

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

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

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

APRIL 6, 2016.

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

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

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

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

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

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

Sincerely,

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

VOTE EXPLANATION

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

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

On rollcall vote No. 42, Heinrich amendment No. 3482, as modified, I would have voted in favor of adoption. This amendment will further strengthen the homeland by increasing security in soft targets at airports, in areas like check-ins and baggage claims, where terrorists recently carried out deadly attacks in Brussels. The amendment will expand and enhance visible deter-

rents, create a new eligible use under Homeland Security grants for training exercises to enhance preparedness for active shooter incidents, and authorize and make explicit that Homeland Security grants can be used for airport and surface transportation in these nonsecure soft target areas. I am proud to have cosponsored this amendment.

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

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

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

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

OLDER AMERICANS ACT REAUTHORIZATION ACT OF 2015

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

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

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

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

The PRESIDING OFFICER. Is there further debate?

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

The motion was agreed to.

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

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

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

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

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

The senior assistant legislative clerk read as follows:

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

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

Mr. McCONNELL. Mr. President, I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

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

The preamble was agreed to.

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

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

The PRESIDING OFFICER. The Senator from Iowa.

FILLING THE SUPREME COURT VACANCY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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