

the Government of the Kingdom of Norway Concerning Peaceful Uses of Nuclear Energy, done at Washington June 11, 2016, may be brought into effect on or after the date of the enactment of this Act, as if all the requirements in such section for consideration of such agreement had been satisfied, subject to subsection (b).

(b) **APPLICABILITY OF ATOMIC ENERGY ACT OF 1954 AND OTHER PROVISIONS OF LAW.**—Upon entering into effect, the agreement referred to in subsection (a) shall be subject to the provisions of the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.) and any other applicable United States law as if such agreement had come into effect in accordance with the requirements of section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153).

#### RESPONSE ACT OF 2016

Mr. BOOZMAN. Mr. President, I ask that the Chair lay before the Senate the message from the House to accompany S. 546.

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

*Resolved*, That the bill from the Senate (S. 546) entitled “An Act to establish the Railroad Emergency Services Preparedness, Operational Needs, and Safety Evaluation (RESPONSE) Subcommittee under the Federal Emergency Management Agency’s National Advisory Council to provide recommendations on emergency responder training and resources relating to hazardous materials incidents involving railroads, and for other purposes.”, do pass with an amendment.

Mr. BOOZMAN. Mr. President, I move to concur in the House amendment; and I ask unanimous consent that the motion be agreed to, and the motion to reconsider be considered made and laid upon the table without intervening action or debate.

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

#### PREVENTING ANIMAL CRUELTY AND TORTURE ACT

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 1831 and the Senate proceed to its immediate consideration.

Without objection, it is so ordered.

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1831) to revise section 48 of title 18, United States Code, and for other purposes.

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

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the Toomey substitute amendment be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 5169) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Preventing Animal Cruelty and Torture Act” or the “PACT Act”.

#### SEC. 2. REVISION OF SECTION 48.

(a) **IN GENERAL.**—Section 48 of title 18, United States Code, is amended to read as follows:

##### “§ 48. Animal crushing

“(a) **OFFENSES.**—

“(1) **CRUSHING.**—It shall be unlawful for any person to purposely engage in animal crushing in or affecting interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States.

“(2) **CREATION OF ANIMAL CRUSH VIDEOS.**—It shall be unlawful for any person to knowingly create an animal crush video, if—

“(A) the person intends or has reason to know that the animal crush video will be distributed in, or using a means or facility of, interstate or foreign commerce; or

“(B) the animal crush video is distributed in, or using a means or facility of, interstate or foreign commerce.

“(3) **DISTRIBUTION OF ANIMAL CRUSH VIDEOS.**—It shall be unlawful for any person to knowingly sell, market, advertise, exchange, or distribute an animal crush video in, or using a means or facility of, interstate or foreign commerce.

“(b) **EXTRATERRITORIAL APPLICATION.**—This section applies to the knowing sale, marketing, advertising, exchange, distribution, or creation of an animal crush video outside of the United States, if—

“(1) the person engaging in such conduct intends or has reason to know that the animal crush video will be transported into the United States or its territories or possessions; or

“(2) the animal crush video is transported into the United States or its territories or possessions.

“(c) **PENALTIES.**—Whoever violates this section shall be fined under this title, imprisoned for not more than 7 years, or both.

“(d) **EXCEPTIONS.**—

“(1) **IN GENERAL.**—This section does not apply with regard to any conduct, or a visual depiction of that conduct, that is—

“(A) a customary and normal veterinary, agricultural husbandry, or other animal management practice;

“(B) the slaughter of animals for food;

“(C) hunting, trapping, fishing, a sporting activity not otherwise prohibited by Federal law, predator control, or pest control;

“(D) medical or scientific research;

“(E) necessary to protect the life or property of a person; or

“(F) performed as part of euthanizing an animal.

“(2) **GOOD-FAITH DISTRIBUTION.**—This section does not apply to the good-faith distribution of an animal crush video to—

“(A) a law enforcement agency; or

“(B) a third party for the sole purpose of analysis to determine if referral to a law enforcement agency is appropriate.

“(3) **UNINTENTIONAL CONDUCT.**—This section does not apply to unintentional conduct that injures or kills an animal.

“(4) **CONSISTENCY WITH RFRA.**—This section shall be enforced in a manner that is consistent with section 3 of the Religious Freedom Restoration Act of 1993 (42 U.S.C. 2000bb-1).

“(e) **NO PREEMPTION.**—Nothing in this section shall be construed to preempt the law of any State or local subdivision thereof to protect animals.

“(f) **DEFINITIONS.**—In this section—

“(1) the term ‘animal crushing’ means actual conduct in which one or more living non-human mammals, birds, reptiles, or amphibians is purposely crushed, burned, drowned, suffocated, impaled, or otherwise subjected to serious bodily injury (as defined in section 1365 and including conduct that, if committed against a person and in the special maritime and territorial jurisdiction of the United States, would violate section 2241 or 2242);

“(2) the term ‘animal crush video’ means any photograph, motion-picture film, video or digital recording, or electronic image that—

“(A) depicts animal crushing; and

“(B) is obscene; and

“(3) the term ‘euthanizing an animal’ means the humane destruction of an animal accomplished by a method that—

“(A) produces rapid unconsciousness and subsequent death without evidence of pain or distress; or

“(B) uses anesthesia produced by an agent that causes painless loss of consciousness and subsequent death.”.

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for chapter 3 of title 18, United States Code, is amended by striking the item relating to section 48 and inserting the following:

“48. Animal crushing.”.

The bill (S. 1831), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

#### FEDERAL LAW ENFORCEMENT TRAINING CENTERS REFORM AND IMPROVEMENT ACT OF 2015

#### FEDERAL LAW ENFORCEMENT TRAINING CENTERS REFORM AND IMPROVEMENT ACT OF 2016

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 3842 and S. 2781 and the Senate proceed to their immediate consideration en bloc.

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

The clerk will report the bills by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3842) to improve homeland security, including domestic preparedness and response to terrorism, by reforming Federal Law Enforcement Training Centers to provide training to first responders, and for other purposes.

A bill (S. 2781) to improve homeland security, including domestic preparedness and response to terrorism, by reforming Federal Law Enforcement Training Centers to provide training to first responders, and for other purposes.

There being no objection, the Senate proceeded to consider the bills en bloc.

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the Perdue amendments be agreed to, and the bills, as amended, be considered read a third time.

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

The amendments (Nos. 5171 and 5170) were agreed to, as follows: