education of operators of unmanned aircraft through public outreach efforts like the ''Know Before You Fly'' campaign.

**SEC. 2163. UNSAFE OPERATION OF UNMANNED AIRCRAFT.**

(a) IN GENERAL.—Chapter 2 of title 18, United States Code, is amended—

(1) in section 31—

(A) in subsection (a)—

(i) by redesignating paragraph (10) as paragraph (11); and

(ii) by inserting after paragraph (9) the following:

''(10) UNMANNED AIRCRAFT.—The term 'unmanned aircraft' has the meaning given such term in section 44801 of title 49.''; and

(B) in subsection (b), by inserting '' 'airport','' before '' 'appliance' ''; and

(2) by inserting after section 39A the following:

**''§ 39B. Unsafe operation of unmanned aircraft**

''(a) OFFENSE.—Any person who operates an unmanned aircraft and, in so doing, knowingly or recklessly interferes with, or disrupts the operation of, an aircraft carrying 1 or more occupants operating in the special aircraft jurisdiction of the United States, in a manner that poses an imminent safety hazard to such occupants, shall be punished as provided in subsection (b).

''(b) PENALTY.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the punishment for an offense under subsection (a) shall be a fine under this title, imprisonment for not more than 1 year, or both.

''(2) SERIOUS BODILY INJURY OR DEATH.—Any person who attempts to cause, or knowingly or recklessly causes, serious bodily injury or death during the commission of an offense under subsection (a) shall be fined under this title, imprisoned for any term of years or for life, or both.

''(c) OPERATION OF UNMANNED AIRCRAFT IN CLOSE PROXIMITY TO AIRPORTS.—

''(1) IN GENERAL.—The operation of an unmanned aircraft within a runway exclusion zone shall be considered a violation of subsection (a) unless such operation is approved by the airport's air traffic control facility or is the result of a circumstance, such as a malfunction, that could not have been reasonably foreseen or prevented by the operator.

''(2) RUNWAY EXCLUSION ZONE DEFINED.—In this subsection, the term 'runway exclusion zone' means a rectangular area—

''(A) centered on the centerline of an active runway of an airport immediately around which the airspace is designated as class B, class C, or class D airspace at the surface under part 71 of title 14, Code of Federal Regulations; and

''(B) the length of which extends parallel to the runway's centerline to points that are 1 statute mile from each end of the runway and the width of which is ½ statute mile.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 2 of title 18, United States Code, is amended by inserting after the item relating to section 39A the following:

''39B. Unsafe operation of unmanned aircraft.''.

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**SA 3624.** Mr. SCHATZ (for himself and Mr. HEINRICH) 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 BATTERY STORAGE TECHNOLOGY.**

(a) IN GENERAL.—Subclause (II) of section 48(a)(2)(A)(i) of the Internal Revenue Code of 1986 is amended by striking ''paragraph (3)(A)(i)'' and inserting ''clause (i) or (viii) of paragraph (3)(A)''.

(b) BATTERY STORAGE TECHNOLOGY.—Subparagraph (A) of section 48(a)(3) of the Internal Revenue Code of 1986 is amended by striking ''or'' at the end of clause (vi), by adding ''or'' at the end of clause (vii), and by adding at the end the following new clause:

''(viii) battery storage technology,''.

(c) PHASEOUT OF CREDIT.—Paragraph (6) of section 48(a) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''SOLAR'' in the heading and inserting ''CERTAIN'', and

(2) by striking ''paragraph (3)(A)(i)'' both places it appears and inserting ''clause (i) or (viii) of paragraph (3)(A)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2015.

**SEC. _____. RESIDENTIAL ENERGY EFFICIENT PROPERTY CREDIT FOR BATTERY STORAGE TECHNOLOGY.**

(a) IN GENERAL.—Subsection (a) of section 25D of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of paragraph (4), by striking the period at the end of paragraph (5) and inserting '', and'', and by adding at the end the following new paragraph:

''(6) 30 percent of the qualified battery storage technology expenditures made by the taxpayer during such year.''.

(b) QUALIFIED BATTERY STORAGE TECHNOLOGY EXPENDITURE.—Subsection (d) of section 25D of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(6) QUALIFIED BATTERY STORAGE TECHNOLOGY EXPENDITURE.—The term 'qualified battery storage technology expenditure' means an expenditure for battery storage technology installed on or in connection with a dwelling unit located in the United States and used as a residence by the taxpayer.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to expenditures paid or incurred in taxable years beginning after December 31, 2015.

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**SA 3625.** Mr. KAINE 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 149, line 8, strike ''an inspection or other investigation'' and insert ''an accident finding, inspection, or other investigation''.

On page 150, line 17, strike ''an inspection or other investigation'' and insert ''an accident finding, inspection, or other investigation''.

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**SA 3626.** Mr. KAINE 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 222, line 9, insert '', aviation safety engineers,'' after ''specialists''.

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**SA 3627.** Mr. NELSON 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. _____. SECURING AIRCRAFT AVIONICS SYSTEMS.**

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall consider revising Federal Aviation Administration regulations regarding airworthiness certification—

(1) to address cybersecurity for avionics systems, including software components; and

(2) to require that aircraft avionics systems used for flight guidance or aircraft control be secured against unauthorized access via passenger in-flight entertainment systems through such means as the Administrator determines appropriate to protect the avionics systems from unauthorized external and internal access.

(b) CONSIDERATION.—The Administrator's consideration and any action taken under subsection (a) shall be in accordance with the recommendations of the Aircraft Systems Information Security Protection Working Group under section 5029(d) of this Act.

On page 354, between lines 16 and 17, insert the following:

(3) IN-FLIGHT ENTERTAINMENT SYSTEMS REVIEW.—As part of its review under subparagraphs (A) and (B) of paragraph (2), the working group shall review the cybersecurity risks of in-flight entertainment systems to consider whether such systems can and should be isolated and separate from systems required for safe flight and operations, including reviewing standards for air gaps or other means determined appropriate.

On page 354, line 17, strike ''(3)'' and insert ''(4)''.

On page 354, line 23, strike ''(4)'' and insert ''(5)''.

On page 355, line 9, strike ''(5)'' and insert ''(6)''.

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**SA 3628.** Mrs. MURRAY (for herself and Ms. CANTWELL) 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. REDUCTION OF ENERGY CONSUMPTION, EMISSIONS, AND NOISE FROM CIVILIAN AIRCRAFT.**

(a) ESTABLISHMENT OF RESEARCH PROGRAM.—From amounts made available under section 48102(a) of title 49, United States Code, the Administrator of the Federal Aviation Administration shall establish a research program related to reducing civilian aircraft energy use, emissions, and source noise with equivalent safety through grants or other measures, which shall include cost-sharing authorized under section 106(l)(6) of such title, including reimbursable agreements with other Federal agencies.

(b) ESTABLISHMENT OF CONSORTIUM.—

(1) DESIGNATION AS CONSORTIUM.—The Administrator shall designate, using a competitive process, one or more institutions or entities described in paragraph (2), to be known as a ''Government led Consortium for Continuous Lower Energy, Emissions, and Noise'' or ''CLEEN'', to perform research in accordance with this section.

(2) PARTICIPATION.—The Administrator shall include educational and research institutions or private sector entities that have existing facilities and experience for developing and testing noise, emissions, and energy reduction engine and aircraft technology, and developing alternative fuels, in the research program required by subsection (a) to fulfill the performance objectives specified in subsection (c).

(3) COORDINATION MECHANISMS.—In conducting the research program required by subsection (a), the consortium designated under paragraph (1) shall—

(A) coordinate its activities with the Department of Agriculture, the Department of Defense, the Department of Energy, the National Aeronautics and Space Administration, and other relevant Federal agencies; and

(B) consult on a regular basis with the Commercial Aviation Alternative Fuels Initiative.

(c) PERFORMANCE OBJECTIVES.—Not later than January 1, 2021, the Administrator shall seek to ensure that the research program required subsection (a) supports the following objectives for civil subsonic airplanes:

(1) Certifiable aircraft technology that reduces aircraft fuel burn 40 percent relative to year 2000 best-in-class in-service aircraft.

(2) Certifiable engine technology that reduces landing and takeoff cycle nitrogen oxide emissions by 70 percent over the International Civil Aviation Organization standard adopted in 2011.

(3) Certifiable aircraft technology that reduces noise levels by 32 decibels cumulatively, relative to the Stage 4 standard, or reduces the noise contour area in absolute terms.

(4) The feasibility of use of drop-in alternative jet fuels in aircraft and engine systems, including successful demonstration and quantification of benefits, advancement of fuel testing capability, and support for fuel evaluation.

(d) CERTIFIABLE DEFINED.—In this section, the term ''certifiable'' means the technology has been demonstrated to Technology Readiness Level 6 or 7, and there are no foreseen issues that would prevent certification to existing standards.

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**SA 3629.** Mrs. MURRAY (for herself and Ms. CANTWELL) 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. REDUCTION OF ENERGY CONSUMPTION, EMISSIONS, AND NOISE FROM CIVILIAN AIRCRAFT.**

(a) ESTABLISHMENT OF RESEARCH PROGRAM.—From amounts made available under section 48102(a) of title 49, United States Code, the Administrator of the Federal Aviation Administration shall establish a research program related to reducing civilian aircraft energy use, emissions, and source noise with equivalent safety through grants or other measures, which shall include cost-sharing authorized under section 106(l)(6) of such title, including reimbursable agreements with other Federal agencies.

(b) ESTABLISHMENT OF CONSORTIUM.—

(1) DESIGNATION AS CONSORTIUM.—The Administrator shall designate, using a competitive process, one or more institutions or entities described in paragraph (2), to be known as a ''Government led Consortium for Continuous Lower Energy, Emissions, and Noise'' or ''CLEEN'', to perform research in accordance with this section.

(2) PARTICIPATION.—The Administrator shall include educational and research institutions or private sector entities that have existing facilities and experience for developing and testing noise, emissions, and energy reduction engine and aircraft technology, and developing alternative fuels, in the research program required by subsection (a) to fulfill the performance objectives specified in subsection (c).

(3) COORDINATION MECHANISMS.—In conducting the research program required by subsection (a), the consortium designated under paragraph (1) shall—

(A) coordinate its activities with the Department of Agriculture, the Department of Defense, the Department of Energy, the National Aeronautics and Space Administration, and other relevant Federal agencies; and

(B) consult on a regular basis with the Commercial Aviation Alternative Fuels Initiative.

(c) PERFORMANCE OBJECTIVES.—Not later than January 1, 2021, the Administrator shall seek to ensure that the research program required subsection (a) supports the following objectives for civil subsonic airplanes:

(1) Certifiable aircraft technology that reduces aircraft fuel burn 40 percent relative to year 2000 best-in-class in-service aircraft.

(2) Certifiable engine technology that reduces landing and takeoff cycle nitrogen oxide emissions by 70 percent over the International Civil Aviation Organization standard adopted in 2011.

(3) Certifiable aircraft technology that reduces noise levels by 32 decibels cumulatively, relative to the Stage 4 standard, or reduces the noise contour area in absolute terms.

(4) The feasibility of use of drop-in alternative jet fuels in aircraft and engine systems, including successful demonstration and quantification of benefits, advancement of fuel testing capability, and support for fuel evaluation.

(d) CERTIFIABLE DEFINED.—In this section, the term ''certifiable'' means the technology has been demonstrated to Technology Readiness Level 6 or 7, and there are no foreseen issues that would prevent certification to existing standards.

**SEC. 5033. RESEARCH PROGRAM ON ALTERNATIVE JET FUEL TECHNOLOGY FOR CIVIL AIRCRAFT.**

Section 911 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 44504 note) is amended—

(1) in subsection (a), by striking ''to assist in'' and inserting ''with the objective of accelerating'';

(2) in subsection (c)(1)(B), by inserting ''and ability to prioritize researchable constraints'' after ''with experience''; and

(3) by adding at the end the following:

''(e) COLLABORATION AND REPORT.—

''(1) COLLABORATION.—The Administrator, in coordination with the Administrator of NASA, the Secretary of Energy, and the Secretary of Agriculture, shall continue research and development activities into the development and deployment of jet fuels described in subsection (a).

''(2) REPORT.—Not later than 180 days after the date of the enactment of the Federal Aviation Administration Reauthorization Act of 2016, the Administrator, in coordination with the Administrator of NASA, the Secretary of Energy, and the Secretary of Agriculture, and after consultation with the heads of other relevant agencies, shall—

''(A) develop a joint plan to carry out the research described in subsection (a); and

''(B) submit to Congress a report on such joint plan.''.

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**SA 3630.** Ms. HIRONO (for herself, Ms. MURKOWSKI, Mr. SCHATZ, and Mr. SULLIVAN) 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. ___. EXCEPTIONS TO RESTRUCTURING OF PASSENGER FEE.**

(a) IN GENERAL.—Section 44940(c) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking ''Fees imposed'' and inserting ''Except as provided in paragraph (2), fees imposed'';

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

''(2) EXCEPTIONS.—Fees imposed under subsection (a)(1) may not exceed $2.50 per enplanement, and the total amount of such fees may not exceed $5.00 per one-way trip, for passengers—

''(A) boarding to an eligible place under subchapter II of chapter 417 for which essential air service compensation is paid under that subchapter; or

''(B) on flights, including flight segments, between 2 or more points in Hawaii or 2 or more points in Alaska.''.

(b) IMPLEMENTATION OF FEE EXCEPTIONS.—The Secretary of Homeland Security shall implement the fee exceptions under the amendments made by subsection (a)—

(1) beginning on the date that is 30 days after the date of the enactment of this Act; and

(2) through the publication of notice of the fee exceptions in the Federal Register, notwithstanding section 9701 of title 31, United States Code, and the procedural requirements of section 553 of title 5, United States Code.

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**SA 3631.** Mr. THUNE (for 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 G—Arm All Pilots Act**

**SEC. 2701. SHORT TITLE.**

This subtitle may be cited as the ''Arm All Pilots Act of 2016''.

**SEC. 2702. 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, in consultation with the air carrier, 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. 2703. 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 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 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.

''(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 not withstanding Annex 17 (ICAO Annex 17 standard 4.7.7.)''.

(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 Administrator of the Transportation Security Administration 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. 2704. 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. 2705. 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 for less than 5 years may return to active status after completing one program of recurrent training described in subsection (c).''.

**SEC. 2706. FACILITATION OF SECURITY SCREENING OF FEDERAL FLIGHT DECK OFFICERS.**

Section 44921, as amended by section 2703(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 Administrator of the Transportation Security Administration 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. 2707. 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. 2708. 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. 2709. 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. 2710. 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.

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**SA 3632.** Mrs. MURRAY (for herself and Ms. CANTWELL) 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. ___. PROMOTION OF EXIT LANE BREACH CONTROL TECHNOLOGY.**

(a) DEFINITIONS.—In this section:

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

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

(3) EXIT LANE BREACH CONTROL TECHNOLOGY.—The term ''exit lane breach control technology'' refers to any automated system, or series of systems, designed to monitor exit points from an airport sterile area.

(4) STERILE AREA.—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)

(b) STANDARDS AND REQUIREMENTS.—

(1) INITIAL REQUIREMENT.—Not later than 120 days after the date of the enactment of this Act, the Administrator shall develop standards and requirements for the use of exit lane breach control technology at airports.

(2) QUALIFIED PRODUCT LIST.—The Administrator shall establish, publically post, and maintain a qualified product list of exit land breach control technology that shall includes all previously-approved systems.

(c) BENEFITS FOR AIRPORTS USING EXIT LANE BREACH CONTROL TECHNOLOGY.—

(1) ELIGIBILITY FOR BENEFITS.—If an airport deploys, on a nonreimbursable basis, exit lane breach control technology that satisfies the standards and requirements developed under subsection (b) and the deployment results in the need for fewer employees of the Administration to monitor exit points from an airport sterile area, the airport's Federal security director may reallocate such employees to other transportation security missions, including passenger screening, within that airport if the Administrator certifies that the reallocation will not negatively impact the security of that airport.

(2) NO LOSS OF ADMINISTRATION EMPLOYEES.—

(A) IN GENERAL.—The Administrator may not decrease, under the Staffing Allocation Model, any successor allocation process, or any other circumstances, the number of employees of the Administration assigned to an airport that deploys, on a nonreimbursable basis, exit lane breach control technology that satisfies the standards and requirements developed under subsection (b) on the basis that the deployment results in the need for fewer such employees to provide security for sterile areas of the airport.

(B) MINIMUM STAFFING LEVELS.—Subject to subparagraph (C), if an airport is eligible for the Administrator to reallocate employees under paragraph (1), the Administrator—

(i) shall determine the minimum number of full-time equivalent employees of the Administration required for that airport prior to the deployment of the exit lane breach control technology; and

(ii) may not allocate a number of employees of the Administration for that airport for any year that is less than such minimum number.

(C) WAIVER OF MINIMUM STAFFING LEVELS.—If the Administrator has determined a minimum number of full-time equivalent employees of the Administration required for an airport under subparagraph (B)(i), the Administrator may only allocate a number of employees of the Administration for that airport that is less than such minimum number if the total passenger count for that airport in any 6-month period declines more than 5 percent compared to the same 6-month period during the preceding calendar year.

(D) NOTIFICATION TO CONGRESS.—The Administrator shall notify the appropriate committees of Congress, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Homeland Security of the House of Representatives not less than 45 days prior to making an allocation authorized under subparagraph (C).

(d) RESPONSIBILITY FOR MONITORING PASSENGER EXIT POINTS.—If an airport is eligible for the Administrator to reallocate employees under subsection (c)(1), the Administrator shall have met the responsibility of the Administration to monitor passenger exit points required by subsection (n) of section 44903 of title 49, United States Code.

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**SA 3633.** Mr. NELSON (for himself and Mr. COATS) 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:

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 ion 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 ion 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).

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**SA 3634.** Mr. NELSON 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 5013.

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**SA 3635.** Mr. BOOZMAN (for himself, Mr. WARNER, and 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**TITLE __—VETERANS TAX FAIRNESS**

**SEC. ___01. SHORT TITLE.**

This title may be cited as the ''Combat-Injured Veterans Tax Fairness Act of 2016''.

**SEC. ___02. FINDINGS.**

Congress makes the following findings:

(1) Approximately 10,000 to 11,000 individuals are retired from service in the Armed Forces for medical reasons each year.

(2) Some of such individuals are separated from service in the Armed Forces for combat-related injuries (as defined in section 104(b)(3) of the Internal Revenue Code of 1986).

(3) Congress has recognized the tremendous personal sacrifice of veterans with combat-related injuries by, among other things, specifically excluding from taxable income severance pay received for combat-related injuries.

(4) Since 1991, the Secretary of Defense has improperly withheld taxes from severance pay for wounded veterans, thus denying them their due compensation and a significant benefit intended by Congress.

(5) Many veterans owed redress are beyond the statutory period to file an amended tax return because they were not or are not aware that taxes were improperly withheld.

**SEC. ___03. RESTORATION OF AMOUNTS IMPROPERLY WITHHELD FOR TAX PURPOSES FROM SEVERANCE PAYMENTS TO VETERANS WITH COMBAT-RELATED INJURIES.**

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall—

(1) identify—

(A) the severance payments—

(i) that the Secretary paid after January 17, 1991;

(ii) that the Secretary computed under section 1212 of title 10, United States Code;

(iii) that were not considered gross income pursuant to section 104(a)(4) of the Internal Revenue Code of 1986; and

(iv) from which the Secretary withheld amounts for tax purposes; and

(B) the individuals to whom such severance payments were made; and

(2) with respect to each person identified under paragraph (1)(B), provide—

(A) notice of—

(i) the amount of severance payments in paragraph (1)(A) which were improperly withheld for tax purposes; and

(ii) such other information determined to be necessary by the Secretary of Treasury to carry out the purposes of this section; and

(B) instructions for filing amended tax returns to recover the amounts improperly withheld for tax purposes.

(b) EXTENSION OF LIMITATION ON TIME FOR CREDIT OR REFUND.—

(1) PERIOD FOR FILING CLAIM.—If a claim for credit or refund under section 6511(a) of the Internal Revenue Code of 1986 relates to a specified overpayment, the 3-year period of limitation prescribed by such subsection shall not expire before the date which is 1 year after the date the information return described in subsection (a)(2) is filed. The allowable amount of credit or refund of a specified overpayment shall be determined without regard to the amount of tax paid within the period provided in section 6511(b)(2).

(2) SPECIFIED OVERPAYMENT.—For purposes of paragraph (1), the term ''specified overpayment'' means an overpayment attributable to a severance payment described in subsection (a)(1).

**SEC. ___04. REQUIREMENT THAT SECRETARY OF DEFENSE ENSURE AMOUNTS ARE NOT WITHHELD FOR TAX PURPOSES FROM SEVERANCE PAYMENTS NOT CONSIDERED GROSS INCOME.**

The Secretary of Defense shall take such actions as may be necessary to ensure that amounts are not withheld for tax purposes from severance payments made by the Secretary to individuals when such payments are not considered gross income pursuant to section 104(a)(4) of the Internal Revenue Code of 1986.

**SEC. ___05. REPORT TO CONGRESS.**

(a) IN GENERAL.—After completing the identification required by section ___03(a) and not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the actions taken by the Secretary to carry out this Act.

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) The number of individuals identified under section ___03(a)(1)(B).

(2) Of all the severance payments described in section ___03(a)(1)(A), the aggregate amount that the Secretary withheld for tax purposes from such payments.

(3) A description of the actions the Secretary plans to take to carry out section ___04.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Veterans' Affairs, and the Committee on Finance of the Senate; and

(2) the Committee on Armed Services, the Committee on Veterans' Affairs, and the Committee on Ways and Means of the House of Representatives.

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**SA 3636.** Mr. INHOFE 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. LIABILITY PROTECTION FOR VOLUNTEER PILOTS WHO FLY FOR THE PUBLIC BENEFIT.**

(a) FINDINGS AND PURPOSES.—

(1) FINDINGS.—Congress finds the following:

(A) Many volunteer pilots fly for the public benefit for nonprofit organizations and provide valuable services to communities and individuals in need.

(B) In each calendar year volunteer pilots and the nonprofit organizations those pilots fly for provide long-distance, no-cost transportation for tens of thousands of people during times of special need. Flights provide patient and medical transport, disaster relief, and humanitarian assistance, and conduct other charitable missions that benefit the public.

(C) Such nonprofit organizations have supported the homeland security of the United States by providing volunteer pilot services during and following disasters and during other times of national emergency.

(D) Most other kinds of volunteers are protected from liability by the Volunteer Protection Act of 1997 (42 U.S.C. 14501 et seq.), but volunteer pilots are not.

(2) PURPOSES.—The purposes of this section are, by amending the Volunteer Protection Act of 1997—

(A) to extend the protection of that Act to volunteer pilots;

(B) to promote the activities of volunteer pilots and the nonprofit organizations those pilots fly for in providing flights for the public benefit; and

(C) to sustain and enhance the availability of the services that such pilots and nonprofit organizations provide, including—

(i) transportation at no cost to financially needy medical patients for medical treatment, evaluation, and diagnosis;

(ii) flights for humanitarian and charitable purposes; and

(iii) other flights of compassion.

(b) LIABILITY PROTECTION FOR PILOTS THAT FLY FOR PUBLIC BENEFIT.—Section 4 of the Volunteer Protection Act of 1997 (42 U.S.C. 14503) is amended—

(1) by redesignating subsections (b) through (f) as subsections (c) through (g), respectively; and

(2) in subsection (a), by striking ''subsections (b) and (d)'' and inserting ''subsections (b), (c), and (e)''; and

(3) by inserting after subsection (a) the following:

''(b) LIABILITY PROTECTION FOR PILOTS THAT FLY FOR PUBLIC BENEFIT.—Except as provided in subsections (c) and (e), no volunteer of a volunteer pilot nonprofit organization that arranges flights for public benefit shall be liable for harm caused by an act or omission of the volunteer on behalf of the organization if, at the time of the act or omission, the volunteer—

''(1) was operating an aircraft in furtherance of the purpose of, and acting within the scope of the volunteer's responsibilities on behalf of, the nonprofit organization;

''(2) was properly licensed and insured for the operation of the aircraft;

''(3) was in compliance with all requirements of the Federal Aviation Administration for recent flight experience; and

''(4) did not cause the harm through willful or criminal misconduct, gross negligence, reckless misconduct, or a conscious, flagrant indifference to the rights or safety of the individual harmed by the volunteer.''.

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**SA 3637.** 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:

At the appropriate place, insert the following:

**SEC. _____. EXTENSION OF INDIAN COAL PRODUCTION TAX CREDIT.**

(a) IN GENERAL.—Section 45(e)(10)(A) of the Internal Revenue Code of 1986 is amended by striking ''11-year period'' each place it appears and inserting ''14-year period''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to coal produced and sold after the date of the enactment of this Act, in taxable years ending after such date.

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**SA 3638.** Mr. BROWN (for himself and Mr. PORTMAN) 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 in subtitle A of title II, insert the following:

**SEC. _____. COLLABORATION BETWEEN FEDERAL AVIATION ADMINISTRATION AND DEPARTMENT OF DEFENSE ON UNMANNED AIRCRAFT SYSTEMS.**

(a) COLLABORATION BETWEEN FEDERAL AVIATION ADMINISTRATION IN DEPARTMENT OF DEFENSE REQUIRED.—

(1) IN GENERAL.—The Administrator of the Federal Aviation Administration and the Secretary of Defense shall collaborate on developing ground-based sense and avoid (GBSAA) and airborne sense and avoid (ABSAA) capabilities for unmanned aircraft systems (UAS).

(2) ELEMENTS.—The collaboration required by paragraph (1) shall include the following:

(A) Assisting the Administrator in safely integrating unmanned aircraft systems and manned aircraft in the national airspace system.

(B) Building upon Air Force and Department of Defense experience to speed the development of civil standards, policies, and procedures for expediting unmanned aircraft systems integration.

(C) Assisting in the development of civil unmanned aircraft airworthiness certification, development of airborne and ground-based sense and avoid capabilities for unmanned aircraft systems, and research and development on unmanned aircraft systems, especially with respect to matters involving human factors, information assurance, and security.

(b) PARTICIPATION BY FEDERAL AVIATION ADMINISTRATION IN DEPARTMENT OF DEFENSE ACTIVITIES.—

(1) IN GENERAL.—The Administrator may participate and provide assistance for participation in test and evaluation efforts of the Department of Defense, including the Air Force, relating to ground-based sense and avoid and airborne sense and avoid capabilities for unmanned aircraft systems.

(2) PARTICIPATION THROUGH CENTERS OF EXCELLENCE AND TEST SITES.—Participation under paragraph (1) may include provision of assistance through the Unmanned Aircraft Systems Center of Excellence and Unmanned Aircraft Systems Test Sites.

**SA 3639.** Mr. KAINE (for himself and 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:

At the appropriate place, insert the following:

**SEC. _____. OBSTRUCTION EVALUATION AERONAUTICAL STUDIES.**

The Secretary of Transportation may implement the policy set forth in the notice of proposed policy entitled ''Proposal To Consider the Impact of One Engine Inoperative Procedures in Obstruction Evaluation Aeronautical 7 Studies'' published by the Department of Transportation on April 28, 2014 (79 Fed. Reg. 23300), only if the policy is adopted pursuant to a notice and comment rulemaking.

## CELEBRATING THE 144TH ANNIVERSARY OF ARBOR DAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 417, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 417) celebrating the 144th anniversary of Arbor Day.

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

Mr. MCCONNELL. Mr. President, I 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. 417) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

## ORDERS FOR TUESDAY, APRIL 12, 2016

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, April 12; 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 for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, and with the Democrats controlling the first half and the majority controlling the final half; finally, that following morning business, the Senate resume consideration of H.R. 636.

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

Mr. MCCONNELL. 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 (Mr. DAINES). Without objection, it is so ordered.

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

AMENDMENTS NOS. 3476, AS MODIFIED; 3492, AS MODIFIED; 3500; 3526; 3535; 3621; 3620; 3633; 3534; 3623; AND 3567 TO AMENDMENT NO. 3464

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate resume consideration of H.R. 636 and that the following amendments be called up and reported by number: Cassidy amendment No. 3476, as modified; Inhofe amendment No. 3492, as modified; Hoeven amendment No. 3500; Flake amendment No. 3526; Cotton amendment No. 3535; Nelson amendment No. 3621; Booker amendment No. 3620; Nelson amendment No. 3633; Cantwell amendment No. 3534; Whitehouse amendment No. 3623; and Cochran amendment No. 3567.

The PRESIDING OFFICER. 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 3476, as modified; 3492, as modified; 3500; 3526; 3535; 3621; 3620; 3633; 3534; 3623; and 3567 en bloc to amendment No. 3464.

The amendments are as follows:

AMENDMENT NO. 3476, AS MODIFIED

(Purpose: To authorize certain flights by Stage 2 airplanes)

At the end of title V, add the following:

**SEC. 5032. AUTHORIZATION OF CERTAIN FLIGHTS BY STAGE 2 AIRPLANES.**

(a) IN GENERAL.—Notwithstanding section 47534 of title 49, United States Code, not later than 180 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a pilot program to permit the operator of a Stage 2 airplane to operate that airplane in nonrevenue service into not more than four medium hub airports or nonhub airports if—

(1) the airport—

(A) is certified under part 139 of title 14, Code of Federal Regulations;

(B) has a runway that—

(i) is longer than 8,000 feet and not less than 200 feet wide; and

(ii) is load bearing with a pavement classification number of not less than 38; and

(C) has a maintenance facility with a maintenance certificate issued under part 145 of such title; and

(2) the operator of the Stage 2 airplane operates not more than 10 flights per month using that airplane.

(b) TERMINATION.—The regulations required by subsection (a) shall terminate on the earlier of—

(1) the date that is 10 years after the date of the enactment of this Act; or

(2) the date on which the Administrator determines that no Stage 2 airplanes remain in service.

(c) DEFINITIONS.—In this section:

(1) MEDIUM HUB AIRPORT; NONHUB AIRPORT.—The terms ''medium hub airport'' and ''nonhub airport'' have the meanings given those terms in section 40102 of title 49, United States Code.

(2) STAGE 2 AIRPLANE.—The term ''Stage 2 airplane'' has the meaning given that term in section 91.851 of title 14, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act).

AMENDMENT NO. 3492, AS MODIFIED

(Purpose: Relating to the operation of unmanned aircraft systems by owners and operators of critical infrastructure)

On page 84, between lines 10 and 11, insert the following:

''(f) OPERATION BY OWNERS AND OPERATORS OF CRITICAL INFRASTRUCTURE.—

''(1) IN GENERAL.—Any application process established under subsection (a) shall allow for a covered person to apply to the Administrator to operate an unmanned aircraft system to conduct activities described in paragraph (2)—

''(A) beyond the visual line of sight of the individual operating the unmanned aircraft system; and

''(B) operation during the day or at night.

''(2) ACTIVITIES DESCRIBED.—The activities described in this paragraph that a covered person may use an unmanned aircraft system to conduct are the following:

''(A) Activities for which compliance with current law or regulation can be accomplished by the use of manned aircraft, including—

''(i) conducting activities to ensure compliance with Federal or State regulatory, permit, or other requirements, including to conduct surveys associated with applications for permits for new pipeline or pipeline systems construction or maintenance or rehabilitation of existing pipelines or pipeline systems; or

''(ii) conducting activities relating to ensuring compliance with—

''(I) the requirements of part 192 or 195 of title 49, Code of Federal Regulations; or

''(II) any Federal, State, or local governmental or regulatory body or industry best practice pertaining to the construction, ownership, operation, maintenance, repair, or replacement of covered facilities.

''(B) Activities to inspect, repair, construct, maintain, or protect covered facilities, including to respond to a pipeline, pipeline system, or electric energy infrastructure incident, or in response to or in preparation for a natural disaster, man-made disaster, severe weather event, or other incident beyond the control of the covered person that may cause material damage to a covered facility.

''(3) DEFINITIONS.—In this subsection:

''(A) COVERED FACILITY.—The term 'covered facility' means a pipeline, pipeline system, electric energy generation, transmission, or distribution facility (including renewable electric energy), oil or gas production, refining, or processing facility, or other critical infrastructure.

''(B) COVERED PERSON.—The term 'covered person' means a person that—

''(i) owns or operates a covered facility;

''(ii) is the sponsor of a covered facility project;

''(iii) is an association of persons described by clause (i) or (ii) and is seeking programmatic approval for an activity in accordance with this subsection; or

''(iv) is an agent of any person described in clause (i), (ii), or (iii).

''(C) CRITICAL INFRASTRUCTURE.—The term 'critical infrastructure' has the meaning given that term in section 2339D of title 18.''.

''(4) DEADLINE.—Within 90 days from the date of enactment of the FAA Reauthorization of 2016 the Administrator must certify to the appropriate Committees of Congress that a process has been established to facilitate applications for operations provided for under this subsection. If the Administrator cannot provide this certification, the Administrator, within 180 days of from the due date of that certification, shall update the process under (a) to provide for such applications.

AMENDMENT NO. 3500

(Purpose: To provide for a 5-year extension of the unmanned aircraft system test site program)

On page 67, line 13, strike ''2017'' and insert ''2022''.

AMENDMENT NO. 3526

(Purpose: To establish an airspace management advisory committee)

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).

AMENDMENT NO. 3535

(Purpose: To clarify the provision relating to airports that enter into certain leases with components of the Armed Forces)

On page 46, line 15, insert after ''National Guard'' the following: '', without regard to whether that component operates aircraft at the airport''.

AMENDMENT NO. 3621

(Purpose: To secure aircraft avionics systems)

At the appropriate place, insert the following:

**SEC. _____. SECURING AIRCRAFT AVIONICS SYSTEMS.**

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall consider revising Federal Aviation Administration regulations regarding airworthiness certification—

(1) to address cybersecurity for avionics systems, including software components; and

(2) to require that aircraft avionics systems used for flight guidance or aircraft control be secured against unauthorized access via passenger in-flight entertainment systems through such means as the Administrator determines appropriate to protect the avionics systems from unauthorized external and internal access.

(b) CONSIDERATION.—The Administrator's consideration and any action taken under subsection (a) shall be in accordance with the recommendations of the Aircraft Systems Information Security Protection Working Group under section 5029(d) of this Act.

On page 354, between lines 16 and 17, insert the following:

(3) IN-FLIGHT ENTERTAINMENT SYSTEMS REVIEW.—As part of its review under subparagraphs (A) and (B) of paragraph (2), the working group shall review the cybersecurity risks of in-flight entertainment systems to consider whether such systems can and should be isolated and separate from systems required for safe flight and operations, including reviewing standards for air gaps or other means determined appropriate.

On page 354, line 17, strike ''(3)'' and insert ''(4)''.

On page 354, line 23, strike ''(4)'' and insert ''(5)''.

On page 355, line 9, strike ''(5)'' and insert ''(6)''.

AMENDMENT NO. 3620

(Purpose: To modify the definition of small business concern for purposes of the airport improvement program)

At the end of subtitle B of title I, add the following:

**SEC. 1226. DEFINITION OF SMALL BUSINESS CONCERN.**

Section 47113(a)(1) is amended to read as follows:

''(1) 'small business concern'—

''(A) except as provided in subparagraph (B), has the same meaning given that term in section 3 of the Small Business Act (15 U.S.C. 632); and

''(B) in the case of a concern in the construction industry, a concern shall be considered a small business concern if the concern meets the size standard for the North American Industry Classification System Code 237310, as adjusted by the Small Business Administration;''.

AMENDMENT NO. 3633

(Purpose: To improve section 2317)

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 ion 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).

AMENDMENT NO. 3534

(Purpose: To establish a national multimodal freight advisory committee in the Department of Transportation)

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.

AMENDMENT NO. 3623

(Purpose: To impose criminal penalties for the unsafe operation of unmanned aircraft)

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

**PART IV—OPERATOR SAFETY**

**SEC. 2161. SHORT TITLE.**

This part may be cited as the ''Drone Operator Safety Act''.

**SEC. 2162. FINDINGS; SENSE OF CONGRESS.**

(a) FINDING.—Congress finds that educating operators of unmanned aircraft about the laws and regulations that govern such aircraft helps to ensure their safe operation.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Administrator of the Federal Aviation Administration should continue to prioritize the education of operators of unmanned aircraft through public outreach efforts like the ''Know Before You Fly'' campaign.

**SEC. 2163. UNSAFE OPERATION OF UNMANNED AIRCRAFT.**

(a) IN GENERAL.—Chapter 2 of title 18, United States Code, is amended—

(1) in section 31—

(A) in subsection (a)—

(i) by redesignating paragraph (10) as paragraph (11); and

(ii) by inserting after paragraph (9) the following:

''(10) UNMANNED AIRCRAFT.—The term 'unmanned aircraft' has the meaning given such term in section 44801 of title 49.''; and

(B) in subsection (b), by inserting '' 'airport','' before '' 'appliance' ''; and

(2) by inserting after section 39A the following:

**''§ 39B. Unsafe operation of unmanned aircraft**

''(a) OFFENSE.—Any person who operates an unmanned aircraft and, in so doing, knowingly or recklessly interferes with, or disrupts the operation of, an aircraft carrying 1 or more occupants operating in the special aircraft jurisdiction of the United States, in a manner that poses an imminent safety hazard to such occupants, shall be punished as provided in subsection (b).

''(b) PENALTY.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the punishment for an offense under subsection (a) shall be a fine under this title, imprisonment for not more than 1 year, or both.

''(2) SERIOUS BODILY INJURY OR DEATH.—Any person who attempts to cause, or knowingly or recklessly causes, serious bodily injury or death during the commission of an offense under subsection (a) shall be fined under this title, imprisoned for any term of years or for life, or both.

''(c) OPERATION OF UNMANNED AIRCRAFT IN CLOSE PROXIMITY TO AIRPORTS.—

''(1) IN GENERAL.—The operation of an unmanned aircraft within a runway exclusion zone shall be considered a violation of subsection (a) unless such operation is approved by the airport's air traffic control facility or is the result of a circumstance, such as a malfunction, that could not have been reasonably foreseen or prevented by the operator.

''(2) RUNWAY EXCLUSION ZONE DEFINED.—In this subsection, the term 'runway exclusion zone' means a rectangular area—

''(A) centered on the centerline of an active runway of an airport immediately around which the airspace is designated as class B, class C, or class D airspace at the surface under part 71 of title 14, Code of Federal Regulations; and

''(B) the length of which extends parallel to the runway's centerline to points that are 1 statute mile from each end of the runway and the width of which is ½ statute mile.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 2 of title 18, United States Code, is amended by inserting after the item relating to section 39A the following:

''39B. Unsafe operation of unmanned aircraft.''.

AMENDMENT NO. 3567

(Purpose: To require the Federal Aviation Administration to coordinate with the Center of Excellence for Unmanned Aircraft Systems with respect to research relating to unmanned aircraft systems)

On page 74, strike line 19 and insert the following:

under section 44802(a) of that title, and in coordination with the Center of Excellence for Unmanned Aircraft Systems.

(c) USE OF CENTER OF EXCELLENCE FOR UNMANNED AIRCRAFT SYSTEMS.—The Administrator, in carrying out research necessary to establish the consensus safety standards and certification requirements in section 44803 of title 49, United States Code, as added by section 2124, shall, to the maximum extent practicable, leverage the research and testing capacity and capabilities of the Center of Excellence for Unmanned Aircraft Systems and the test sites (as defined in 44801 of such title, as added by section 2121).

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate now vote on these amendments, as well as the Bennet amendment No. 3524, as modified with the changes at the desk, all en bloc.

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

The amendment (No. 3524), as modified, is 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 review and, if appropriate, prescribe regulations that direct all air carriers to include pregnant women in their policies, with respect to preboarding or advance boarding of aircraft.

(d) FAMILY SEATING.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall review and, if appropriate, establish a policy directing all air carriers to ensure 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, to the maximum extent practicable, at no additional cost.

VOTE ON AMENDMENTS NOS. 3476, AS MODIFIED; 3492, AS MODIFIED; 3500; 3526; 3535; 3621; 3620; 3633; 3534; 3623; 3567; AND 3524, AS MODIFIED

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

The PRESIDING OFFICER. The question occurs on agreeing to the amendments en bloc.

The amendments (Nos. 3476, as modified; 3492, as modified; 3500; 3526; 3535; 3621; 3620; 3633; 3534; 3623; 3567; and 3524, as modified) were agreed to en bloc.

## ADJOURNMENT UNTIL 10 A.M. TOMORROW

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 8:18 p.m., adjourned until Tuesday, April 12, 2016, at 10 a.m.

## CONFIRMATION

Executive nomination confirmed by the Senate April 11, 2016:

THE JUDICIARY

WAVERLY D. CRENSHAW, JR., OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF TENNESSEE.