

maximum damage on each other? That is not how adults in the communities across our country solve their problems, and that is not how they would like us to be solving our problems, but that is actually what is happening right now in this body.

The legislation before the Senate is supposed to be about national security, which is the first and most important duty of the Federal Government. Republicans and Democrats, all 100 Members of this body, tell ourselves and tell our constituents that we love and want to support and provide for the troops.

I want that to be true. Thus, I think we should be able to agree that national security is far more important than trying to run up partisan scores in another culture war battle. By the way, culture war battles are almost never settled well by compulsion, by government, and by force.

But here we are, getting ready to have divide again, this time over the issue of women in the draft, and I want to ask why.

Let me ask a question that should be obvious. Why are we now fighting about drafting our sisters, our mothers, and our daughters into a draft that no one anywhere is telling us they need?

Seriously, where is there any general who has appeared before us and said that the most pressing issue or even a pressing issue about our national security challenges and efforts at the present time is that we don't have enough people to draft? Where has that happened? Who has said it? Because I have been listening, and I haven't heard a single person from the national security community come before us and say: Do you know what we need? We need more people in the draft.

I haven't heard that conversation anywhere.

This fight about women in the draft is entirely unnecessary, and wisdom should be nudging us to try to avoid unnecessary fighting. We have enough big, real, and important fighting we should be doing around here. Why would we take on unnecessary fighting?

So before we send out our press releases and before we decide to condemn people that are on the other side of a culture war battle, why don't we just pause and together agree on this one indisputable fact: We have the best fighting force that the world has ever known. In fact, it is an all-volunteer force right now. We are not drafting anybody, and no one is recommending that we draft anybody. So why are we having this fight?

Rather than needlessly dividing the American people over a 20th century registration process, why wouldn't we do this: Why wouldn't we pause, stop the expansion of the draft, stop to study the purposes of the draft, and actually evaluate whether we need a draft? Maybe we do, but let's actually evaluate it before we start fighting over the most controversial pieces of it.

Let's not start by fighting about who to add to the draft. Let's not start by trying to import culture warring into a national security bill. Let's start by asking if we are really certain we need the draft.

I am introducing a simple amendment, and I hope that this body could agree that its aim is common sense and its aim is to deescalate our bitter conflicts. My simple amendment would replace the NDAA's controversial draft provisions with three relatively non-controversial—and I think much more important—steps.

No. 1, my amendment would ask the Senate to admit that the draft, which last had a call, by the way—the last call of the draft was in December of 1972. I was 10 months old, and I think I am 5 years older than the youngest Member of this body. The last time there was a call in the draft was December of 1972. We should probably admit that it is time for a reevaluation instead of just continuing on autopilot.

No. 2, it would sunset the draft 3 years from now unless this body decides that we have consulted the generals and we can tell the American people that we need the draft to continue. So the second thing it does is sunset the draft 3 years in the future unless we would act to restore the draft.

No. 3, it requires the Secretary of Defense to report back to this body—to report back to the Congress—in 6 months on the merits of the Selective Service System rather than simply continuing it on status quo autopilot, unscrutinized.

Again, this isn't asking the Secretary of Defense to wade into the culture wars or to take a lead in any social engineering. By the way, I am the father of two girls so there is nobody who is going to outbid me on the limitless potential of young women in American life, but that is not what this is all about. This is about the Secretary of Defense reporting back to us after consulting with the generals and telling us one of three things.

I think it was a pretty simple question. We should have the Secretary of Defense come back before Congress in 6 months and say to us one of three things. Either, A, the all-volunteer forces we are actually using right now are sufficient and they think the draft is obsolete, in which case the sunset would just go into effect; or, B, they would tell us that after consideration they believe the draft is still necessary and some version of the present draft should be continued; or, C, they actually think we have a deficit of human capital to potentially draft, and they think we need an expansion of the draft. Then this body could debate who do we expand it to.

But let's first have the Secretary of Defense consult the generals, come back to us in 6 months, and say: A, an all-volunteer force works; B, we have about the right amount of human capital registered for the draft; or C, we think we need to expand the draft.

Maybe we will say we should have men who are older than 26 years added to the draft. Maybe we should add women. Maybe there will be some other configuration of people we would add to the draft. But until we know we need more people in the draft or that we need a draft at all, why would we dive headlong into what would be the most controversial version of this debate.

Again, the generals are probably going to tell us they are fine with an all-volunteer force, but we don't know that. So why don't we have them report back before we start bickering.

One of the fundamental purposes of this body is to debate the biggest issues facing the Nation and to do so in an honorable way. That is what the Senate is for. The reason we have a Senate is to debate—not abstractions—but to address and ultimately solve the meatiest challenges that the Constitution in present circumstances demands we tackle. Right now women in the draft isn't really one of those issues, so I don't know why we would start fighting about it and dividing so many of the American people about it.

If there is any Senator who believes that the purpose of the NDAA should be to have a culture war fight, humbly I would invite him or her to come to the floor and please make that case. If there is a reason we should have a culture war fight in the context of the NDAA, tell us why we should do it. But, if not, let's avoid unnecessary cultural division and stick with the actual national security tasks that are before us today.

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

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

#### MORNING BUSINESS

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

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

#### REMEMBERING DR. JAMES CRASE

Mr. McCONNELL. Mr. President, I wish to pay tribute to a distinguished Kentuckian and talented physician who has sadly passed away. Dr. James Crase, a good friend of mine who was a veteran and a former State senator, departed this life on May 28. He was 78 years old.

Dr. Crase, born in Letcher County, KY, practiced medicine for over 53 years, 40 of those years in his beloved hometown of Somerset, KY. He served

as chief of staff at the Lake Cumberland Regional Hospital.

As a Somerset doctor, he provided care to over 10,000 patient families and was named "Citizen Physician of the Year" by the Kentucky Academy of Family Practice. He previously practiced medicine in Berea, KY, McKee, KY, and in Norfolk, VA with the U.S. Navy.

Dr. Crase was elected to the Kentucky Senate in 1994 and became well known for his dedication to constituent service. After retiring from his medical practice, he helped create ClubMD, a healthcare clinic that focused on improving the patient experience.

Dr. Crase was deeply involved with the community and committed to volunteer service with many organizations, including the Lake Cumberland Lincoln Club, the Lake Cumberland Performing Arts, the Kentucky Medical Association, the Berea College Board of Trustees, the Somerset Community College Athletic Directorship, the First Presbyterian Church of Somerset, the Lake Cumberland Regional Hospital, the Pulaski Civil War Round Table, and the United Way.

Elaine and I wish to send our deepest condolences to Dr. Crase's family and many beloved friends during their time of grief. Dr. Crase was a friend, a caring and empathetic physician, and a devoted public servant. The Commonwealth of Kentucky is poorer for his loss.

An area publication, the Lexington Herald-Leader, published an article detailing the life and career of Dr. James Crase. I ask unanimous consent that said article be printed in the RECORD.

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

[From the Lexington Herald-Leader, June 1, 2016]

LONGTIME SOMERSET PHYSICIAN JAMES CRASE  
DIES AT 78  
(By Bill Estep)

James D. Crase, a longtime Somerset physician who served a partial term in the state Senate, died May 28. The Letcher County native was 78.

Crase was a U.S. Navy veteran who worked as a physician for 53 years, including more than 40 years in Somerset, where he served as chief of staff of the Lake Cumberland Regional Hospital and an elder at First Presbyterian Church.

Crase's obituary said he was proud to have provided care to more than 10,000 families during his time in Somerset. The Kentucky Academy of Family Practice named Crase its Citizen Physician of the Year, the obituary said.

Crase, a small-government Republican, was elected to the state Senate in December 1994 to finish the term of a lawmaker who had been convicted in a corruption case.

Republicans control the Kentucky Senate now, but were in the minority then. In a newspaper commentary, Crase expressed some frustration about the relative lack of power of the minority, and with the legislative process.

"First, one must convince his or her own party to support the measure. Then comes the dubious chore of convincing the opposing

party of its merits, thus the trades—you vote for mine, I'll smile upon yours," Crase wrote.

He did not seek election to a full term in 1996.

U.S. Senate Majority Leader Mitch McConnell said in a statement Wednesday said Crase will be missed.

"As a veteran and former state senator, Dr. Crase was well-respected in the community and worked tirelessly to improve the lives of his constituents," McConnell said.

Crase is survived by three children.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

#### VOTE EXPLANATION

• Mr. WARNER. Mr. President, I regret I was not present for the June 8, 2016, vote on the motion to invoke cloture on the compound motion to go to conference on H.R. 2577, the Departments of Transportation, and Housing and Urban Development, and Military Construction and Veterans Affairs appropriations bill, and the Zika supplemental appropriations bill.

Had I been present, I would have voted yes on cloture. This bipartisan bill supports our Veterans, invests in our national infrastructure, and provides funding to address the Zika virus.

Additionally, I would have supported the Nelson motion to instruct conferees and opposed the Sullivan motion to instruct conferees. •

#### SECTION 2152 OF THE FEDERAL AVIATION REAUTHORIZATION BILL

Mrs. FEINSTEIN. Mr. President, I wish to discuss the issue of preemption and ask to engage in a colloquy with Senators TILLIS and NELSON.

I come to the floor today to discuss the Federal Aviation Administration Reauthorization Act of 2016, which passed the Senate on April 19 by a vote of 95 to 3. This vote reflects the strong, bipartisan work that went into negotiating this bill, and I hope that the House will take it up.

However, there is unfinished business with this bill: the need to remove section 2152. This provision of the bill would preempt any State or local laws related to the operation, manufacture, design, testing, licensing, registration, certification, operation, or maintenance of an unmanned aircraft system including airspace, altitude, flight paths, equipment or technology requirements, purpose of operations, and pilot, operator, and observer qualifications, training, and certification.

This provision of the bill would be effective on the date of enactment prior to the FAA promulgating any regulations in these areas.

When this came to my attention, as a former mayor, I became very alarmed about the possible reach of this provision and how it might impact local communities, State parks, schools, infrastructure, and other areas with a strong State or local interest.

So I filed two amendments, and, ultimately, the managers of this bill—

Chairman THUNE and Ranking Member NELSON—agreed to accept an amendment to strike the provision from the underlying bill.

This is amendment No. 3704, filed by myself and Senator TILLIS, and cosponsored by Senators BLUMENTHAL, PERDUE, LEE, and MARKEY.

I would now like to yield, if I could, to my colleague from North Carolina, Mr. TILLIS.

Mr. TILLIS. As a former State legislator, I very much agree with what my colleague from California has said. In North Carolina, we worked hard to get the regulatory and legislative framework right for this new technology. In fact, we commissioned a legislative research committee to propose legislation and obtained input from stakeholders prior to the bill's passage. You see, not all wisdom resides at the Federal Government. Our system is designed to let States and localities weigh factors that bureaucrats in Washington might not consider, such as potential privacy concerns, law enforcement operations, search and rescue, natural disaster mitigation, infrastructure monitoring—the list goes on.

I would add that it was my understanding as well that Chairman THUNE and Ranking Member NELSON had graciously agreed to accept this amendment and that it had been cleared as part of a group of noncontroversial amendments. I was disappointed to see that package held up over a disagreement on unrelated matters between other Members. I am encouraged, however, by the chairman's and ranking members' commitment to continue addressing our concerns in conference committee.

Mr. NELSON. Mr. President, my distinguished colleague from North Carolina, Mr. TILLIS, is correct. Chairman THUNE and I did agree to accept this amendment as part of a package of 26 amendments agreed to by all but one of our colleagues.

While I am disappointed that these amendments could not clear the full Senate, including one that preserves certain State and local powers to deal with public safety concerns regarding drones, I will work with Chairman THUNE to address this and other issues in the conference committee once the House has acted.

#### REMEMBERING TERESA SCALZO

Mr. TOOMEY. Mr. President, today I wish to honor Ms. Teresa Scalzo, who recently passed away after a 23 year legal career focused on public service, supporting the victims of violence and sexual assault, and advancing the prosecution of those horrible crimes. After a battle with an aggressive cancer, Teresa passed away on Monday, May 23, 2016.

A native of Easton, PA, Teresa earned a law degree from Temple University School of Law in 1993. Over the next 23 years, she held numerous legal positions, all focused on giving victims