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House of Representatives

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

Senate

WEDNESDAY, APRIL 6, 2016

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Gracious God, each blessing we receive is a gift from You. Thank You for the blessings of life, liberty, and love. Thank You also for the blessing of salvation that we receive by grace through faith.

Today, empower our Senators to live a life rooted in Your grace. Liberate them from guilt, fear, and division. Give them the wisdom to rely on Your love as they seek to live faithfully for Your glory. May the good they accomplish because of You lead them away from pride or boasting. May they always point to You as the source of all that is good.

We pray in Your Holy 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. COTTON). The majority leader is recognized.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.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

FAA REAUTHORIZATION BILL

Mr. MCCONNELL. Mr. President, the bipartisan FAA Reauthorization Act is the product of a collaborative committee process in the Senate that is back to work. It was guided and informed by a series of substantive committee hearings. It contains ideas from committee members on both sides of the aisle, and because both Republicans and Democrats were given a stake in the outcome, it passed the Commerce Committee on a voice vote.

Senator THUNE is the chair of that committee and Senator AYOTTE is the chair of the committee's aviation panel. We recognize key players like these for their many months of hard work, hearings, and collaboration. We recognize the ranking members, Senators NELSON and CANTWELL, and committee members from both sides for their contributions as well.

The bipartisan FAA Reauthorization Act will support American jobs and help American manufacturing. It will improve safety in the skies and security in our airports. It contains commonsense reforms for passengers too. In fact, a consumer columnist for the Washington Post dubbed it ''one of the most passenger-friendly FAA reauthorization bills in a generation.'' For instance, to the extent an airline charges fees for things such as baggage or cancellations or changes, this bill will help ensure they provide it in a clear, standard format that people can actually understand. It will allow passengers to get refunds for services they purchased but didn't receive, like when they have been charged a bag fee and the bag doesn't make it. It will give passengers more peace of mind when they travel, directing the FAA to update the contents of the onboard emergency medical kits, and it will maintain rural access in States like Kentucky.

The bipartisan FAA Reauthorization Act achieves all of this without imposing the kind of overregulation that takes away choices from consumers and threatens service. It does everything I mentioned without raising taxes or fees on travelers. It is a balanced bill, but that doesn't mean some colleagues won't have ideas or amendments they would like to have considered. For instance, in the wake of incidents like we saw in Brussels, I know some have expressed interest in security-related amendments. But in order to even have an opportunity to work through additional ideas or amendments, we must first get on the bill. After talking to the Democratic leader, I am optimistic we will do that in a few hours.

If colleagues are serious about having the opportunity for amendments of any kind, here is what it means today: Let's continue doing our job. We will

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

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vote today to get on the bill, and we will move ahead.

REGULATION ON RETIREMENT SAVINGS

Mr. MCCONNELL. Mr. President, today the administration will unveil a set of regulations many believe will make it harder for lower to middle-class families to save for retirement. The regulation has been a long time coming, and there will be changes made from what was initially proposed. However, the fundamentals are likely to remain the same.

If that is the case, here is what we can safely say. Some have estimated that investment fees could more than double under this regulation. Here is what that could mean: access to critical retirement advice for those who can afford it and restricted access to affordable advice, and fewer retirement savings as a result, for too many lower and middle-class Americans.

It sounds a lot like ObamaCare. Here is why. Like ObamaCare, it threatens to upend an entire industry, threatens to increase costs and decrease access, and it threatens to hurt the very people it is aimed at helping. This regulation could have the effect of discouraging investment advisers from taking on clients with smaller accounts. What that means is that smaller savers, everyday Americans trying to plan for their future, could have less access to sound investment advice. One report projects the rule could cost middle-class families $80 billion in lost savings over the next decade.

I have already heard from Kentuckians who fear the negative repercussions this rule could have. For example, one financial adviser in my State shared with me his concerns about how the rule, as proposed, could impact his clients. There is the single mom with a daughter in college who fears she could see significant investment fee increases under the rule—increases she simply cannot afford. There is also the small business which could have a harder time accessing investment advice, potentially leading it to stop offering retirement plans to employees all together, and retirees living off their lifesavings could see reductions in their fixed income because of potential increases in investment costs.

From its initial proposal at a campaign-style event to its rollout today, this regulation seems to have always been more about politics than good policy. According to a report released by the Senate Homeland and Governmental Affairs Committee chairman, the administration seems to have ''disregarded . . . concerns and declined to implement recommendations'' from career, nonpartisan staff and government officials. Chairman JOHNSON's report goes on to say that the administration ''frequently prioritized the expeditious completion of the rulemaking process at the expense of thoughtful deliberation.''

America's middle class deserves responsible solutions, not far-reaching regulations that could jeopardize the retirement security of the very people it purports to help.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

FAA REAUTHORIZATION BILL

Mr. REID. Mr. President, in the last 12 hours or so, the Republican leader and I have had some very productive discussions on the FAA bill and the associated tax title. Those discussions have been productive, as the Republican leader said, and so I say to all my Members, we are going to go ahead and support invoking cloture on this part of the bill. We are going to proceed to this legislation. We should know in a few hours how much of the postcloture time will have to be used. I hope not very much. I hope we can get right to offering amendments.

As the Republican leader said, Senators NELSON and THUNE will manage this bill and the committee did a good job. There are airport security measures in the bill. I think we need to do more, but what they did is certainly a step in the right direction, so there will be amendments dealing with airport security coming from our side. There could be some other amendments, but we will see. I do hope we can yield back whatever time is left on the motion to proceed to the bill. I hope we can do that no later than this afternoon.

RULE ON INVESTMENTS

Mr. REID. Mr. President, I commend the administration for the rule issued with fiduciary duties on investments. These advisers on investments will do a better job for consumers because of this rule. This issue is so important that it is estimated that it will save consumers at least $17 billion a year—not over 10 years, but a year. So that is something that is very important. I hope people understand that.

NOMINATION OF MERRICK GARLAND

Mr. REID. Mr. President, yesterday the assistant Republican leader made an interesting statement as he spoke to reporters just off the Senate floor. This is what he said and I quote: ''Even though this is an election year, it is no excuse for not getting the people's work done.'' We all agree. On this side of the aisle, we all agree.

Even though this is an election year, it is no excuse for not getting the people's work done. I didn't write that for the Republican whip, but I couldn't have done any better had I tried to write it. That is why Senate Republicans should put aside election year politics and do their job regarding President Obama's nominee to the Supreme Court, Judge Garland, hopefully to be Justice Garland soon. And what is that job? As the Republican leader said a decade ago, and I quote:

> Our job is to react to the nomination in a respectful and dignified way, and at the end of the process to give that person an up-or-down vote as all nominees who have majority support have gotten through the history of the country. It's not our job to determine who ought to be picked.

So says the senior Senator from Kentucky. By the Republican leader's own admission, our job is to carry out a respectful nomination process. That means hearings, and at the end of the process we must give the nominee an up-or-down vote. That is our job, and we should do it.

Will the Chair announce what the Senate is going to be doing for the remainder of the day.

RESERVATION OF LEADER TIME

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

AMERICA'S SMALL BUSINESS TAX RELIEF ACT OF 2015—MOTION TO PROCEED

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

The senior assistant legislative clerk read as follows:

> Motion to proceed to Calendar No. 55, H.R. 636, a bill to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes.

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

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

FILLING THE SUPREME COURT VACANCY

Mr. BARRASSO. Mr. President, for weeks now we have seen Democratic Senators come to the floor and attack the chairman of the Senate Judiciary Committee. The tone of these attacks against Senator GRASSLEY have been vicious and they have been very personal. I believe Democrats have embarrassed themselves, and they have done a disservice to their constituents and to the U.S. Senate.

Senator GRASSLEY is an outstanding public servant. He has been relentless in representing the interests and the views of the people of his home State of Iowa. He has not missed a vote in 27 years. He holds townhall meetings in every one of Iowa's 99 counties every

single year. That is how seriously CHUCK GRASSLEY takes his responsibility to serve and to represent the people of his home State. Every other Member of this body should be trying to copy his example, not coming to the floor to criticize him or take cheap shots, as the Democrats have been doing in an attempt for political gain.

What Senator GRASSLEY wants should be the same thing all of us want when it comes to momentous decisions—decisions like who will have a lifetime appointment to the Supreme Court of the United States. He wants to give the people a voice. That is what Senator GRASSLEY wants for the people of Iowa, and that is what I want for the people of Wyoming.

Senator ENZI and I had a telephone townhall meeting last month, talking to people around the State of Wyoming. The great majority of the folks in Wyoming agree with Senator GRASSLEY, agree with Senator ENZI, and agree with me about the next Supreme Court Justice and giving the people a voice. This isn't just something that Republicans are making up because we don't like this nominee, although there is plenty not to like; it is what past chairmen of the Senate Judiciary Committee have done, Democrats as well as Republicans.

In 1992 Senator JOE BIDEN—now Vice President JOE BIDEN, but then Senator JOE BIDEN—came to the Senate floor to explain his rule, called the Biden rule, and it had to do with Supreme Court nominations. On this Senate floor, JOE BIDEN said that once the Presidential election is underway, ''action on a Supreme Court nomination must be put off until after the election campaign is over.'' That is what Vice President JOE BIDEN said when he was a Senator. Those are JOE BIDEN's words—former chairman of the Senate Judiciary Committee, which is the same position Senator CHUCK GRASSLEY currently holds. Senator BIDEN at the time said the temporary vacancy on the Court was ''quite minor''—''quite minor,'' he said—''compared to the cost that a nominee, the president, the Senate, and our nation would have to pay for what would assuredly be a bitter fight.''

Senator BIDEN was one of the Democrats who voted to filibuster Samuel Alito's nomination to the Supreme Court. So was Senator PAT LEAHY, who once also chaired the Senate Judiciary Committee. Senator Obama and Senator HARRY REID—that is right, Barack Obama, currently President of the United States, then-Senator Obama, and Senator HARRY REID, once majority leader, now minority leader—voted for that filibuster.

Back in 2005, when Senator REID was the Democratic leader, he said: ''Nowhere in [the Constitution] does it say the Senate has a duty to give presidential nominees a vote.'' Senator REID even went so far as to unilaterally change the rules of the Senate on nominations a few years ago. He was in the majority then; now he is in the minority.

That is what Democrats have done and what they have said about things like nominations to the Supreme Court and other important jobs for the country.

We have elections in this country for a reason—it is so we can hear directly from the people what they think and how they want us to act on their behalf.

In 2014, the American people rejected the path the Democrats in Washington were taking. They put Republicans in charge of the House and the Senate because they wanted us to act as a check and a balance on what President Obama was doing. Democrats want to ignore the will of the people on this Supreme Court nomination.

The President wants to say it is his decision and his alone. Well, it is not just his decision. Now that the election season is upon us, it should be the people's decision. Republicans understand that, Senator GRASSLEY clearly understands that, and Democrats actually used to understand it. We need to give the people a voice.

ENERGY INDUSTRY JOBS

Mr. President, I would also like to speak briefly about something going on in my home State of Wyoming. Late last week, two of our State's largest coal mines announced they would let go 15 percent of their workers—465 families now living with the terrible pain of loss of a job. Wyoming has seen thousands of hard-working men and women lose their jobs in the energy industry over the past few years, people working in oil, gas, and coal.

Democrats in Washington should never forget that the regulations they and this administration impose have real impact on real people. When Members of the Congress focus obsessively—and it is a misguided obsession—on ideas like climate change, they do grave damage to the hard-working families all across this country who are trying to provide energy for America and provide for their families.

When Democratic Presidential candidates say they want to keep our resources in the ground, they send shock waves through communities that depend on energy jobs. When the Obama administration promotes green energy at any cost, it does great harm to Americans who are working to produce red, white, and blue energy. Seven years of overregulation has taken its toll on coal country. The Obama administration has taken away these people's jobs, and now it is trying to take away their dignity because a person's job is related to their identity and dignity in so many ways.

My goal is to make American energy as clean as we can, as fast as we can, without raising costs and causing pain to American families. That means investing in new ways to develop Wyoming's incredible energy resources and finding new markets for those resources. Energy is known as the master resource. It is the master resource for a reason, and America provides and produces the energy we need for a strong economy as well as a healthy environment. There are bipartisan ideas and bills here in the Senate to help us do both. We should never give up on that goal.

American energy production has powered our economic recovery and has been the workhorse for the American economy for the last 7 years through the economic recovery. It is time for us here in the Senate, here in the country, certainly here in Washington, to return that favor and to help get these Americans back to work.

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

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

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 55, H.R. 636, an act to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes.

Mitch McConnell, Orrin G. Hatch, Daniel Coats, Lamar Alexander, John Boozman, James M. Inhofe, Chuck Grassley, Mike Crapo, Richard Burr, Thad Cochran, Johnny Isakson, Roy Blunt, Dean Heller, John Thune, John McCain, John Cornyn, Steve Daines.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 636, an act to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Texas (Mr. CRUZ).

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

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

The yeas and nays resulted—yeas 98, nays 0, as follows:

[Rollcall Vote No. 40 Leg.]

YEAS—98

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

NOT VOTING—2

Cruz	Sanders

The PRESIDING OFFICER. On this vote, the yeas are 98, the nays are 0.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The Senator from Iowa.

WHISTLEBLOWER INVESTIGATION

Mr. GRASSLEY. Mr. President, I come to the floor to tell a story about how a distinguished naval career was ruined by abuse of suspected whistleblowers. The end result is a mixed bag of good and bad.

In doing oversight of the Defense Department whistleblower cases, I have learned a difficult lesson. As hard as we may try, whistleblower cases rarely have good outcomes. Now, true, a wrong may be made right, a measure of justice may have been meted out, but the victims—the whistleblowers—have been left out in the cold. They may never get the remedy they seek and deserve.

At the center of this case is an honored naval officer, RADM Brian L. Losey. He can only blame himself for what happened. No matter how you cut it, though, the destruction of a distinguished military career—especially one devoted to hazardous duty in Special Operations—is very unfortunate and very sad as well. Yet that is accountability's harsh reality. This admiral allegedly broke the law and must now pay the price.

In the end, under pressure from several quarters, Secretary of the Navy Ray Mabus was forced to deny Admiral Losey his second star. This promotion was hanging fire for 5 long years, mostly because of ongoing investigations. Admiral Losey had allegedly retaliated against several whistleblowers.

If the Secretary of the Navy and the Navy's top brass had their way, Admiral Losey would be wearing that second star today, but late last year it got tossed into a boiling cauldron. Mounting opposition was coming from four different directions.

First, on November 13 of last year, after learning about the controversy, a bipartisan group of Senators weighed in with a request for all the reports on the Losey matter. The requests came from Senators WYDEN, KIRK, BOXER, JOHNSON, MARKEY, MCCASKILL, and BALDWIN, along with this Senator from Iowa. We happen to be members of the Whistleblower Protection Caucus. Other Senators also made similar requests for those reports.

The second operation. On December 2, 2015, we received four of the five Department of Defense Office of Inspector General reports on that investigation. One is still being reviewed, and I will tell you about that particular report in a minute.

In reviewing these documents, we quickly realized that Admiral Losey appeared to be a serial retaliator of whistleblowers. The evidence was overwhelming. He allegedly broke the law.

It all began in July 2011 at the Norfolk naval base Travel Office. There was a minor dispute over who should pay for his daughter's airline ticket to Germany. As a Coast Guard Academy cadet, that daughter was not entitled to travel as a dependent at taxpayers' expense. Although Admiral Losey, his wife, and staff allegedly ''pestered'' the Travel Office to pay for the ticket, Admiral Losey eventually purchased it with his own money. Nonetheless, this incident triggered a hotline complaint on July 13, 2011. Admiral Losey was informed of the complaint 2 months later, and then from that point it was all downhill.

After learning of the anonymous hotline tip, Admiral Losey was reportedly ''livid.'' He saw it as an act of disloyalty and ''a conspiracy to undermine his command.'' He reportedly developed a list of suspects and began a punitive hunt for more. Reports indicate he was determined to find out who blew the whistle, and when he did, he allegedly said he ''would cut the head off this snake and end this.''

So in his drive to root out moles, he created a toxic environment in his command. His seemingly reckless behavior and blatant disregard for the law and well-being of his subordinates led to his downfall. The end result of the admiral's misguided search for moles was a series of reprisals against suspected—just suspected—whistleblowers.

His choice of suspects was gravely mistaken. No one, in fact, had blown the whistle. Yet each was allegedly subjected to adverse personnel action at his direction and with his concurrence. His targets were mostly senior members of his command staff at Stuttgart, Germany. The person who actually blew the whistle worked at the Travel Office in Norfolk, VA. Clearly, this was a case of misdirected retaliation, which makes his alleged abuses even more egregious.

As soon as Senators finished reviewing these reports and started asking pointed questions, the Navy knew the watchdogs were on the case. The Navy brass went to general quarters. According to reports in the Washington Post, the top brass turned up the pressure. They arbitrarily dismissed the inspector general's findings and put the promotion on a fast track.

Now for the third part of this story. My good friend from Oregon, Senator RON WYDEN, on December 18 of last year, upset the apple cart. He placed a hold on the pending nomination for a new Under Secretary of the Navy, Dr. Davidson. His hold was not directed at Dr. Davidson; instead, it was directed at Admiral Losey's pending promotion. He had grave concerns about revelations in the inspector general's reports. His hold restored much needed leverage lost when the Senate confirmed the admiral's promotion in December 2011. He wanted the Secretary of the Navy to reconsider the promotion. So I commend my friend from Oregon for taking this action because it was an immediate game-changer.

Fourth, on January 14, 2016, there came a bolt out of the blue. The Senate Committee on Armed Services fired a shot across the bow that stopped the Navy dead in the water. The committee's letter to the Secretary of the Navy began with this damaging assessment. After reviewing the investigative reports, we—meaning the committee—''maintain deep reservations'' about Admiral Losey's ability to successfully perform as a two-star admiral. This was the death knell, but the committee's condemnation didn't end there. If it had known in 2011 what it knew in January of this year, the committee said it would never have confirmed Admiral Losey's nomination in the first place. The inspector general's damaging investigative reports had turned its earlier assessment upside down. The committee then very much slammed the door shut.

The committee urged the Secretary of the Navy to use his authority to deny the promotion. There was no gentle nudge. This letter effectively ended Admiral Losey's career. The Secretary of the Navy had run out of options. The Secretary had to do what he had to do. The committee of jurisdiction had laid down the law. The admiral should not be promoted. End of story. Admiral Losey will now step down as leader of the Naval Special War Command and retire.

The committee's groundbreaking letter was signed by Chairman MCCAIN and Ranking Member REED, and what is important about this letter is that it is a very sharp departure from actions taken by past Armed Services Committees in questioning a lot of these things that go on in the Defense Department. During the course of my oversight work, I have had several beefs with this committee over issues exactly like this. All were about the need to hold senior officers accountable for alleged

misconduct based on evidence in inspector general reports. The response back then was very different from what I see of the work of the committee today.

I see this letter as a breakthrough. I see it as a masterpiece. I am proud of the Committee on Armed Services. This about-face came under new leadership, and I hope it signals the dawning of a bright new day. So it shouldn't surprise anyone that I would thank Chairman MCCAIN and thank Ranking Member REED from the bottom of my heart for this outstanding leadership. Their actions send a message to whistleblowers: Reprisals will not be tolerated. That is a real morale booster for all whistleblowers suffering under the weight of reprisals.

From what I know about whistleblowers, most of them are very patriotic people. They just want the government to follow the law and spend the money appropriately. They just want the government to do what the government is supposed to do. When they see it isn't being done, and they work up the chain of command but do not see any changes, then they come to Members of the Senate and the Congress. So I thank them again for having the courage to do the right thing. Holding such a distinguished naval officer accountable was no easy task. To the contrary, it was as difficult as they get.

Mr. President, now that the question of the admiral's promotion has been laid to rest, I would like to turn to that unfinished business I earlier referred to. The true scope of the admiral's retaliation actions is still being examined because there is a fifth report out there. The focus of the fifth and final report of the Losey investigation is more like a phantom than a real report.

Over 1,150 days have passed since this investigation began, and it is still not finished. It should be a piece of cake. The cast of characters, the facts, the evidence, and the findings should be essentially the same as in other Losey reports published long ago.

So I ask: What is really going on here? I have received several anonymous tips. What I hear is very disturbing. This report is allegedly being doctored, causing bitter internal dispute over across the river. On one side are the investigators just doing their job. They appear—as we would expect—to be guided by the evidence. On the other side is top management at the Defense Department. They appear very eager to line up with the Navy's decision to arbitrarily dismiss evidence.

From the get-go, the findings in the draft report substantiated reprisal allegations against Admiral Losey—consistent with the other reports. Top management initially concurred with those findings. So then, what is wrong? Why not issue the report?

However, in response to alleged pressure from the Secretary of the Navy's office, they caved and agreed to take Losey out of the report. How could they get such a bad case of weak knees? The evidence staring them in the face seems irrefutable—rock solid. Plus, it was just reaffirmed by an unlikely source—the U.S. Air Force.

Because two Air Force officers were allegedly involved, the Air Force had to conduct its own review. The Air Force also found the evidence very compelling. As a result, the Air Force officer—who was Admiral Losey's command attorney—reportedly faces potential legal trouble. He allegedly facilitated the admiral's retaliatory actions against the whistleblowers. The other officer will retire.

Despite the red flags and the need for caution, caution has been tossed to the wind. On March 31, 2015, Deputy Inspector General Marguerite Garrison gave the Navy a green light to proceed. She notified Admiral Losey by letter that he ''was no longer a subject of the investigation.'' How could she do such a thing with all the evidence that is already out there in the other four reports and what we think we know in this report that is not public?

At that point in time, Admiral Losey's alleged retaliation was the centerpiece of the report. True, it was a draft report in the midst of review. True, there were questions about Admiral Losey's role. Yet, after the passage of 1 year, the dispute remains unresolved. The report is still in draft and, obviously, mired in controversy.

I think this all shows that there is something rotten at the Pentagon. To send such a letter, which was inconsistent with the evidence in an unfinished report, seems inappropriate. The Garrison letter set the stage for what has followed, and I will tell you what followed.

To conform to the Garrison letter, the findings in the draft report had to be allegedly changed from ''substantiated'' to ''not substantiated.'' The investigators, thank God, dug in their heels and stood their ground. The evidence was apparently on their side.

In early December of last year, as the Losey promotion issue reached a critical juncture, top management allegedly ''directed'' the investigators to change the report's findings from ''substantiated'' to ''not substantiated.'' The investigators were also allegedly directed to change facts and evidence to fit the desired findings. In other words, key pieces of evidence had to be allegedly ''removed'' to ensure that the evidence presented in the report was aligned with the specified conclusions.

These are very serious allegations. Deliberately falsifying information in an official report constitutes a potential violation of law. If the directed rewrite of this report really happened, and if it is allowed to stand, it could undermine the integrity of the whole investigative process.

The new acting Defense Department inspector general, Mr. Glenn Fine, whom I know from a similar position in the Justice Department to be a pretty good inspector general, needs to grab the bull by the horns in this case, and he has the authority to do it.

He needs to call the top officials involved on the carpet. This would include Mrs. Garrison, her deputy, Director Nilgun Tolek, and Deputy Director Michael Shanker. The IG needs to ask them to explain and justify their actions. Next, he needs to ask the investigators to present their side of the story. Then, he needs to weigh independently and objectively the evidence and figure out what needs to be done to get this solved and get this report out. I think Mr. Fine has the capability to be independent and objective, and I ask him to do that.

I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered

FILLING THE SUPREME COURT VACANCY

Mr. REID. Mr. President, I am here to defend Chief Justice John Roberts. I am here because he has been attacked, without cause, by the chairman of the Judiciary Committee.

Yesterday afternoon the senior Senator from Iowa hit a new low in trying to justify his unprecedented obstruction of President Obama's Supreme Court nomination of Judge Merrick Garland. The chairman of the Judiciary Committee accused Chief Justice John Roberts of being ''part of the problem'' when it comes to the politicization of the Supreme Court. That is without any foundation.

I don't agree with the Chief Justice on every opinion he has rendered, nor, frankly, do I agree with any of the other seven on opinions they have rendered. We have had some disagreements on a number of opinions they have authored and participated in. Again, I don't agree with the Chief Justice on many of the opinions he has written, but his observations about the Supreme Court confirmation process have obviously struck a nerve in the Republican caucus.

Here is what happened. Days before the unfortunate death of Justice Scalia, before anyone could have anticipated the Supreme Court vacancy, Chief Justice Roberts made the commonsense assertion in a speech he gave that partisan politics hurt our Nation's highest Court. This is what he said:

> When you have a sharply political, divisive hearing process, it increases the danger that whoever comes out of it will be viewed in these terms. . . . It's natural for some member of the public to think you must be identified in a particular way as a result of that process. And that's just not how—we don't work as Democrats or Republicans. I think it's a very unfortunate perception the public might get from the confirmation process.

I was a Member of the Senate when we had the hearings regarding Justice

Roberts. He came from the same court on which Merrick Garland served. They served together, and they are friends. In the past, Justice Roberts has said many glowing things about Merrick Garland. But yesterday afternoon on this floor, the senior Senator from Iowa had the audacity to accuse Roberts of being part of the problem, even going so far as to tell the Chief Justice—listen to this one—''Physician, heal thyself.''

I say to the senior Senator from Iowa, Justice Roberts isn't the one who needs healing. What needs mending is the Judiciary Committee under his chairmanship, which he has annexed as a political arm of the Republican leader's office. Senator GRASSLEY has sacrificed the historical independence of the Judiciary Committee to do the bidding of the tea party and obviously the Koch brothers.

I have news for Senator GRASSLEY: The American people don't think the process of nominating a Supreme Court Justice is political because the Supreme Court's rulings don't match expectations of the political right or the political left. I have confidence that these men and women who serve on the Court do the very best they can to rule on the law as they see it. The American people don't think it is political because the senior Senator from Iowa is refusing to give a fair hearing to a highly qualified nominee purely because he was nominated by a Democratic President. The American people think it is political when the Judiciary Committee and the Republicans on his committee meet behind closed doors and make pacts to blockade our Nation's judiciary, from the Supreme Court, to the circuit courts, to the district courts.

I know that my friend, with whom I have served for decades in this body, is grasping for something, anything to get himself off the hook. President Harry Truman said, ''The buck stops here.'' Senator GRASSLEY wants the buck to stop with anyone but himself. He has done more to politicize the process than any chairman of the Judiciary Committee in the history of this country.

If the senior Senator from Iowa really wants to understand why Americans think the process of nominating Supreme Court Justices is so partisan, he should consider his own actions. He has only himself to blame for not doing his job.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. THUNE. Mr. President, just a little earlier today, the Senate moved to proceed to the FAA reauthorization bill. My hope is that we—the distinguished Senator from Florida, who is the ranking member on the Commerce Committee, and I—will move to have a substitute considered, and, hopefully, that will happen very soon.

At this time, I wish to speak about the subject that is before us, and that is the FAA reauthorization bill.

This week the Senate is taking up something that is a very important piece of legislation when it comes to aviation reforms that will support U.S. jobs, increase safety, improve drone operations, and make travel easier for airline passengers. The bill before us today, the Federal Aviation Administration Reauthorization Act of 2016, will help update aviation law to reflect the rapid advances in technology we have seen over the last few years.

For example, since the last reauthorization of the Federal Aviation Administration in 2012, the use of drones has increased dramatically. The FAA has sought to keep up by using the authority it already has to safely advance this burgeoning industry, but there are limits to what the FAA can do with only outdated authority to manage this rapidly advancing technology. Passing this reform bill will help the FAA remove barriers to innovation and address unacceptable safety risks when it comes to unmanned aircraft.

Just last month the Los Angeles Times reported on an incident where a Lufthansa A380 jumbo jet approaching the Los Angeles International Airport experienced a near miss with a drone that flew just 200 feet over the airliner. While fortunately in this case, the two did not collide, the prospect of a jumbo jet carrying hundreds of passengers striking a drone while flying over a heavily populated area is chilling.

Our colleague from California, Senator FEINSTEIN, noted in a statement on this incident that our FAA bill includes key reforms that will keep drones out of the path of airliners. She added: ''We must pass this bill and strengthen the law wherever we can.'' Well, I could not agree more. To keep drones out of the paths of commercial airliners, the Senate bill would implement standards so that existing safety technologies could be built into unmanned aircraft. This legislation also takes steps to require drone users to learn basic rules of the sky so they understand the limits of where and when unmanned aircraft may operate. This is critical as we move into an era where drones share airspace with commercial aircraft, emergency medical flights, low-altitude agricultural planes, and general aviation pilots.

Our focus on safety in this legislation doesn't stop at promoting safe use of unmanned systems. Our legislation addresses safety issues across the aviation spectrum. Lithium batteries, the batteries that power laptops and mobile phones, have helped to grow our digital economy, but the bulk transport of these items poses serious shipping challenges. Our bill ensures swift implementation of new international safety standards for the bulk transport of these batteries.

Although the sequence of events preceding the tragic Germanwings murder-suicide almost certainly would not have happened in the United States due to existing rules, our bill recognizes the importance of mental health and strengthens evaluations for commercial pilots.

Our legislation also improves a voluntary safety reporting program for pilots and sets a deadline for creating a commercial pilot record database to ensure air carriers have all available information about pilots' training, testing, and employment histories when hiring.

In response to an independent recommendation completed after our experience with the 2015 Ebola virus outbreak, our bill directs Federal agencies to establish aviation preparedness plans for any future outbreaks of communicable diseases.

Our legislation also directs the FAA to update guidance regarding flight deck automation, such as the use of autopilot, a key factor in recent fatal accidents. This legislation also makes existing funds available for a $400 million increase in the Airport Improvement Program to strengthen infrastructure and safety measures at our airports.

While our top priority is safety, the Senate's aviation bill also makes consumer friendly reforms to improve air travel for passengers. I commute weekly from my home in South Dakota to Washington, DC. So I understand the many frustrations that passengers face, and my colleagues and I are immensely proud of the pro-consumer provisions in this bill. Our legislation has been hailed by a consumer columnist for the Washington Post as ''one of the most passenger-friendly Federal Aviation Administration reauthorization bills in a generation.''

Under our bill, airlines must return fees consumers have paid for baggage if items are lost or delayed. We also require airlines to automatically return fees for services purchased but not delivered so that travelers don't have to go through the hassle of trying to reclaim their money from an airline. And for customers frustrated by lengthy legal jargon that can make it difficult to understand fees, our bill creates a new and easy-to-read uniform standard for disclosing baggage, ticket change, seat selection, and other fees. Our proposal also helps families with children find flights where they can sit together without additional costs by requiring airlines to tell purchasers about available seat locations at the time of booking.

As a resident of a rural State, the needs of the general aviation community were a priority of mine when we wrote this bill. I am pleased we were able to build a consensus for including reforms from the Pilot's Bill of Rights 2 offered by many of my colleagues and led by Senators INHOFE and MANCHIN.

These provisions include reforms to the third class medical certificate required for noncommercial pilots and new protections for pilots in their interactions with the FAA.

To reduce the risk of aircraft accidents for low-altitude fliers, such as agricultural applicators, our bill includes requirements for highly visible physical markings on small towers posing hazards.

This bill would also strengthen the aviation industry by improving the FAA's process for certifying aircraft designs and modifications and ensuring that these certifications benefit manufacturers competing in global markets. This would help manufacturers move U.S. aerospace products to market faster without compromising safety standards.

While I expect and encourage robust debate on this bill, I hope the debate will go forward with the same bipartisan and constructive spirit that Senator NELSON and I witnessed during consideration of this bill in the Commerce Committee. At the committee markup, we voted to include dozens of amendments reflecting ideas from both sides of the aisle. On final passage, we approved this bill by a voice vote, without a single committee member recording an objection. Part of reaching this consensus was an agreement Senator NELSON and I had reached not to include certain proposals that would divide our colleagues. We worked hard to find middle ground on a number of issues to enable us to move this bill forward. Air traffic control reform and a passenger facility charge increase were excluded from the package because, at present, these proposals lack sufficient support and their inclusion could have jeopardized the legislation. Senator NELSON and I also agreed to limit the length of this bill to 18 months. This allows us to enact important reforms now while providing an opportunity to revisit other issues reasonably soon.

As we debate this bill, we should remember the urgent need for safety improvements and good government reforms to improve our aviation industry. There are numerous reforms in this bill that are simply too important to delay, and I look forward to a productive debate.

Finally, I took to the floor earlier this week to discuss the recent horrific attacks perpetrated by ISIS and the implications for security and our aviation policy. In addition to this FAA bill, the Commerce Committee has approved two bipartisan aviation security bills. The first is S. 2361, the Airport Security Enhancement and Oversight Act, which Senator NELSON and I introduced along with the bipartisan leadership of the Homeland Security Committee as cosponsors, and the second is H.R. 2843, which is the TSA PreCheck Expansion Act offered by Representative JOHN KATKO in the House.

Historically, the Senate has passed aviation security enhancements separate from a reauthorization of the Federal Aviation Administration. While I still prefer this separate approach, I will pursue every option to enact these improvements and will vigorously oppose any efforts to water down the security enhancements in these bills.

I know we all share the goal of keeping aviation secure, and I will listen to the views of my colleagues on whether we pursue enactment of these bipartisan aviation security proposals through this reauthorization or through separate legislation.

I thank my partner on the Commerce Committee, Ranking Member BILL NELSON, as well as Senators KELLY AYOTTE and MARIA CANTWELL, who lead our Aviation Subcommittee, for their work on the Federal Aviation Administration Reauthorization Act.

I look forward to the ensuing debate on the bill, and I urge—at the end of that debate—my colleagues to move forward and pass this legislation because it is important for America's economy and the safety of our traveling public.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I think the chairman, Senator THUNE, has pointed out that what we have tried to exhibit is the way the Senate is supposed to work. We are supposed to work in a bipartisan way to forge consensus in order to be able to govern. The subject matter of the FAA reauthorization bill is one that we shouldn't dilly-dally around. Indeed, we take some of the very serious consequences we are facing with our national aviation system head-on.

I also want the chairman to know how much I appreciate the spirit with which we have worked, not only on this issue but on the many issues we have discussed in the Commerce Committee. I think the proof is in the pudding, and I think we will see an amendment process that will run fairly smoothly as a result of the example and the spirit we have tried to set with regard to this legislation.

This is a comprehensive bill. It has been months in the making, and in working together in the fashion that I indicated, the bill reflects our broad agreement on aviation. At the same time, we have refrained from the controversial proposals, such as the plan in the House bill that has come out of the House committee and has not gone to the floor. They had a plan to privatize air traffic control and that has stopped the House FAA bill dead in its tracks.

We have a good bill in front of us here in the Senate, and in this robust process we will consider many amendments and improvements as we continue the legislative process. There is no basis for the chatter coming from some in the House that hearts and minds will change here in the Senate on air traffic control privatization. Air traffic control privatization is just not going to happen. I have made myself very clear on that issue. Such a privatization scheme would seriously impact the overall success of our aviation system. It would dismantle the longstanding partnership between the FAA and the Department of Defense and needlessly disrupt the progress the FAA is making in its modernization efforts. Let me underscore that. The Defense Department operates in about 20 percent of our airspace. They cannot afford to have a private company handling that airspace. Of course, this privatization could also lead to increased costs for the traveling public and users of the National Airspace System.

We think the measured approach we are taking in this bill is the better path, and we are not alone in this view. This bipartisan bill enjoys the support of a huge number of organizations. Now, nothing is perfect, and so it was my hope that we could find a way to help our busiest airports by increasing the resources they need to improve and maintain vital facilities. We couldn't reach that agreement. That is one reason the term of this bill is somewhat limited through fiscal year 2017, so we have an additional opportunity to revisit this and other issues in the not-too-distant future. It is a consensus bill, and it contains, as the chairman has just mentioned, many new consumer protections for airline passengers, critical improvements in drone safety, and reforms that boost U.S. aircraft manufacturing and exports, and it will do all of this without disrupting the safest and most efficient air transportation system in the world.

Let me highlight some of these consumer protections. How irritating is it to passengers that they don't know about this-and-that fee, this-and-that charge? At the end of the day, consumers feel nickeled and dimed. They deserve to know, and they need some relief. Well, this bill makes progress on that. Last summer, this Senator released a report that found that airlines failed to adequately disclose the extra fees and the add-on costs charged to the flying public. In many cases, passengers didn't know they could get a seat without having to request a special seat with a fee. In many cases, passengers didn't know about the fees they had to pay for airline baggage. That report had a number of comprehensive recommendations, and this legislation builds on that report to protect the flying public—many things in the bill. For example, it requires fee refunds for lost or delayed baggage. It requires new standardized disclosure of fees for consumers. It requires increased protections for disabled passengers.

As the chairman mentioned, drone safety is a very important area of this bill. Remember Captain Sully Sullenberger, who became a national hero when, upon takeoff and ascending out of LaGuardia, he encountered a flock of seagulls which were sucked into his jet engines? Now, that is flesh

and blood and feathers and webbed feet. You can imagine what would happen if a plane, on ascent or on descent of a passenger airline, sucks in the plastic and metal of a drone. There are lives at risk, and there might not be a Hudson River that Captain Sullenberger could belly it in, in the Hudson River, and save all the lives of his passengers.

Last year alone, the FAA recorded over 1,000 drone sightings near airports and aircraft. That is unacceptable, and we must do everything we can to protect the flying public from these dangers posed by drones. So this bill creates a pilot program to test various technologies to keep drones away from airports, and it requires the FAA to work with NASA to test and develop a drone traffic management system. We have seen the technology already available that can suddenly capture a drone, if it goes into a prohibited area, and land that drone or take over that drone and take it someplace else. The identification of drones that go in and out of prohibited areas is also important. We are going to have to face this because, sooner or later, it will not be what happened at the Miami International Airport with a drone within hundreds of feet of an inbound American Airlines airliner into Miami International. So we want to avoid that catastrophic outcome. This legislation also provides reforms in the FAA certification process that will boost U.S. manufacturing and exports and most importantly create really good jobs for hard-working Americans.

Those are just some of the key features in the bill when it comes to reauthorizing the FAA, and that is what brings us here today with the bill on the floor. We know we are in a new context of world terrorism, having just been reminded in Brussels. The dual attacks on a Brussels metro station and the airport are a grim reminder that both aviation and surface transportation networks remain attractive targets for terrorists. It is now almost 15 years after September 11. The terrorists are still out there seeking these vulnerabilities. In November of last year, we saw the ability to penetrate airport perimeter security in Egypt enabled an employee to get an explosive device on a Russian passenger jet, and that killed 224 civilians. So we have amendments to address these issues. We think these amendments are noncontroversial, we think they are bipartisan, and they certainly are timely.

As our debate unfolds over the next few days, aviation security will be an important factor in the discussion. The chairman and I have talked at length, and we have some of the ideas that we are going to present for consideration on security. One such proposal, as the chairman has mentioned in his opening remarks, we already passed in the commerce committee. It is right there, the Airport Security Enhancement and Oversight Act. That bipartisan legislation, sponsored by a number of us on the committee, would improve background checks for airport workers and increase employee screenings—obviously, a reminder of the Russian jetliner—this is important—and a reminder of the gun-running scheme in the Atlanta airport: over 100 guns over a 3-month period put on airliners, transporting them from the Atlanta Airport to New York. It is an area that requires attention.

So I look forward to collaborating with our colleagues as we move these important issues.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

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

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

FILLING THE SUPREME COURT VACANCY

Mr. MERKLEY. Mr. President, I rise today to talk about an issue that affects a part of our Constitution. The Constitution begins with these three words: ''We the people.'' You can talk in any townhall across America and ask ''What are the first three words of the Constitution?'' and they will respond ''We the people.'' They know that the Constitution starts with those words written in a super-sized font, because that is really the heart of what our system of government is all about—not ''we the powerful commercial interests,'' not ''we the titans of industry,'' not ''we the richest in America.'' No. ''We the people,'' the citizens, ordinary citizens. Our Constitution, our system of government is set up to honor and respect and address the concerns of ordinary citizens. That is very different from so many other countries where our early residents came from, from across the sea. So those three words capture the spirit of what our new Nation was all about, or, as President Lincoln later summarized, a government of the people, by the people, and for the people.

I have come to the floor periodically to address various issues related to ''we the people,'' related certainly to honoring the spirit of the Constitution. In that regard, this week I am coming to the floor to address the responsibility of our Senate and its advice and consent role under our Constitution.

The President's duty is to nominate a Supreme Court Justice when there is a vacancy. That responsibility is clearly written into our Constitution. The Senate's duty is to consider whether that nominee merits being appointed. In the early ages of our country, as we went from the Revolution of 1776 to the drafting of the Constitution, our Founders were of mixed minds as to how this appointment process should work. Some said the appointments should all be done by what they referred to as the assembly—that is, by all of us in Congress. So the executive branch would have a check on it, but the position would be filled by Congress. Others said: No, no, no, no, that is too difficult. Too much horse trading is going to be going on. The responsibility needs to be vested in the President. That is accountability.

But what happens if the President engages in appointments of dubious merit, people of dubious character, of dubious qualifications? So they came out with this compromise that the President nominates and our responsibility here in the Senate is to determine whether the nominee is of fit character.

One can get a little flavor of this from the writings of Hamilton in the Federalist Papers, Paper No. 76. He writes:

> To what purpose then require the cooperation of the Senate? I answer, that the necessity of their concurrence would have a powerful, though, in general, a silent operation. It would be an excellent check upon a spirit of favoritism in the president, and would tend greatly to prevent the appointment of unfit characters.

That is our responsibility—to vet the nominee and to vote upon determining whether the individual is of fit character, and that certainly can be broadly interpreted to include personal characteristics and qualifications for a job that requires specific qualifications. That is our responsibility.

Every Senator here took an oath to the Constitution, pledged to honor their responsibilities here as they are laid out in the Constitution. That is why I am so disturbed that at this moment we have Senators in this body who have said: I am not going to do my responsibility under the Constitution. I am going on a job strike. I don't want to work and do my responsibility under advice and consent. I don't want to do the work of vetting candidates and voting on candidates. I am just going to sit on my hands and sing ''la la la'' instead of doing the work the Constitution requires.

That is unacceptable. To my colleagues who are sitting on their hands and failing to do their constitutional responsibility, I simply say: Do your job.

On March 16 President Obama nominated Merrick Garland to serve on the U.S. Supreme Court. Certainly the President has now fulfilled his responsibility under the Constitution. He put forward a nominee to fill this critical vacancy on the Supreme Court. I certainly look forward to meeting with Merrick Garland, reviewing his credentials, and learning more about his vision for the Supreme Court. That is part of the vetting process. That is something all of us should be doing. Then it will be time for the Senate as a body to act. That means the Judiciary Committee proceeds to collect information on Mr. Garland's background and on his decisions, and then they hold a hearing and members of

the committee ask penetrating questions: Why did you say this in a particular opinion? He has a whole record to be examined, and that is what we should be doing right now.

Not since the Civil War have we left a vacancy on the Supreme Court for over a year, but the job strike my colleagues are engaged in today says: We are going to leave this vacancy on the Court. We are going on a job strike for an entire year and not do our responsibility under the Constitution because we just don't want to.

That is a dereliction of duty, and I encourage my colleagues to rethink their positions.

Since 1975 it has taken on average only 67 days to vet and vote on a Supreme Court nominee—just 67 days or a little over 2 months.

There are some folks here in the Chamber who say: Well, this is a unique circumstance because we are in the last year of a Presidency, and therefore we should just wait and leave the Court spot empty for a year. Wait until the election next November and wait for the new President to come in in January and then get a new nominee and hold hearings then.

That argument fails on several accounts. First of all, there is nothing in the Constitution that says one will only do their job in a year, if you will, that is in the first 3 years of the Presidency instead of the fourth year. That is not written in the Constitution. For any of my colleagues who make this argument, I would be happy to read the Constitution to them. Better yet, read it yourselves. Look at the Constitution and our responsibilities under the Constitution. The President is required to nominate in all 4 years, and we here in the Senate are required to proceed to determine whether that nominee is of unfit character or of fit character, and that means vetting and that means voting. The President doesn't get a break in his fourth year and get told to do nothing, and we don't get a break in our sixth year. We are not told that in the sixth year we should wait to make decisions because we have to run for reelection and therefore we should wait until our citizens vote. No. We have a term that runs a full 6 years, and we have a responsibility for the entire 6 years. The President has a term of 4 years, and he or she has the responsibility for the entire 4 years. There is nothing in the advice and consent clause that says that at a certain point in time, we are just not going to do our advice and consent responsibility.

It is conceivable that the Founders could have written into the Constitution that in the fourth year of a Presidency, the Senate will not fill any positions, but they didn't write that into the Constitution, and it would not have made sense for them to have done so because the work of the Court is ongoing and the work of the executive branch is ongoing.

Indeed, if we want any form of precedent, we can look to the recent past. Justice Kennedy, who sits on the Court today, was confirmed in the last year of President Reagan's final term, and he was confirmed under a Democratically controlled Senate. I have not heard a single Member come to this floor and say that if they had been here in that year, they would have advised that we leave President Reagan's nominee hanging, unvetted, not voted on for an entire year, waiting for the next President. No one here made that argument back then, and nobody is making it now. What we are seeing is a purely political effort to pack the Court to politicize an institution that shouldn't be politicized.

From the moment of nomination through the end of this administration, we still have 310 days. The average, after a nomination, to confirm a nomination, is 66 days. In other words, we have five times as many days as needed for the average to confirm. There is no argument that there is not enough time.

A job strike based purely on partisan politics designed to polarize and pack the Court is going to do a tremendous amount of damage to this important institution.

Our Founders laid out in the Constitution a vision of three coequal branches, but, colleagues, if you take the advice and consent power to undermine the ability of the executive branch to operate or the ability of the Court to operate, you will damage in a serious way the quality of the three branches. You will be saying that one branch has the power to derail the ability of the other two to function. That is absolutely, clearly, completely, 100 percent not the vision that was laid out in the Constitution and not the vision that was laid out for advice and consent.

Let me remind you that advice and consent is the responsibility to determine if the nominee is of unfit character. How can we determine if someone is of unfit character if we won't meet with them? How can we determine if someone is of unfit character if we are not willing to review their writings? How can we determine if they are of unfit character if the Judiciary Committee doesn't hold a hearing to actually raise questions and ask the nominee to respond to them? How can we as a body determine and make the decision that someone is of unfit character if we don't hold a vote?

Consider the precedent that is being established and the damage it will do. Let's say for example that by refusing to do their job, my Republican colleagues delay until the next administration comes in. It is a Republican administration, and they get a nominee who they feel has far-right views that they like better than the nominee before us.

By the way, Merrick Garland's views are about as straight down the center as anyone can ask for. He has been praised voluminously by Republicans in the past. Justice Roberts said that if one disagreed with Justice Garland, one would really have to look carefully as to why. A key Member of this body who has been here a very long time said: If someone like Justice Garland was nominated, well, that would be a very reasonable nomination. So we have a very reasonable, down-the-middle nomination.

But what if this tactic of going on strike and failing to do your job worked, so that in the next administration you could secure a Supreme Court Justice who is way to the right?

First, it has been a clear and complete effort to pack the Court. You have destroyed the integrity of the Court as one that rises above partisan politics.

Then along comes another vacancy, and you have a different President and/or maybe the same President. Now the minority says: Well, we are going to go on strike, or maybe the majority is going to go on strike because they don't like this particular President or they don't like this particular nominee. And they say: We are not going to vet, we are not going to vote, we are going to wait. It is only 3 years until the next President. Let's let the people decide or wait till the next President.

Perhaps if the Republican side succeeds in packing the Court and then the question becomes another vacancy, Democrats say: Well, look, we have to restore the balance of the Court, so we are going to absolutely refuse to act on the next nominee of this Republican President.

This you can see. This precedent is not only a dereliction of duty; it is deeply damaging to the integrity of the Court. It is deeply destructive of the integrity of the Court. This is a path we do not want to go down as a body, exercising our advice and consent responsibilities, politicizing our judicial system, polarizing our judicial system, destroying the integrity of our judicial system.

I appeal to my colleagues, rethink the oath of office that you took to do your job, decide to end this job strike, and do your job. Rethink how important the responsibility that we have as a Senate is to maintain the integrity of our institutions. For short-term gain, destroying the Supreme Court, polarizing, diminishing the Supreme Court is not in the interest of our Nation.

I will go back to where I began, with our system of ''we the people''—our ''we the people'' Constitution—designed to create laws of, by, and for the people. There are three coequal branches of government; one creating laws, one executing those laws, and one determining whether or not those laws are within the balance of our Constitution.

This action of trying to pack the Court through a job strike is equivalent to shredding key parts of this beautiful document. It is wrong in terms of the short-term action, and it is certainly wrong in terms of our long-term responsibilities.

Let's end this show. Let's end this highly politicized moment. Let's actually hold the hearing to vet the candidate. Let's meet with the candidate so we can develop our individual understandings. Let's review the candidate's writings, and let's gather on the floor to vote whether we believe this candidate is a fit character or unfit character. That is our responsibility. Let's do our responsibility.

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. 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.

NUCLEAR DEAL WITH IRAN

Mr. CORNYN. Mr. President, last Saturday marked the 1-year anniversary of the Obama administration's deal with Iran, known as the Joint Comprehensive Plan of Action. This is the nuclear deal with Iran that officially went into effect last October.

Briefly summarized, in exchange for billions of dollars in near-term and long-term sanctions relief, Iran made some very modest nuclear concessions—and that is if you believe the inspection regime is not fundamentally flawed, which I do not believe. So instead of trust and verify, we can't even verify Iran is complying with the terms of the agreement. Indeed, I think we can pretty much be guaranteed that Iran will do its dead-level best to cheat.

To make matters worse, the administration all but admitted the deal wasn't going to stop Iran from exporting terrorism—which is the No. 1 state sponsor of terrorism in the world—or violating the human rights of its own citizens or advancing its ballistic missile program. We have seen a lot of evidence of that recently.

All of these major bipartisan concerns were highlighted by Congress but totally ignored by the administration. President Obama himself warned that ''this deal is not''—is not—''contingent on Iran changing its behavior. That is the President of the United States, the leader of the free world, the Commander in Chief. The President of the United States said: ''This deal is not contingent on Iran changing its behavior.'' Unbelievable and outrageous.

My concerns with this agreement have done nothing but grow ever since the deal was done, and Iran continues to prove it was not negotiating in good faith—to the contrary, that it was negotiating in bad faith and would take every advantage it could to advance its nuclear ambitions and to continue its state sponsorship of global terrorism.

Iran is still working to undercut the United States and its priorities in the Middle East by fueling proxy wars in the region in places such as Iraq, Yemen, and Syria. The administration has even made clear that it knew the money that was released as a result of the sanctions relief—that it knew—that the tens of billions of dollars of intermediate sanctions relief going to Iran would be funneled to terrorist groups across the Middle East. So we have an unverifiable deal, and we have money going to finance terrorism. What is not to love about that? That is the administration's attitude.

In fact, earlier this week it was reported that the U.S. Navy—the U.S. Navy—for the third time in just 2 months intercepted an Iranian shipment of weapons in the Arabian Sea believed to be headed from Iran to rebel groups in Yemen.

One has to wonder how Iran paid for those weapons. Well, one logical explanation would be perhaps with the sanctions relief authorized by the President's misbegotten deal with Iran. That was a huge cash infusion. It is only logical to believe that Iran used that money to pay for the weapons they were then trying to ship to the rebels in Yemen. And, of course, as we have seen recently, the deal certainly didn't keep Iran's Revolutionary Guard from test-firing ballistic missiles. The fact is, the Iranian nuclear deal is not worth the paper it is written on. I hope the next President will rip it to shreds day one in office and give it the sort of respect that it has really earned.

Unfortunately, Iran serves as just one of the many examples of how the administration's rudderless strategy is advancing America's interests in the complex world we are living in. On President Obama's watch, the United States has methodically ceded our irreplaceable leadership role throughout the world. This is most evident in the Middle East—a caldron of violence and instability.

In Syria, we don't see the JV team that President Obama referred to in ISIS. We see an emboldened terrorist group that exports death and destruction to our allies in cities such as Paris and Brussels, with the intention to do the same thing right here in the United States, anywhere and everywhere they can, including places such as Garland, TX, where thankfully an alert security guard was able to thwart two ISIS-inspired terrorists from killing innocent civilians.

In Iraq, where Americans spent their treasure and spilled their blood to bring relative peace and stability just a few short years ago, we now find complete chaos. President Obama's precipitous withdrawal of U.S. forces from Iraq helped turn the region back into a powder keg.

Much like the Obama administration's promised redline on chemical weapons in Syria, the border between Syria and Iraq has literally been erased. It doesn't exist anymore. As the Obama administration has stood by, today the black flag of ISIS flies high over places such as Mosul and Fallujah.

We all know that ISIS has carved out a safe haven in the heart of the Middle East, while Syria has plunged deeper and deeper into civil war and chaos. Millions of people have become displaced as refugees, both internally in Syria and in surrounding countries, causing further instability in the region. And now, of course, we are seeing them not only in refugee camps in Turkey, Jordan, and Lebanon, but escaping to Europe and creating huge challenges for the governments in Europe. That is not even to mention the hundreds of thousands of Syrians who have lost their lives in this civil war while the world has stood back and by and large watched with negligible strategy or effort to try to change the outcome.

What is the result? Well, beyond this hard reality, this sends a message to our allies and our adversaries. Our allies are questioning our commitment and our reliability. Our adversaries are interpreting our lack of strategy and action as weakness and opportunity. Israel, along with several of our gulf partners, has found a White House that repeatedly seems to care more about the interests of our common enemy than Israel's security interests. In Europe, North Atlantic Treaty Organization countries—NATO countries—question our dedication and commitment to transatlantic peace and prosperity as Russia prowls at their back door. Our adversaries have noticed. They have been emboldened by the lack of American leadership and strategy, and they have taken full advantage.

This administration's abdication of leadership has allowed China to grow more belligerent in the Asia-Pacific; North Korea to test what they claim is a hydrogen bomb and to threaten our allies, such as South Korea and Japan; and Russia to quickly fill the leadership vacuum left by the United States in Europe and the Middle East.

If we had any doubt about it, once again we have learned a hard lesson, and that is, weakness is itself a provocation. Weakness is a provocation. What this world needs, what America needs, is leadership and a strategic vision that doesn't just respond to every crisis on an ad hoc basis.

Fortunately, the Founding Fathers gave the Congress some tools to be able to help when the Chief Executive of the country seems to be without any particular direction or without a particular strategy. The Senate can play an active role in holding the administration accountable and putting forth a strategy to help keep us safe.

For example, yesterday the Senate Foreign Relations Committee held a hearing to discuss Iran's recent transgressions. I am glad the chairman of that committee, Senator CORKER, and the ranking member, Senator CARDIN, are working together on a bipartisan basis on legislation to levy more comprehensive sanctions on the Iranian regime to make up for what should have been done in the Iran nuclear deal but was essentially ignored. The administration had consciously decided to ignore Iran's role as a state sponsor of

terrorism and decided we are just going to try to deal with the Iranian nuclear aspirations and not the terrorism aspirations. In doing so, I think they literally failed on both counts. They not only created a testing regime that can't actually verify when Iran is cheating, but at the same time they have unleashed tens of billions of dollars to help finance terrorist activity.

The administration has made clear that it simply doesn't have much interest in holding Iran accountable. They seem now absolutely nervous about doing anything that Iran might use as an excuse to walk away from the nuclear deal, which they could do on a moment's notice, meanwhile keeping the benefits they have already gotten from this deal; namely, the billions of dollars in sanctions relief.

I hope the Senate will move forward on this legislation soon. Our allies and our friends need to know that if the President will not stand by them and challenge our adversaries, Congress will.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

FILLING THE SUPREME COURT VACANCY

Mr. HATCH. Mr. President, I rise once again to address the Supreme Court vacancy created by the untimely death of Justice Antonin Scalia. The Constitution gives the nomination power to the President and gives the advice and consent power to the Senate but does not tell either how to exercise their power. Our job of advice and consent begins with deciding how best to exercise this power in each situation, and the Senate has done so in different ways at different times under different circumstances. I don't think there is any question about that.

For two reasons, I am convinced that the best way to exercise our power of advice and consent regarding the Scalia vacancy is to defer the confirmation process until the current Presidential season is over. The first reason is that the circumstances we face today make this the wrong time for the confirmation process. This vacancy occurred in a Presidential election year with the campaigns and voting already underway. Different parties control the nomination and confirmation phases of the judicial appointment process. The confirmation process, especially for Supreme Court nominees, has been racked by discord in the past, and this is one of the bitterest and dirtiest Presidential campaigns we have seen in modern times. Combining a Supreme Court confirmation fight and a nasty Presidential campaign would create the perfect storm that would do more harm than good for the Court, the Senate, and of course, our Nation.

The circumstances I mentioned are identical to those that led Vice President BIDEN in 1992 to recommend exactly what we are doing today. In June of 1992, when he chaired the Judiciary Committee, he identified these very circumstances and concluded: ''[O]nce the political season is under way, and it is, action on a Supreme Court nomination must be put off until after the election campaign is over.'' To be fair, something significant has changed since 1992. The confirmation process has become even more partisan, contentious, and divisive.

In 2001 Democrats plotted a procedural revolution by launching new tactics to prevent Republican judicial nominees from being confirmed. Over the next several years, they led 20 filibusters of appeals court nominees and prevented several from ever getting appointed.

Then in 2013, Democrats used a parliamentary maneuver to abolish the very filibusters they had used so aggressively. The minority leader knows this because he was in the middle of it all. If the condition of the confirmation process was bad enough in 1992 for Chairman BIDEN to recommend deferring it to a less politically charged time, Democrats' actions since then have only made this conclusion more compelling today.

The second reason for deferring the confirmation process for the Scalia vacancy is that elections have consequences. In 2012 the election obviously had consequences for the President and his power to nominate, but the 2014 election had its own consequences for the Senate and its power of advice and consent. The reason the American people gave Senate control to Republicans was to be a more effective check on how the President is exceeding his constitutional authority.

The 2016 election also has consequences for the judiciary. The timing of the Scalia vacancy creates a unique opportunity for the American people to voice their opinion about the direction of the courts.

On Monday the minority leader reminded us of an important axiom. Let me refer to the chart again. ''No matter how many times you say a falsehood, it is still false.'' I agree.

The minority leader claims that the Senate has a constitutional duty, a constitutional obligation to hold a prompt hearing and timely floor vote for the President's nominee to the Scalia vacancy. Yesterday The Hill quoted him saying this: ''The obligation is for them to hold hearings and to have a vote. That's in the Constitution.'' By my count, then, the minority leader has made this claim here on the Senate floor more than 40 times. He said it as recently as this morning. No matter how many times he says this falsehood, it is still false. The minority leader's claim is false because the Constitution says no such thing. This is what the Constitution actually says about appointing judges: The President ''shall nominate, and by and with the Advice and Consent of the Senate, shall appoint.'' Nothing about hearings or votes, nothing about a timetable or schedule.

I say this to my Democratic colleagues: Do you really want to stand behind a completely fictional, patently false claim like that? Do you really want to base your position on what the Washington Post Fact Checker called a ''politically convenient fairytale''? I understand that you want the Senate to conduct the confirmation process now for the President's nominee. We can and should debate that. But will none of you be honest enough to at least say what everyone in this Chamber knows—that the Constitution does not require us to do things that way?

The minority leader not only contradicts the Constitution; he contradicts himself. The minority leader was serving here in the Senate in 1992. Senator REID took no issue with Chairman BIDEN's conclusion that the circumstances at the time—the same circumstances that exist today—counseled deferring the confirmation process. Senator REID did not tell Chairman BIDEN that the Senate must do its job. Senator REID did not assert then what he repeats so often today—that the Senate has a constitutional duty to give nominees prompt hearings and timely floor votes.

On May 19, 2005, during the debate on the nomination of Priscilla Owen to the U.S. court of appeals, the minority leader said of the Constitution—and I will refer to this chart again—''Nowhere in that document does it say that the Senate has a duty to give Presidential appointees a vote.''

In that 2005 speech, the minority leader was particularly adamant about this point. Claiming that the Senate has a duty to promptly consider each nominee and give them an up-or-down vote, he said, would ''rewrite the Constitution and reinvent reality.'' That is what the minority leader said then. The circumstances have changed, of course. Today the political shoe is on the minority leader's other foot, and he is the one claiming that nominees must have prompt consideration and up-or-down votes. By his own standard, the minority leader is rewriting the Constitution and reinventing reality. Now that it serves his own political interests and that of his party, the minority leader has reversed course and claimed in a recent Washington Post opinion column that the Senate has a constitutional duty to give nominees ''a fair and timely hearing.''

Let me once again mention 1992, when Chairman BIDEN denied a hearing to more than 50 Republican judicial nominees. He allowed no hearing at all, whether fair or unfair, timely or otherwise. In September 1992 the New York Times reported on page 1 that this was part of an obstruction strategy to keep judicial vacancies open in the hopes

that Bill Clinton would be elected. Senator REID served here at that time, but I can find no record of him demanding that every nominee get a timely hearing. Instead, he wholeheartedly supported his party's strategy of obstruction.

In his recent Washington Post column, the minority leader also wrote that the Senate has a constitutional duty to give nominees a floor vote. Between 2003 and 2007, however, he voted 25 times to deny any floor vote at all to Republican judicial nominees. As far as I can tell, we have the same Constitution today as we did in 1992, 2003, 2005, and 2007. We have the same Constitution today with a Democrat in the White House as we did in the past with a Republican President in the White House. The minority leader cannot have it both ways. He cannot today insist that the Constitution requires the very hearings and floor votes he and his fellow Democrats blocked in the past. I suppose they will say those were lesser court judges. Well, they were still judicial nominees.

On Monday, the minority leader again attacked the Judiciary Committee and its distinguished chairman, Senator GRASSLEY. You have to go a long way to find anybody who is nicer, more competent, and more dedicated than Senator GRASSLEY; yet he is being attacked again. I guess they think that somehow makes a difference.

The minority leader held up a quote from an editorial in an Iowa paper about how the chairman is conducting the confirmation process. I don't know when the minority leader started caring about what hometown newspaper editorials said about the confirmation process, but this appears to be yet another epiphany.

On February 19, 2003, the Reno Gazette-Journal criticized Democrats for their filibuster of Miguel Estrada to the U.S. Court of Appeals. A few weeks later, the Las Vegas Review-Journal called the filibuster campaign promoted by Senator REID ''nothing more than ideological posturing and partisan blustering.''

As I mentioned earlier, the minority leader went on to vote 25 times for filibusters of Republican judicial nominees.

Also on Monday, the minority leader claimed that the Judiciary Committee is not doing its job and that the chairman is ''taking his marching orders from the Republican leader.'' Later in the day, the Senate unanimously passed the Defend Trade Secrets Act. The minority leader dismissed this legislative accomplishment because it was reported out of the Judiciary Committee unanimously. He said: ''I don't see today why the Judiciary Committee should be given a few pats on the back.'' Well, that is OK with me; we don't need pats on the back. The minority leader knows better though. He knows that the strong bipartisan outcome for this legislation was the result of nearly two years of work behind the scenes, primarily at the staff level.

It is painfully obvious that the minority leader desperately wants to score political points and to spin everything he can to his advantage, but to disparage and belittle the arduous work of both Democrats and Republicans, by both staff and Senators, is disgraceful and insulting. Before he denigrated this significant bipartisan achievement, he should have read the Obama administration's statement of policy on the bill. The Defend Trade Secrets Act will, the administration says, promote innovation and help minimize threats to American businesses, the economy, and national security interests. The Obama administration calls this an ''important piece of legislation'' that would ''provide important protection to the Nation's businesses and industries.''

This morning, the minority leader once again said that the Senate must do its job regarding the Scalia vacancy, and he asked, ''What is that job?'' The Senate's job is to determine how best to exercise its advice and consent power under the particular circumstances we face today. We have made that determination. We have done our job. We are making the same determination that the minority leader apparently supported in 1992. The Constitution no more dictates our decision than it did in 2009 when the minority leader correctly said that the Senate is not required to vote on nominations.

No matter how many times you say a falsehood, it is still false. No matter how many times the minority leader falsely claims that the Constitution dictates how and when the Senate must conduct the confirmation process, it is still false. No matter how many times he claims that the Senate is not doing its job, it is still false. No matter how many times the minority leader questions the integrity and character of the Judiciary Committee chairman, those questions are still false. No matter how many times the minority leader contradicts himself and tries to avoid his own judicial confirmation record, his claims today are still false.

The Senate today has the same power of advice and consent as when Democrats were the majority. We have the same responsibility to determine the best way to exercise that power in each situation. In 1992 Chairman BIDEN recommended deferring the confirmation process so that ''partisan bickering and political posturing'' did not overwhelm everything else. The false claims and disreputable tactics being used today, including by the minority leader, only confirm Chairman BIDEN's judgment and its application today.

All of this is disappointing to me, to be honest with you. We have an honest disagreement as to when this nomination should be brought up. We have an honest disagreement as to how it should be brought up. We have an honest disagreement about the times we are in. We think this Presidential race is horrific on both sides. And I, for one, as former chairman of the Judiciary Committee, am deeply concerned that we bring up this nominee in the middle of this awful mess called the Presidential election, with all of the politics and screaming and shouting and arguing from both sides. Considering a nominee now would demean the Court. It would demean what we are trying to do around here. Waiting to consider a nominee only makes sense given that voting in this election is already underway. For reasons I have explained before—and no doubt will do so again—the confirmation process for the Scalia vacancy should be deferred until the election season is over.

I am also troubled by the minority leader's attacks on Chairman GRASSLEY. I am concerned because I think that to have any leader attack somebody as decent and as honorable as CHUCK GRASSLEY is below the dignity of this body. Whether someone has disagreements with CHUCK or not, they can explain those disagreements without being slanderous or libelous.

There are very few people in this body who are as honest and as decent as CHUCK GRASSLEY. I think all of my colleagues are honest and decent, but very few of them would rise to the level CHUCK GRASSLEY does. He is an old farmer who believes in doing right and who, to the best of his ability, always does right. I have been around Chairman GRASSLEY for a long time, and I have the utmost respect for him. He is not even an attorney. Yet he is running the Judiciary Committee very well. He is a good man. He deserves to be treated like a good man and a good leader and a good chairman.

We are going to have our differences in this body, but we should treat each other with the utmost respect and not accuse people of being things they are not. I can say one thing. I have served here for 40 years and CHUCK GRASSLEY has been one of the best people I have served with on either side.

I think my friends on the other side understand that I care a great deal for them and that I like working with them. Sometimes we have to modify things so they are pleased, but that is part of this process. Sometimes we very vehemently disagree. That is one of the great things about the Senate—we can disagree without being disagreeable. We can find fault in the issues, but I think it is time to quit finding unnecessary fault in each other.

This is the greatest deliberative body in the world. I feel good to have been able to serve as long as I have here, and I respect my colleagues on the other side of the aisle.

Even so, we have a disagreement on when this body should consider a nominee, and that disagreement is a sincere one. The fact is, it would be terrible to bring up the nominee in the middle of this particular Presidential election.

Let me just conclude by saying I love this body and I love my colleagues. I

just hope we can open the door to understanding each side a little bit better than we do.

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

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

IRAN

Mr. COONS. Mr. President, I rise to talk about the recent bad behavior of Iran and some important steps that have been taken by the administration to push back on their support for terrorism, for illegal actions, and for their support for disorder in the Middle East but to also sound the alarm that this series of steady actions continues to raise the specter that Iran has an expanding reach in the region and poses a greater and greater threat to our allies and, in particular, our vital ally, Israel.

Just over a year ago, leading world powers came together in support of a framework for blocking Iran's path to developing a nuclear weapon. That framework ultimately became the JCPOA, or the Joint Comprehensive Plan of Action. In the months since that agreement took effect, Iran has taken steps to significantly restrain its nuclear program. That is true. They filled with concrete the core of their reactor at Arak. They shipped out of the country 98 percent of their accumulated stockpile of enriched uranium, and they have allowed searching inspections by the IAEA. Those are all good steps. Yet the Iran regime continues to engage in dangerous actions outside the nuclear agreement, including ongoing human rights abuses, support for terrorism in the Middle East, and its repeated illegal ballistic missile tests. All of those are ongoing reminders to us that America's security and the security of our allies demand constant vigilance and close scrutiny of Iran's actions.

Since last September, I have regularly called upon my congressional colleagues, the Obama administration, and our European allies to be wary of Iran's intentions and to continue to seek ways to effectively push back on its bad behavior.

The international community and the United States possess three major nonmilitary tools to lawfully counter Iran's continued bad behavior: financial sanctions, criminal charges, and weapons seizures. So let me first offer a number of examples of how each of these tools have recently been put to work.

First, financial sanctions. On March 24, the Treasury Department imposed new sanction designations on a number of entities and individuals who have supported Iran's ballistic missile program and on an Iranian airline, Mahan Air, which provides support services—transportation—to the Quds Force, an elite Iranian military corps designated as a terrorist organization by the U.S. Treasury Department.

On this floor in early March, I called for the United States and our European allies to further punish Mahan Air by eliminating the airline's access to international markets and airports. Since then, the Treasury Department has taken action against two companies, one based in the United Kingdom, another in the United Arab Emirates, that have provided financial and materiel support to Mahan Air.

I commend the Obama administration for effectively deploying another tool in our diplomatic toolkit—criminal charges. On March 21, the Justice Department unsealed charges against three individuals who allegedly acted on behalf of the Iranian Government and associated entities to engage in hundreds of millions of dollars of transactions barred by U.S. sanctions. These three Iranian individuals stand accused of illegally laundering the proceeds of these transactions and defrauding the banks to which the transactions were processed.

Two days later, on March 23, a consultant to Iran's mission to the United Nations was also charged with violating U.S. law. The seven charges levied against this individual include conspiracy to evade U.S. sanctions against Iran, money laundering, and arranging false tax returns.

Then the following day, March 24, the Justice Department unsealed an indictment of seven Iranian ''experienced computer hackers'' who led a coordinated campaign of cyber attacks from 2011 to 2013 that targeted 46 U.S. banks and a dam in Upstate New York in Rye. Unsurprisingly, the seven individuals charged have been linked to the Iranian Revolutionary Guard Corps, the IRGC, the hardline conservative military force committed to the preservation of the radical revolutionary Iranian regime.

Just yesterday, the Justice Department announced that the United States negotiated the extradition from Indonesia of a Singaporean man conspiring to send U.S. equipment to Iran—equipment later found in unexploded roadside bombs in Iraq.

These various criminal charges demonstrate to Iran and the world that responsible members of the international community seek to resolve disputes through international norms and institutions or accepted ways of conduct, not provocative missile tests and ongoing violations of sanctions.

In addition, the fact that each of these indictments occurred after the implementation of the nuclear deal—while Iran did fulfill the letter of its commitments under the agreement—these ongoing violations demonstrate that the United States can continue to counter Iran's bad behavior and regional aggression without undermining the ongoing implementation and enforcement of the JCPOA.

That brings us to the third tool in our arsenal: weapons seizures. On Monday, the U.S. Navy announced that the previous week, the USS *Sirocco* and USS *Gravely* intercepted a vessel in the Arabian Sea that contained an illicit Iranian arms shipment to the Houthi rebels in Yemen. After boarding the ship, American sailors confiscated 1,500 AK–47s, 200 rocket-propelled grenade launchers, and 21 .50-caliber machine guns, including the various weapons pictured in this photograph I have in the Chamber. This marks the third successful interdiction of illicit arms in the Arabian Sea since late February. On March 20, a French Naval destroyer seized nearly 2,000 AK–47s, 64 sniper rifles, nine anti-tank missiles, and much more. That followed an interdiction a month earlier, on February 27, in which an Australian naval crew intercepted another shipment off the coast of Oman that contained 1,900 AK–47s, 100 grenade launchers, 49 machine guns, and other illicit arms, headed to Yemen by way of Somalia. All of these interdictions were done with coordination and support of the United States.

These interdictions are not just military exercises. They prevent weapons from falling into the hands of dangerous terrorists or Houthi rebels. Just as importantly, these actions send a strong signal to Iran that the international community continues to refuse to tolerate Iran's destabilizing actions and its support for terrorism.

The picture to my right shows an Australian vessel, the crew from the HMAS *Darwin*, part of a U.S.-led, multinational coalition intercepting and boarding a dhow that held a shipment of illicit arms, likely intended for the Houthi rebels of Yemen. The conflict in Yemen pits the Yemeni government stacked by a military coalition led by Saudi Arabia against the Houthis, a group allied with a former President and the radical Iranian regime.

Iran's support for the Houthis has devastated Yemen and the Yemeni people. Over a year of fighting has led to more than 6,000 deaths, including thousands of civilians, and more than 30,000 injuries. The human suffering has been dramatic. According to the World Health Organization, more than 21 million people—more than 80 percent of Yemen's population—today require humanitarian aid. Instead of aid, Iran sends weapons. These are not the actions of a responsible member of the international community. These are not the actions of a government the U.S. can trust. As the United Arab Emirates' Ambassador to the United States, Yousef Al Otabia, recently wrote in the Wall Street Journal, ''The international community must intensify its actions to check Iran's strategic ambitions.''

While I am pleased at recent actions by the U.S. Navy and our key allies from Europe and around the world in the region off the Arabian Sea, I think there is more that we can and should do. That is why in the months to come,

instead of talking about giving Iranians access to U.S. dollar transactions, I think the U.S. should lead coordinated international efforts to enforce existing sanctions and seize the illicit arms shipments through which Iran continues to fan violence, terror, and instability—not just in Yemen, but in Syria, Iraq, Lebanon, and the broader Middle East.

The imposition of further sanctions, the levying of criminal charges, and the successful interdiction of weapons all show that the international community has an array of tools to push back against Iran. But just having the tools is not enough. We must continue to take action, and when multilateral mechanisms fail, Congress should work on a bipartisan basis to see what new tools or authorities we can give the administration to further crack down on Iran unilaterally.

Lest we need another reminder that Iran remains unwilling to meet the obligations required of a responsible member of the international community, on March 30, their Supreme Leader Ayatollah Khamenei claimed that ballistic missiles are central to Iran's future—despite Iran's commitments under U.N. Security Council Resolution 2231.

The Obama administration should continue to designate bad actors for sanctions, pursue criminal charges where appropriate, and seek accountability for Iran's ballistic missile tests in the U.N. Security Council.

We must continue to work hand-in-hand with our international partners to interdict arms shipments to Hezbollah, to the Houthis in Yemen, and to the murderous Assad regime in Syria. We must not accommodate Iran in any way, given its continued ballistic missile launches, its repeated human rights abuses, and its continued support for terrorism.

I remain concerned about the message sent by rumors of allowing offshore financial institutions to access U.S. dollars for foreign currency trades in support of so-called legitimate business with Iran. We must keep in mind that both our words and our deeds send a strong signal to Iran, to our European allies, and our vital ally, Israel.

In the months and years to come, we must make clear to Iran not just that we will not waiver in enforcing the terms of the JCPOA, but also that our commitment to a successful nuclear agreement will not prevent us from taking action when Iran's bad behavior warrants it.

With that, I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, I want to talk a little about the Court and the vacancy on the Court.

First of all, I want to express my shared concern with my good friend from Delaware about what is happening in Iran and how we are reacting to what is happening in Iran and how much we need to be focused on that country, still understood to be the No. 1 state sponsor of terrorism in the world and designated by the current administration and current security agencies that it is bad. I am pleased to see that topic is one of the things we are talking about today.

FILLING OF THE SUPREME COURT VACANCY

Mr. President, the Supreme Court has gotten a lot of attention since the unfortunate loss of Justice Scalia. When I was home a few days ago, in at least one meeting when this question came up, somebody said: Well, the Constitution says that the President is supposed to nominate somebody and the Senate is supposed to have hearings.

Well, I am not a lawyer. I have been a history teacher, and some days that is better than being a lawyer. In fact, I have argued that most days it might be better than being a lawyer. But when that came up, I said that is not what the Constitution says at all. It is easy to talk about what the Constitution says, but that is not what the Constitution says. The Constitution says the President will nominate someone to serve on the Court, and the Senate will give its advice and consent. This is a 50–50 obligation, a two-part puzzle that has to come together before this happens.

Understand that the people at the Constitutional Convention thought about doing it differently than that. They thought about doing it so that the President would nominate, and if no one in the Senate objected or the majority of the Senate didn't object, then the nominee would just serve. They decided not to do that. What they decided to do was to have both things happen in order for someone to serve.

Early on, it was clear that there were no hearings about who would be on the Court. There was no Judiciary Committee, and there were no hearings to be held. As a rule, either someone was confirmed or often, when they weren't confirmed, the Senate just didn't deal with the nomination because their part of the necessary things that had to come together wasn't ready to come together.

What the Senate has to decide when there is a nomination to the Supreme Court is this: Is this the right time for this vacancy to be filled, and then is this the right person?

In election years, the Senate for most of the history of the country has decided it wasn't the right time. The last time a vacancy was filled in an election year was March of 1988, but that was a vacancy that occurred in the middle of 1987. Then the Senate, with President Reagan, went through hearings for Judge Bork, and they looked at Judge Ginsburg—not the Justice Ginsburg that is currently on the Court, but another Judge Ginsburg—and, eventually, 9 months or so later, Justice Kennedy was put on the Court. That wasn't a vacancy that occurred in an election year. It took 9 months to fill a vacancy that occurred in the year before the election year.

The job of the Senate has always been to decide if this was the right time to do it. The last time a vacancy that was created in an election year was filled was 1932. The last time a vacancy was filled in a previous election year when the House, Senate, and Presidency were of different parties was 1888. In 1968, President Johnson tried to move Abe Fortas from Justice on the Supreme Court to the Chief Justice, and Democrats in control of the Senate would not let the President fill that vacancy in an election year.

The idea that there is anything extraordinary going on here—the case has been made over and over again by our friends on the other side and even by the Vice President himself that filling a vacancy in an election year is just something the Senate should be very thoughtful about. If you follow what Vice President BIDEN said or what Senator SCHUMER said or what Senator REID said, what they were saying is: Don't fill a vacancy in a Presidential election year. They were right.

They were right because we are now 7 months from the Presidential election. One of the things people ought to be thinking about is what happens when whoever is elected President puts someone on the Supreme Court for life. This is an appointment that if the person determines that they are going to serve for the entire rest of their life, they can.

Justice Scalia, whose death created this vacancy, was put on the Court by Ronald Reagan and served more than a quarter of a century after Ronald Reagan left the Presidency. He was put on the court by Ronald Reagan and served more than 12 years after Ronald Reagan died. This is a long shadow or a long ray of sunlight, however you want to look at it, that goes out way beyond the life of this President.

You can make the argument that, well, we had a Presidential election already, and why couldn't that election that was held in 2012—why wouldn't that determine—why wouldn't that be good enough? Well, No. 1, it was held in 2012, and following the election that was held in 2014, the American people sent a Republican Senate. The most recent election of those two parts it takes to fill this vacancy produced a Republican Senate that is at least 50 percent of this determination of who goes on the Court. We can wait.

It is not unusual in the history of the country for the Court to have an even number. In fact, the first Court had six people. Is there anything in the Constitution about the size of the Court? No. The Constitution creates a Supreme Court and other courts as the Congress determines necessary.

Originally, there were six Justices on the Court, mostly because that is how many circuits the original Congress thought were needed. Those Supreme Court Justices each served as a circuit judge in the six circuits in the country.

So you actually had something we don't see now, where a Supreme Court Justice would sit on an appeals case of a case where that same person had been the original circuit judge, the lower appeal before the Court.

There was no thought that the Court was going to be a legislative body, no idea that you would have to worry about a tie-breaker because these six people were supposed to figure out what the Constitution and the law said and reach the conclusion that six good lawyers would reach. Very often, in the next 100 years, the Court had an even number. It had a changing number that changed with some frequency, but it wasn't seen that the Court couldn't function if somehow there were fewer than nine Justices. In fact, there have been at least 15 times since World War II when there were eight Justices. The longest Court that had 8 Justices was 13 months. When Justice Fortas resigned in May of 1969, the Democrats in the Senate didn't fill that vacancy until June of 1970—13 months, 8 Justices. No one has come forward talking about what great devastation was done to the country while we were waiting to get the right person for the country—at least what the Senate at the time thought was the right person for the country to serve for the rest of their working lifetime, which has generally been the standard.

When Justices are split, they always have the opportunity to just defer to the lower court and say: Well, there is an appeals court decision here. We can't decide it better than the appeals court did, so that becomes the decision.

They also can say: This is complicated enough. You might have differing views of two different courts of appeals. We need to rehear this at a later date.

That also would not be unusual.

While only one time in the 20th century have we had a vacancy of over 300 days, there have been 10 times when the Court had vacancies above 200 days, 300 days in the life of the Court. Of the 36 people who have been nominated to the Court who didn't get on the Court under the Congress they were nominated, 25 of them didn't have a vote.

We are not plowing any new ground. We are not coming up with any new legal philosophy. In fact, we are looking at what the Senate is supposed to do.

I think the President of the United States has done exactly what he should do. There is a vacancy, and the President's job is to nominate somebody to fill that vacancy, but often that nominee has not been put on the Court or not been put on the Court by that Congress at that time.

I can speculate that the only good reason for that—certainly in recent years—has been the argument that people need to have a voice in this decision. This is a decision that in all likelihood will outlast the next Presidency. Even if the next Presidency is a two-term Presidency, the person who goes on the Court—more likely than not—will serve beyond the time that this President is elected.

When John Tyler was President, he nominated nine people. He made nine nominations of people who didn't get on the Court. By the time he left the Presidency, I think there were multiple vacancies on the Court because the Senate was not prepared to confirm the people he nominated. Probably their excuse at the time was he was the first Vice President to become President, so maybe they wondered, well, maybe this is not someone who gets the deference of a President, and Presidents in their last year have never received much deference.

This is a lifetime appointment. These are important cases. As an example, just look at the cases that are before the Court now. There is a case on appeal from a Texas Circuit Court where the President—as many of us said at the time, the Court says the President's amnesty Executive decision was way beyond the power of the President. If the President wants to change immigration laws, he has to come to the Congress and change the law.

As much as—maybe more—than this President would like to do it, Presidents don't have the authority to change the law by themselves. They can do a lot of things with the law, but the one thing they cannot do is change the law. The Texas Court of Appeals said you can't change the law. The Texas Circuit Court said you can't change the law, and we will see what the Supreme Court says about that. If they are tied, unless they decide to rehear it, the result will be they cannot change the law. Executive amnesty doesn't work, and you are not going to be allowed to make it work.

The administration is suing a number of religious entities. One is the Little Sisters of the Poor. The lawsuit is that they are trying to force those entities—Little Sisters of the Poor is an example—to have health insurance coverage that violates their faith principles. As I understand it, the purpose of the Little Sisters of the Poor, the order of the Little Sisters of the Poor, is something such as this: We are here to serve elderly people without means, no matter what their faith is, as if they were Jesus Christ. It doesn't sound like a bad thing for somebody to be willing to do, a Christian organization to serve elderly people without means no matter what their faith is—as if they came to the door and they were Jesus Christ. That is what their order says.

Would the United States of America be irreparably harmed if the government allowed the Little Sisters of the Poor to have health insurance that met with their faith principles? I don't think so.

Would the country be harmed in a significant way if we decide it is the overwhelming purpose of the government to make you do things for no particular reason at all that violates your faith principles? The first freedom in the First Amendment is freedom of religion. I don't think that is by accident. Those are the kinds of cases the Court decides.

In a regulatory case that they just heard a few days ago, the argument appeared to be with a company in Minnesota that grows peat moss. The EPA is saying we have the authority to regulate navigable waters, and so we are going to get involved in your peat moss farm, because even though it is 120 miles from any navigable waters, the water from your peat moss farm could run into other water that could run into other water that 120 miles away would run into navigable waters. Look right here in the Clean Air Act. It says we have the ability to regulate navigable waters.

No reasonable person would believe that is what ''navigable waters'' means, but that is the kind of thing we ask the Supreme Court to do. It is not just what the Court will do in the next 7 months. Even if somehow a nominee began the process right now, I think the average has been about 54 days. That is the 9 months it took to get to Judge Kennedy and less than that it took to get to somebody else. By the time you are through the 54 days, you are through most of the arguing period for this Court anyway, and you are not supposed to participate in the decision if you didn't hear the argument.

This is a lifetime appointment to the Court. This is an appointment that has to be nominated by the President and approved by the Senate. They both have to agree, before it is over, that this is the right person at the right time.

I think the history of these nominations and the common sense of Americans would lead them to believe that the American people deserve to be heard on a decision that has this much impact and lasts this long.

While I am not on the Judiciary Committee, I certainly am supportive of the determination that the chairman and others on this committee have made. There will be time to deal with this lifetime appointment when the American people have had a chance to weigh in one more time 7 months or so from today.

I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. TOOMEY). The Senator from Delaware.

Mr. COONS. Mr. President, I come to the floor to address the question of the ongoing vacancy on the U.S. Supreme Court. I listened with great interest to the remarks of my friend and colleague from the State of Missouri, and I think we have reached a different conclusion about how and when the American people should have their say in the question of the filling of this vacancy.

In my view, vacancies on the Supreme Court of the United States have consequences, and vacancies that go on for a great length of time have even bigger consequences. I don't believe there has been a vacancy that has

lasted a year since roughly the time of the Civil War. Although we don't know this today, we don't know how long this vacancy may last.

My concern is that in the absence of a willingness to meet with the President's nominee—to hold hearings and to proceed to a vote—should that position remain firm on the part of my colleagues on the other side, we are likely looking at a year-long vacancy.

I certainly agree with my colleague, my friend from Missouri, that the Supreme Court plays an absolutely central role in our constitutional order. As he recited at length, the cases decided are of great significance. I bring to my colleague's attention that in recent weeks, on March 22 and March 29, the Court handed down tied decisions in two central cases. These four decisions are not just a waste of judicial resources, they fail to provide clarity to the litigants, the American people, and leave lower courts without a controlling precedent.

In the 3 weeks since President Obama did his job under the Constitution and nominated Chief Judge Merrick Garland to fill the vacancy created by the untimely passing of Justice Scalia, we have already seen these consequences of the Senate's refusal to engage proactively in advice and consent and consider this nomination.

Much has been made of what was said on this floor by my predecessor in this seat, the now-Vice President, then-chairman of the Senate Judiciary Committee, former Senator JOE BIDEN. I just wish to draw my colleague's attention to the entire remarks made by Senator BIDEN. His entire remarks include a section near the end where he said that if the President—there was not then a vacancy on the Supreme Court—would consult with the Senate and moderate in his choice and advance a consensus candidate, that candidate might well be deserving of it, might well win then-Senator BIDEN's support, as had been the case in several other nominations.

I will simply put to my friend and my colleague that President Obama has advanced for our consideration a nomination in Chief Judge Garland who is genuinely qualified and who has a long record in his 19 years on the DC Circuit of rendering decisions that put him right in the center of the American judiciary.

I very much look forward to having the opportunity to meet with him in person tomorrow. I think it is important that all of us give the deference and respect to the President's constitutional role implicit in our being willing to meet with his nominee. Frankly, I have profound questions about whether advice and consent by this body can be given by refusing to hold hearings and refusing to take a vote.

My Republican colleagues, friends, have asserted that the American people should have a voice in the selection of the next Supreme Court Justice, and I agree. I think the best way for the American people to exercise that voice is for this body to do its job, for the Senate Judiciary Committee to conduct full, fair, and open hearings, and to allow Judge Garland to answer searching questions of the sort that many of us are asking him privately, but then we should ask publicly and then have a vote—a vote by the people's representatives in this body.

That is the purpose of this Senate. There has been an election for President, the President has done his job under the Constitution, and we have a nominee. This is a fully constituted Senate—some of us in our last year of service, some in our sixth, and some in our first or second. We can be the appropriate channel of the people's voice following an open hearing, and we should cast a vote. We should not leave this Supreme Court with a vacancy that lasts months and months, maybe as long as a year.

Every term the Supreme Court receives over 7,000 petitions for certiorari. The Supreme Court hears a carefully chosen fraction of those cases, weighing constitutional principles and legal issues that are dividing the circuit courts. It is a sacred duty, a central duty in our constitutional order for the Supreme Court to be rendering important and meaningful decisions. Why would we delay the filling of this vacancy on the Supreme Court a full year? I can't see the value in that position. I understand many of my colleagues have cited precedent, have cited history, and have reached different conclusions than me.

I simply hope the 16 of my Republican colleagues who have expressed a willingness to meet with Judge Garland will continue to grow and that more of my colleagues will meet with him and then consider carefully what the consequences are for our role in advice and consent, not just for this vacancy but for the many more that may follow in the decades to come.

Thank you.

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

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

GUN VIOLENCE

Mr. MURPHY. Mr. President, as my colleagues know, I come to the floor every week or so to share the stories of those victims who have been lost to the epidemic of gun violence that is plaguing this Nation. The news covers the episodes of mass shootings, such as those that happened in my State in Sandy Hook, but, of course, on average there are 80 people who are killed in episodes of gun violence every day. Approximately 50 or so of those are suicides, the remaining 30 are in ones and twos and threes and fours and fives all across the country.

I think the data alone is overwhelming, and I am not sure why the numbers alone have not caused us to act. There are a variety of ways that we could step up and act. We could do something about illegal guns on the street, we could fix our broken mental health care system, and we could give law enforcement more power so they could track illegal guns and criminals. But we don't do any of that. We remain silent and complicit even with this rash of murder.

The data hasn't moved this Congress, and so my hope is that the stories of those who have been lost and the families they have left behind might move this place to action. So today I will focus on those victims of gun homicides who were at the hands of their domestic partner. Of those 30 or so people who are killed by guns that are not suicides, an alarming percentage of them every single day are killed by someone they know—a husband or a spouse or a boyfriend. It is usually someone who is very close to them. They often leave notes. Oftentimes they have notified the police that they were in danger, but somehow that loved one still managed to find a way to get their hands on a firearm and to commit the heinous act of murder.

On February 27 of this year in Woodbridge, VA, which is only a short drive away from where we sit today, Crystal Hamilton was killed. Crystal's friends described her as kind, humble, and energetic—a wonderful person. She actually spent her time working with wounded soldiers returning from Afghanistan and Iraq.

One of her friends said:

> She was so beautiful. She dressed to the nines and loved her high heels. She didn't need any makeup.

She had an 11-year-old son who is now left without a mother. She was supposed to be going out one Saturday night for a girls' night with a group of her friends, but after arguing all day with her husband, she finally called 911. She was really upset and feeling gravely in danger, and it is believed that at some point between when she called 911 and when the police arrived, her husband fatally shot her.

A neighbor said that she saw the 11-year-old running away and looking back at the house as he ran down the street. She said:

> He ran so fast I can't even imagine how scared he must have been. It broke my heart.

About a month later, on March 29—just about 2 weeks ago—Ruby Stiglmeier was shot and killed in what was believed to have been a murder-suicide by her boyfriend. Ruby was a dental hygienist in a small firm in Orchard Park, NY. She worked there for 20 years. Her coworkers said that her patients absolutely loved Ruby. Ruby was friendly, outgoing, athletic, and loved life. Her coworkers said that Ruby had been a rock for her family after the recent deaths of both of her

parents. Her boyfriend shot her three times before turning the gun on himself. They had been dating on and off for about 2 years.

Just last week, Christina Fisher, 34 years old, was killed in Leesburg, VA. She was the proud mother of three young children, a teenage daughter and two young boys. She was shot multiple times and killed inside her home on Saturday evening, April 2, by her ex-boyfriend during a domestic dispute. Her 15-year-old daughter was home at the time of the altercation and promptly called 911, but by the time she got to the hospital, it was too late.

Her friends remembered Christina much in the same way as the previous victims. They said:

> [Christina] was so sweet, so caring . . . she was a great mom. She did everything she could for her kids.

Christina leaves behind her teenage daughter and two young boys.

This is just a sample of three people in the last 3 months who have been killed in episodes of gun homicides by their boyfriend, domestic partner, or husband. We should just know that there is something happening in the United States that isn't happening anywhere else in the world. As a woman, you are about 10 times more likely to die in an episode of domestic violence by your husband or boyfriend than you are in any other OECD country. It is hard not to read the difference as anything other than a difference in gun laws—a difference in the number of guns that are available to people who would decide to murder their spouse. Why? Because there is no evidence that men are less violent in any of these other countries. There is no evidence that these countries spend any more money on mental health. In fact, the United States, on average, likely spends more. But there is nothing different about the United States other than the number of guns that we have and the relatively loose gun laws that create this tragic outlier status.

The data on a State-by-State basis backs up the idea that there is something about our gun laws that tells us the story of women being in danger and being killed by their spouse. What we know is that in States that do require a background check for every handgun that is sold, there are 38 percent fewer women who are shot to death by an intimate partner. We can't get around that fact. In States that are universal in their application of background checks, there are 38 percent fewer women shot by their intimate partner. You can't argue about that. There are States that are universal in their applicability of background checks and there are States that are not. The data on women murdered by their husbands with guns is publicly available. It is not a 5, 10, 20, or 25 percent difference. It is a 38-percent difference.

Women's lives could be saved if we required people to go through background checks. Why is that? Well, because there have been 250,000 gun sales that have been blocked to domestic abusers since the National Instant Criminal Background Check System was started. These are people who were convicted of domestic abuse crimes and known to be domestic abusers, walked into a gun store, tried to buy a gun, and were stopped from doing so because of the Federal law.

Now, that is just the number of people who walked into the store and had the audacity to try to buy a gun even though they knew they had been convicted of domestic abuse. Again, that number is 250,000. Obviously there are 10 times that number who never walked into the gun dealership because they knew they weren't going to be able to buy the weapon. So guess where they went. They went online or to gun shows. In 2012 alone it is estimated that 6.6 million guns were exchanged in private transfers without a criminal background check. In just 1 year alone, over 6 million guns were transferred without the purchaser having to prove that they weren't a domestic abuser or that they hadn't committed murder in the past with a weapon. It is easy to buy guns at gun shows or online, and so that is why 90 percent of Americans believe that we should have universal background checks—because it works and because increasingly people who want to buy guns and use them for malevolent purposes are able to do so outside of the criminal background check system.

The numbers are not small, and 38 percent fewer women die in States that do universal background checks. The States that have decided to fill the loophole that we, as a Congress, have created have 38 percent fewer women die from gunshot wounds. We have blood on our hands because if we just got together and closed that loophole, the data tells us there would be fewer deaths.

Let me close by suggesting a couple of other ways that we could try to address this epidemic of domestic abuse and gun homicide perpetuated by intimate partners. Let me first do so by telling the story of Lori Jackson, who was 32 years old when she died in 2014 in Oxford, CT.

Lori and her husband Scott had a long and difficult history together. All of her friends knew about the difficulty that the two of them were having. It finally caused Lori to go and submit an application for a temporary restraining order. Scott had become that violent. In the application she wrote:

> Scott yelled in my face . . . and got very angry. I felt threatened and told him I didn't feel safe and was going to leave with the twins.

She had 18-month-old twins.

She said:

> He then told me I wasn't going anywhere and grabbed my right thumb and twisted my wrist.

That happened while the two children were in her arms.

She said:

> He acts out violently and I am afraid for my kids and myself.

Judge Robert Malone ordered Scott to stay away from his wife and the two 18-month-old twins. But because there is a loophole in the law that allows you to buy and own guns while you have a temporary restraining order—not when you have a permanent restraining order—one day before that temporary restraining order was going to become permanent, Scott shot Lori Jackson Gellatly four times in the head and torso with a .38-caliber handgun. So today her two little twins have no mother, their father is in jail, and the twins will grow up only hearing stories about her. Why? Because we can't pass a bill that says when you have a temporary restraining order against you, you shouldn't be able to buy a gun. During that moment of terror for the domestic spouse, the police should be able to go in and see if you have weapons that you might use in that immediate moment of anger. We could come together on that. We could come together on simply saying that while you have a temporary restraining order, you can't buy guns. You are on the list of prohibited purchasers during a restraining order period of time. If we had done that prior to 2014, Lori Jackson might be alive today.

Let's take the case of Jennifer Magnano. She was killed in Terryville, CT, in 2007. She was in the process of trying to end her marriage to her husband Scott, who was a controlling and abusive husband. Scott and Jennifer had two children, and Jennifer had an older daughter who had been sexually abused by Scott for about 3 years.

On April 14, 2007, while he was taking a shower, she finally escaped. After the end of their time together, Scott became so angry that he came back to their house and murdered her. She was always posting inspirational sayings on to Web sites. She was a really positive person, but that couldn't stop her husband from murdering her.

Now, Scott had a protective order that was permanent. So he was actually prohibited from purchasing a weapon, but he walked into a gun store and asked to see two handguns. He was handed weapons and the ammunition for each of them, and despite being the only customer in the store, he was left alone. He saw an opportunity, and so he walked out of the store with the handguns and the ammunition and went straight to kill his wife. Now, the store didn't report the stolen weapons for 3 days. By that time, it was too late. Had they monitored the weapons so they couldn't have been taken out of the store or reported the stolen weapons, it is possible Jennifer might be still alive today.

Well, the administrator of Jennifer's estate filed a lawsuit against the retailer bringing claims regarding their inability to secure the weapons and their complete inability to notify local law enforcement that somebody, who they themselves said looked like a suspicious customer, stole weapons from the store. The judge dismissed that

lawsuit, saying a statute Congress passed giving gunmakers and dealers virtual immunity for their actions ''goes directly to the heart of the jurisdiction here.'' Congress was clear these cases must be dismissed. Congress has granted gunmakers and gun dealers almost complete immunity from lawsuits that would hold them liable for irresponsibly selling weapons or irresponsibly making unsafe weapons.

The fact is, the gun industry is held to a standard that no other product maker is held to. They are granted an immunity that is carved out from the broader products liability law. In fact, the maker of a toy gun is held to a higher standard of liability than a maker of a real gun. This Congress passed that statute simply because the gun industry asked for it and because they knew they were liable for making guns that were intentionally unsafe because they knew there were dealers that were conducting their activities in an irresponsible manner.

So for the Magnano family, they don't even get to bring their case to court. They don't even get to litigate this claim simply because Congress has given a level of immunity to the gun industry that they give to no other industry. If we were to repeal that law, it would be another way to address this epidemic of gun violence that plagues this country and specifically women who have the great misfortune of being the subject of domestic abuse.

I am going to continue to come down to the floor and tell these stories. I hope there are ways we can come together. I understand we might not be able to pass a background checks amendment between now and the end of the year, but we could close that domestic violence loophole. We could put more resources into the mental health system. We could give more resources to law enforcement. There has to be an answer to the thousands of women who are being killed all across this country by domestic abusers and 80 individuals a day who are being killed by guns all across the United States of America.

Thank you, Mr. President.

I yield back.

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. MORAN. 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. MORAN. Mr. President, I am pleased to be on the Senate floor as we begin the debate and discussion of legislation that I think is critical to certainly my home State of Kansas and important and valuable to the rest of the Nation as well. Kansas is known as an aviation State. Wichita, KS, is known as the air capital of the world, and one would expect a Senator from Kansas to be especially supportive of things that improve the opportunity for aviation, and that is certainly true.

We care about the jobs that are in our State as a result of general aviation manufacturing, as a result of aviation manufacturing for large commercial airlines, and it matters. The FAA is an important component of the environment in our State as a driver of our State's economy, but I also point out that I am a strong supporter of general aviation and reauthorization of the FAA as a result of representing a very rural State. Kansas is made up of a number of larger communities, but small cities and towns dot our State. Those local airports and the ability to connect with those communities as a result of general aviation—the ability to fly to visit somebody but perhaps more importantly the ability for a business to be in a community, a small rural community—exist in part because of those general aviation airports and those planes and pilots. So in communities across our State, we are able to have manufacturing and service industries that probably otherwise, in the absence of an airport and aviation, would have to be located in larger cities in Kansas or elsewhere.

GA and FAA reauthorization is important to every Kansan, regardless of whether they are a factory line worker or engineer in Wichita and South Central Kansas or whether they are a hospital, a manufacturing business, or a service located in a small community in our State.

I am pleased the Senate is beginning to do its work on the FAA reauthorization. I serve on the Committee on Commerce responsible for this product, and I am pleased the chairman and ranking member have worked closely together to get us to this point today in a bill that I hope—I assume subject to some amendments—I hope this bill then passes with strong support across both sides of the aisle.

This FAA Reauthorization Act of 2016 will strengthen the industry by improving the FAA's process for certifying aircraft. Again, in that manufacturing sector in our State, one of the things that would be of great value is to have a process by which an improvement, a development, the manufacturing process, the product we manufacture is more readily and more quickly, more efficiently certified by the Federal Aviation Administration, making certain that those certifications allow those airplane manufacturers to compete in the global marketplace.

This bill also addresses the Pilot's Bill of Rights. I see I have been joined on the Senate floor by the Senator from Oklahoma, the champion of this issue. We are pleased it is in this bill, and it reforms, among other things, the third-class medical certificate process for general aviation pilots—something that has been long overdue and something the Senator from Oklahoma, Mr. INHOFE, has championed and continues to champion. Just this week, he called me asking for assistance as we make certain that this bill advances and the House approves language that is included in this bill.

Another essential piece of this bill text, S. 2549, is the TSA Fairness Act. This is a bipartisan piece of legislation that was originally introduced by Senator MERKLEY and Senator BARRASSO. The language provides protection for some of our small airports that have commercial air service. Generally, it is possible that air service is there, that small commercial airline flight is there because of the Essential Air Service Program, but in order for Essential Air Service to work and to meet the needs of a community and the traveling public, we need to make certain the TSA, the Transportation Security Administration, provides the necessary screeners and screening equipment that you would find in a larger airport.

We want to make certain our rural communities that have commercial service—often flying to Denver International Airport—are screened before they enter the plane to fly to DIA, and this legislation includes language that would enhance that circumstance.

I am also encouraged by the efforts in this bill to address the rapidly evolving circumstance we face with unmanned aerial vehicles. That industry is moving forward, again another Kansas industry that matters greatly. This legislation moves the ball forward for an environment where businesses, universities, and countless others can tap into the potential and the vast economic benefits of UASs, while maintaining high safety standards we would expect in the aviation world.

I know my colleagues remember—I remember well—the 23 short-term FAA reauthorizations that have occurred leading up to the 2012 FAA reauthorization bill. It is hugely detrimental to our aviation system to have to tolerate, to have to figure out how to abide by these short-term extensions that eliminate the opportunity for long-term planning and create great uncertainty. I am pleased we are headed down the path of a longer term, more permanent FAA Reauthorization Act represented by this legislation, this act of 2016.

I would ask my colleagues to work, all of us together, to make sure the end product is something we can be proud of. We certainly start in a position in which that is the case.

Again, I commend Mr. THUNE, the Senator from South Dakota, for his leadership and working with the Senator from Florida, Mr. NELSON, getting us to this point today. This is an important piece of legislation for our country, its economy, and our citizens, and matters greatly to the folks back in Kansas.

Mr. President, I yield the floor to the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, first of all, I ask unanimous consent to be recognized as in morning business to use as much time as I shall consume.

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

Mr. INHOFE. Mr. President, I want to comment that I have dramatically shortened my presentation, as I was crossing off things from my list that have already been more eloquently expressed by my friend from Kansas, and I think it shows. He brought out a point I think is significant; that the first of the year we were able to pass the highway bill, which is a major piece of legislation. It is the first time since 1998 we were able to get that reauthorization bill, and it was because of the interim period of time we had the short-term fixes that the Senator from Kansas was talking about. Those are expensive, and you can't do major overhauls, improvements, and modernization unless you have an authorization bill, and this covers a lot of areas.

I want to repeat one thing the Senator from Kansas stated, and that is in reference to Senators THUNE and NELSON. Any time you—and I would say this to all of the members of the Commerce Committee—any time you get a major piece of legislation that covers a lot of stuff, there is always a lot of confusion and some opposition, although not as much opposition to this as we had anticipated would be taking place.

So there are areas I want to visit that I have a special interest in. One is the certification process for general aviation pilots. I know this was mentioned by Senator MORAN, but this is something that is very significant. I want to cover it in perhaps a little bit more detail, along with the other areas and an amendment we have. I am getting a lot of Democratic support on my amendment, amending the use of drones, the allowable use of drones.

First of all, on the Pilot's Bill of Rights, I refresh everyone's memory that the first Pilot's Bill of Rights was something we passed in 2012. It was one that for the first time took care of a problem that had been out there. The only group of people in America who did not have the opportunity of the protections, the legal protections in our jurisprudence system, was general aviation pilots and other pilots because it allowed the FAA to come in and make all kinds of accusations without giving people the benefit of the evidence that was being used against them. We passed a good bill called the Pilot's Bill of Rights.

Last year, in Oshkosh—Oshkosh is the largest general aviation event of the year. It is one that involves hundreds of thousands of people and actually thousands of aircraft on the field. I say to the Presiding Officer, I can remember this was the 37th annual convention that I have attended and flown in, in the last 37 years, so I am very familiar with this. Of course, when I got there, they were interested in the successes that were in the Pilot's Bill of Rights, but there are some things that weren't in there that should have been in there. So we had a session with people—I mean, there are people from all 50 States and countries around the world, and so one of the areas of concern has been about the medical certification process. It is called a third-class medical. A third-class medical is something that goes into a lot of things that are not necessary and sometimes deter the safety factor that is built into medical certification. So we reformed that system.

By the way, I have to say that we have already passed this bill in the Senate. The last thing we did before breaking for Christmas, 10 minutes before we recessed, was to pass a free-standing bill that is worded exactly the same way that is in this bill. This is a backup. Since that got bogged down in the House for a period of time, we thought we would put this in here just to make sure that one way or another this does become a reality. It is singularly the greatest concern for large organizations, including the Experimental Aircraft Association and the Aircraft Owners and Pilots Association, the AOPA.

We put a system in there that provides—first of all, the pilots will still have to do some of the elements of what was considered to be a third-class medical. A third-class medical—10 years ago we repealed that, or reformed it, for pilots of very small aircraft, the light aircraft. In fact, there hasn't been one injury or death in the last 10 years that could be related to anything, any change that was made in that system. So this just allows the other pilots to have the same benefits the pilots did in the small aircraft.

Pilots still have to complete an online medical education course. Pilots are going to have to maintain verification that they have seen a doctor concerning anything that might impair their ability to safely fly an airplane. Pilots have to complete a comprehensive medical review initially by the FAA. So those safeguards are built in.

The Pilot's Bill of Rights 2 increases its due process protections established for pilots in the original Pilot's Bill of Rights. The original Pilot's Bill of Rights—since I have been active in aviation for over 60 years, it was only natural that when problems came up, people would contact me as opposed to their own Senators, in many cases. I was concerned and always tried to help people. But until those abuses occurred to me, and I realized all of a sudden that I was at risk of losing a pilot certificate and didn't have the means to defend myself—that is when this whole effort started.

Well, this was carried out in the reforms that we intended to put in the first bill that were not really strong enough to get the FAA to comply with, which we have in this bill. One of those is called NOTAMs, Notices to Airmen.

By the way, when I talk about this, this doesn't mean a lot to a lot of other people, but there are 590,000 single-issue general aviation pilots in America to whom it means a lot. So these guys are all very much concerned about it, and they are all anxious for this to become a reality.

A Notice to Airmen is something that is required and has been required for a long period of time so that people will know—if you are going to make a flight from airport A to airport B, if there is any problem at that airport where you are going to land in terms of work on the runway or in terms of lights being out or new towers being erected or something like that, they have NOTAMs, which are Notices to Airmen. So this is going to carry into reality the reform that we intended to do in 2012.

It also ensures that pilots are going to have access to the flight data, such as air traffic communication tapes and that type of thing. So it is good. I know it doesn't mean a lot to a lot of other people, but it sure does to 509,000 people.

The contract towers—this is a major program. It is kind of interesting. We established a program of contract towers intended to reach areas that didn't really have the unique, normal necessity of information and assistance that we would have in normal towers, and the towers do a great job. And I am now talking about the regular towers, but the contract towers have also done a good job.

In 2013 the Obama administration targeted our Nation's air traffic control towers as an unnecessary mechanism to make the public feel the pain of nondefense budget cuts. Well, that was back during sequestration time, and at that time they were going to close all of the contract towers. They were saying that these towers don't—one of the arguments they used is that they don't have the traffic that many other towers have. Well, I suggest to my colleagues that in my State of Oklahoma, we have a number of great universities and colleges, and the two largest are Oklahoma State University and Oklahoma University. They are located in Stillwater, OK, and Norman, OK. I can tell my colleagues right now that if they had been successful in closing down those two contract towers, on football days, when we have literally hundreds of airplanes coming in, all converging at about the same time, it would have been a life-threatening event. We now have been able to maintain those contract towers in a cost-sharing program that has been very successful in the past, and that is in this bill also.

Aircraft certification is an issue some of us are very concerned about. The Oklahoma aerospace industry is a vital and growing component of the State's economy. It is responsible for billions of dollars of economic output and employs thousands of people. The aerospace industry in Oklahoma includes commercial, military, and general aviation manufacturing, testing

and maintenance activities, as well as a vibrant and cutting-edge culture of research and development that is located in my State of Oklahoma. Both of our major universities are an important part of this.

With this in mind, I applaud the bill's inclusion of reforms to the FAA's process for certifying general aviation aircraft and aviation products such as engines and avionics, removing government redtape that is so prevalent that we are all so sensitive to and aware of.

The bill also ensures that the FAA maintains strong engagement with industry stakeholders, so the FAA's safety oversight and certification process includes performance-based objectives and tracks performance-based metrics. This is key to eliminating bureaucratic delays and having increased accountability between the FAA and the aviation community for type certificate resolution or the installation of safety-enhancing technology on small general aviation aircraft.

Now, I have an amendment. The Senator from Kansas was talking about some of the uses and restrictions and the expansion of the use of the UAVs. We are talking about drones now. Drones sometimes have a bad reputation, and normally it is not well-founded. But there are some areas where there were restrictions in the use of drones, which we are—I have an amendment that will allow drones to be used in areas where it does make sense. I already have several Democratic supporters and cosponsors of this amendment, including Senator WHITEHOUSE and Senator HEITKAMP and Senator BOOKER, who are all very enthused about this.

It would direct the FAA to establish rules to allow critical infrastructure owners and operators to use unmanned aircraft systems to carry out federally mandated patrols of an area, and that could be a pipeline or anything else that is currently being patrolled, some by foot and some by aircraft, and this would allow unmanned aircraft to do that same thing. It is a safety thing because some of these patrols have to take place in bad weather and sometimes risk is involved. But if you don't have a person in the airplane—an unmanned plane—then this is an ideal use for it. It does establish a pathway for critical infrastructure operators to use the airspace under the FAA guidelines. It is still under FAA guidelines, but nonetheless it is an opportunity to use it.

Today, critical infrastructure owners and operators are required to comply with significant requirements to monitor facilities and assets, which can stretch thousands of miles. This is something to which I think there should not be any opposition. We haven't had anyone whom I have asked to be a cosponsor deny us so far, and I don't anticipate that we will have a problem.

The amendment is supported by a wide array of stakeholders, including the National Rural Electric Cooperative, the American Public Power Association, Edison Electric Institute, CTIA—The Wireless Association, the American Gas Association, the Interstate Natural Gas Association of America, the American Petroleum Institute, and I could go on and on. So far, there is neither organized nor just normal opposition, as one would normally find, so it is very popular. No one that I know of is against it. This is an amendment I will be offering as soon as we start working on amendments. This amendment will make this bill an even better bill.

Again, I applaud all the work that has been done by the members of the Commerce Committee and particularly by the chairman and the ranking member, Senators THUNE and NELSON, in getting this done. We are getting into an area where we are really being productive in this body, and I am very proud to be a part of it.

We need to keep our eyes open on this. I would encourage any Members who have amendments they want to be included in this to come to the floor with their amendments and do what I am doing right now so that we can get in the queue, we can get started and get this done. I don't know when we are anticipating finishing this bill, but I don't see any reason why we can't do it, if everyone gets amendments done, by the end of next week.

With that, I will yield the floor. I think we have several speakers lined up who are going to be here.

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

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

Mr. CASEY. Mr. President, I rise today to speak about an amendment which Senator TOOMEY and I are working on, amendment No. 3458. I will have some remarks about this amendment, as will my colleague from Pennsylvania, Senator TOOMEY.

We know that since 9/11, we have made a good deal of progress on airline security, but we know there are still a number of commonsense steps we can take to bolster security at our airports and on our airplanes. We also know that since 9/11, there have been 15 hijacking attempts around the world, and we know that terrorists still aim to repeat those actions and improve on their deadly tactics. It is also a concern that Federal programs designed to increase aviation security, such as the Federal Flight Deck Officer Program—the acronym being FFDO—to train and arm pilots, continue to experience drastic cuts and reduced budgets.

After 9/11, Congress mandated the installation of reinforced cockpit doors, and the FAA regulations stated that the reinforced cockpit doors should remain locked while closed. However, pilots and flight attendants must open the door frequently for a variety of reasons, all of them reasons we understand, whether it is to use the restroom, get a meal, or rest times for pilots on international flights when they are not in the cockpit. So we know they have to open that door on a regular basis. Simulations have shown that when the door of the cockpit is open, the cockpit can, in fact, be breached and the plane can be hijacked—by one estimate, in less than 4 seconds.

A voluntary airline industry movement toward adopting secondary barriers—meaning a barrier other than the actual cockpit door—began in 2003, but a commitment to deploying these devices has waned significantly since the year 2010.

Senator TOOMEY and I have submitted an amendment that would close a gaping hole in our airline aviation security systems, thus achieving what Congress intended when it mandated installation of the fortress door after 9/11. The amendment we are working on together is named after a Bucks County, PA, resident, Captain Victor Saracini, who piloted United Flight 175 when it was hijacked by terrorists and flown into the World Trade Center. The amendment would require that each new commercial aircraft install a barrier other than the cockpit door to prevent access to the flight deck of an aircraft.

A secondary cockpit barrier is a lightweight wire mesh gate installed between the passenger cabin and the cockpit door that is locked into place and blocks access to the flight deck. While the cockpit doors are currently reinforced, secondary barriers provide significantly more security to airline companies, their employees, the pilots, and, of course, more security for passengers as well.

A 2007 study concluded that the secondary barrier dramatically improves the effectiveness of the other onboard security measures currently in place and also works as a stand-alone security layer and is the most cost-effective, efficient, and safest way to protect the cockpit.

There is no way to fully and completely pay tribute to the extraordinary courage of Captain Saracini and the others who were lost on that tragic day. He gave the full measure of his life—as Lincoln said in another context, the last full measure of devotion to his country. He also, of course, gave the full measure not only for his Nation but for his wife Ellen and his family. Ellen, whom I have come to know, and others have worked tirelessly in the years since to increase airline safety for other pilots, passengers, and the airlines themselves.

I am urging our colleagues in the Senate to adopt this amendment to continue to strengthen and secure our Nation's airspace and to further improve airline safety.

I look forward to hearing Senator TOOMEY's remarks, and I am grateful to be working with him on this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Thank you, Mr. President.

I want to thank Senator CASEY for his great work on this. We have been partnering on getting this accomplished for some time now. This is the opportunity to do it. This is the right legislative vehicle. This is the right bill. This is the FAA reauthorization bill. This is exactly where we ought to be taking a commonsense step toward making commercial aircraft safer. It is as simple as that.

I am hoping that very soon we will adopt the motion to proceed so that we are on the bill. We have already filed this amendment. As soon as we can, we will bring it up so that it is pending, so that we can adopt this amendment.

This passed the House Transportation Committee unanimously. I don't know why it wouldn't have the same outcome here. I want us to get on this bill, I want to offer this amendment, and I want to get on with this because Senator CASEY is exactly right. In the immediate aftermath of that appalling attack on September 11, Congress passed legislation to require that the cabin door be reinforced, become a stronger barrier, and that is exactly what happened. It is a terrific barrier. It is very hard to see how anyone could break down the cabin door and access the cockpit when that door is closed. The problem is that the door is not always closed. As Senator CASEY pointed out, it is necessarily opened from time to time during a flight. This creates the threat. It creates the opportunity for a terrorist who is so inclined to rush that open door. A very well reinforced door is useless when open, but that is the risk.

That isn't just our assessment; the FAA has acknowledged the very serious nature of this threat. Let me quote from their April 2015 advisory. The FAA said:

> On long fights, as a matter of necessity, crewmembers must open the flight deck door to access lavatory facilities, to transfer meals to flightcrew members, or to switch crew positions for crew rest purposes. The opening and closing of the flight deck door (referred to as ''door transition'') reduces the protective anti-intrusion/anti-penetration benefits of the reinforced door. . . . During this door transition, the flight deck is vulnerable.

This is not some theory; this is an objective fact. It is observed by the FAA advisory. The 9/11 Commission also observed that terrorists were very keyed in to the notion that the best time to strike would be when the door was open. That was at a time when the primary door was not as reinforced as it is now. The opening of the door clearly creates the opportunity for terrorists. This threat is real. It persists. There have been attempts to breach cockpits since 9/11. There have been successful attempts, including the successful hijacking of a Turkish Airlines flight in 2006.

We know that the secondary barrier Senator CASEY and I are proposing would be extremely effective. It is low cost, it is lightweight, and it is not intrusive. It is not deployed at all except immediately prior to opening the primary door. This is just a commonsense solution. It will provide a significant upgrade in the safety of these aircraft.

We have an amendment. It has been filed, and as soon as we can, we would like to make this pending. I would urge all of my colleagues to support this amendment. Let's get this adopted. Let's pass the FAA reauthorization bill and get it to the President.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, I thank the chairman and ranking member of the Commerce Committee for all their hard work on this FAA reauthorization bill. The Commerce Committee has done very hard work on it. I am especially pleased the committee included a provision that directly affects my home State and the city in which I live, Phoenix, AZ.

Since September of 2014, residents in Arizona around the Phoenix Sky Harbor International Airport have had their daily lives impacted by changes to flight paths. These changes were made without formal notification to the airport or community engagement before the changes were implemented.

These flight changes in Phoenix were made as part of the Federal Aviation Administration's ongoing implementation of NextGen. I support the aims of NextGen to improve the safety and efficiency of air travel and modernize our Nation's air space. We will all benefit from the improvements that come from NextGen, and this provision is not intended to undermine those efforts or diminish the efficiencies that have already been achieved through NextGen.

However, the experience my constituents have gone through in Arizona demonstrates that improvements need to be made to the process surrounding the implementation of NextGen. The airport and affected community must be part of the process before these changes are made.

It is important that those on the ground—the individuals who have their daily lives impacted the most by this process—have an opportunity to be heard. Input from local stakeholders is necessary to ensure that community planning and noise mitigation efforts that have been underway for decades are now taken into full account.

The language in this bill would require the FAA to review certain past decisions and take steps to mitigate impacts when flight path changes have a significant impact on affected communities, and that is certainly the case in my home city of Phoenix, AZ.

Importantly, this provision would also require the FAA to notify and consult with those communities before making significant changes to flight paths moving forward, as has happened, which has caused so much difficulty and so many ill effects on the citizens of Phoenix, AZ—indeed, the entire valley.

The FAA has acknowledged the need to improve community outreach and is undertaking efforts to update their community outreach manual, but more needs to be done to guarantee this outreach takes place.

The Senate had previously agreed unanimously to this language as an amendment to the Transportation, Housing and Urban Development appropriations bill. However, that bill did not advance in the Senate. Also, the FAA reauthorization bill that passed the House Transportation and Infrastructure Committee earlier this year also included similar language at the request of myself and my colleague Senator FLAKE.

This legislation is necessary to create a long-awaited, much needed opportunity for residents around Phoenix Sky Harbor International Airport negatively impacted by flight noise to have their voices heard by the FAA. It is important that the process surrounding changes to flight paths include the local officials, airport representatives, and residents—most of all, residents—who know the issues best, both around Sky Harbor and in communities across the country.

I urge my colleagues to support this legislation.

I also thank my colleague Senator FLAKE for working hard on this reauthorization and this provision that is in this bill. He and I both have been contacted by literally thousands of our fellow citizens and the people we represent in Phoenix, AZ, concerning the noise problems around Phoenix Sky Harbor International Airport. It didn't have to happen this way. I hope the FAA will go back and meet with the people and hear the complaints, hear their problems, and fix them.

I thank my colleague Senator FLAKE for his hard work on this issue. Again, I appreciate the Commerce Committee and its chairman and ranking member for including this language in this legislation that is so important to our community.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. Mr. President, I wish to say a few words on this subject, and I thank the senior Senator from Arizona for all the work he has put into this. As he has mentioned, we have heard from thousands of residents in the Phoenix area who have been impacted.

This language is important because in September of 2014, the FAA instituted new flight path changes for Phoenix Sky Harbor International Airport without adequately engaging the community and the stakeholders. These flight paths, as Senator MCCAIN said,

have greatly impacted residents in the surrounding areas. We have heard from them with concerns about both the noise and the frequency of these flights.

Section 5002 of the FAA reauthorization bill would simply approve the FAA's process for instituting new flight paths. The fact that this language is retroactive is especially important because of what we have mentioned. Communities in Phoenix have already been negatively impacted by these recent flight path changes.

This language would create a process to review those changes and to require the FAA to consult with airports and to determine steps to mitigate the negative effects, including the consideration of new or alternative flight paths. Going forward, this language would ensure that communities and airports have the opportunity to fully engage with the FAA before these flight paths changes are made.

Again, I commend Chairman THUNE and Ranking Member NELSON for including this critical language. I hope that it is supported. We have support for this amendment.

With that, 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 legislative clerk proceeded to call the roll.

Mr. WARNER. 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 FEDERAL EMPLOYEES

JOHN WAGNER

Mr. WARNER. Mr. President, I rise today to call attention to the significant contributions public servants make to our Nation every day.

Since 2010, I have tried to come to the Senate floor on a fairly regular basis to recognize exemplary Federal employees. This is a tradition started by my friend Senator Ted Kaufman from Delaware when he was here for a few years—somebody who, as much as anybody in this body, having served as a staff member for so long, recognized the enormous value that people who work for our Federal Government provide to our national purpose and to making sure we get things done.

Earlier this week, I met with some of these outstanding public servants. Convened under the umbrella of the Performance Improvement Council, I had a discussion with individuals participating in the Leaders Delivery Network and the White House Leadership Development Program fellowships. These senior administration officials, who are working—oftentimes in obscurity—to improve government performance, come together on a regular basis to collaborate and share best practices.

Oftentimes on this floor, we talk about costs and budget issues. One challenge I think we don't spend enough time on is oversight. The fact is, there are many folks within the Federal Government who are focusing on improving government performance and making sure that we at the end of that also save resources.

In the spirit of the work of the PIC, with which I met earlier this week, I am pleased to honor one exceptional Federal employee today who happens to be a Virginian—John Wagner.

As Deputy Assistant Commissioner of U.S. Customs and Border Protection, Mr. Wagner conceived, developed, and implemented two groundbreaking programs that overhauled the way American citizens and a growing number of foreign travelers enter the United States.

At the time, CBP was facing the need for heightened security—obviously, something that continues—while contending with an increase in the number of international travelers, which resulted in long wait times for arriving passengers, a surge in missed flight connections, and strained personnel capacity.

Mr. Wagner's innovative solutions to making our century-old process work more effectively and efficiently are now familiar to millions of travelers worldwide: the Global Entry Trusted Traveler Program and the kiosk-based Automated Passport Control Program.

As somebody who participates in the Global Entry Trusted Traveler Program, it has obviously sped my transit through many international airports. Global Entry saves travelers time and ensures a high level of security by employing a screening process that includes background checks, personal interviews, and fingerprinting. Approved travelers then bypass the regular immigration control lanes and proceed to the automated, biometrics-based, self-service kiosks that validate passports, verify fingerprints, and perform database queries. This back-end security allows approved travelers to quickly clear through Customs without the need for an interview with a Customs officer. Global Entry is now offered at 48 U.S. airports, including Dulles International Airport in my State of Virginia.

In addition to streamlining the international arrivals process, the program has resulted in saving over 287,000 working hours and reducing the average wait time for members 84 percent when compared to travelers not enrolled in the program.

Mr. Wagner's other brainchild has shown similar results. The kiosk-based Automated Passport Control Program automates the entry processes for those with U.S. passports and travelers from a number of foreign countries. This automation allows CBP officers to focus solely on questioning the individual and observing his or her behavioral responses, rather than getting bogged down with administrative procedures. The automated kiosks have resulted in decreases in average wait times for travelers and efficiencies in allocating human resources.

Mr. Wagner described his work best, saying that ''it has contributed to the national security of the country, helped promote travel and tourism that benefits the economy, and delivered a public service that has been well received.''

I hope my colleagues will join me in thanking Mr. Wagner and government employees at all levels for their willingness to shake up the status quo and their commitment to providing exceptional service to Americans across the country.

Today the Presiding Officer and I were at a budget hearing where, as former business members, we sometimes feel like our heads will explode in terms of our ability to get an appropriate audit of Federal spending and Federal programs. We talked about different processes, like the DATA Act, where we try to get more transparency. We have to do all this, but we also have to recognize and celebrate Federal employees who, at the work level, are coming up with great innovative programs, such as Mr. Wagner has done.

So while we may disagree on many items in terms of how we get to ultimate policy issues—the Presiding Officer has had a very successful career in business—we know, as former businesspersons, that oftentimes some of the best ideas come from the workforce, and we need to do more to celebrate individuals like Mr. Wagner who come forth with good ideas that have been implemented on a cost-effective basis and that save time, save money, and increase national security.

I yield the floor.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

Mr. BROWN. 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. BROWN. I ask unanimous consent to speak as in morning business for up to 15 minutes.

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

FILLING THE SUPREME COURT VACANCY

Mr. BROWN. Mr. President, in 1988—almost 30 years ago—when Justice Kennedy was elected to the Supreme Court, President Reagan said: ''Every day that passes with a Supreme Court below full strength impairs the people's business in that crucially important body.'' President Reagan realized in 1988, during the last year of his Presidency, what President Obama realizes in 2016, the last year of his Presidency: that an eight-person Supreme Court runs counter to our national interest and runs counter, frankly, to the intent of our Founders, especially as we modernized the Supreme Court.

There is a reason the Supreme Court—I believe for 150 years or something like that—has had an odd number of Justices, and that is so they can

make decisions. Since Justice Scalia's death, we have seen the Supreme Court deadlock a couple of times, and when the Supreme Court deadlocks, it is as if the cases weren't even heard. It also means that if there are two different appellate cases that contradict one another, the Supreme Court would rule, as a referee would, to decide on the law of the land. When there is a vote of 4 to 4, it is as if there were no Supreme Court decision at all, and as a result, we have conflicting laws in different parts of the country. So you can live under one set of rules in Ohio and live a few miles away in Pittsburgh under another set of rules. As a result, this prolonged vacancy is damaging to our country's highest Court.

Fifty cases remain on the docket for this term, and the Supreme Court is going to likely set a record for most tied votes. The 50 cases are for this term right now. When the Court meets again—according to Senator MCCONNELL, it will be before Judge Garland is considered and brought up for a vote, if he is ever brought up for a vote—there will be another whole set of issues Judge Garland will not be able to rule on.

We are really sentencing ourselves as a nation to a potential 4-to-4 vote on case after case after case, week after week after week, month after month after month, through two Supreme Court calendar years, for want of a better term. No term since 1990 has included more than two tied votes—a benchmark the Court has now hit in a single week. It means we have no national standard on important issues, and it diminishes the important role the Supreme Court plays in our country. It is part of a pattern that is damaging the judiciary. Last year the Senate confirmed just 11 Federal judges—the fewest in any year since 1960. It is the fewest in almost six decades.

Chief Judge Garland's qualifications are without question. The President really did reach across party lines—reaching into the center aisle, perhaps—in choosing Judge Garland. He picked somebody who is significantly older as a nominee, which is something most Presidents don't want to do. They want to pick somebody in his or her forties or early fifties so they have—at least mathematically—the opportunity to serve more years. He picked somebody who had Republican support in the past and has had glowing things said about him by people like the former judiciary Republican chairman, Senator HATCH. His qualifications are without question, but in the end, the Senate has said they don't want to do their job.

The last time there was a vacancy on the Supreme Court for more than a year was during the Civil War, and it was because we were in a civil war. The last time a Republican Senate ratified or confirmed a Democratic Presidential nominee on the Supreme Court was 1895.

This is a Senate that needs to do its job. When I hear Senator MCCONNELL say he doesn't care and will not do anything until the next election, well, we had an election. President Obama was elected to a 4-year term—not a 3-year term and not three-fifths of a term but a 4-year term. He is doing his job. The Constitution says that the President shall nominate and the Senate shall advise and consent.

The Senate needs to meet with this nominee—and I will meet with Judge Garland tomorrow—the Senate needs to have hearings on Judge Garland, and the Senate then needs to bring him to a vote.

Of the eight Supreme Court Justices sitting on the Court today, the average time was 66 days to confirm that Justice. This President still has close to 300 days left in his term. There is plenty of time to do that. Pure and simple, the Senate needs to do its job. It is incredible to the country, and it is incredible to all of us who really love this institution and think our government should work—and does work most of the time—that Senators are so dug in that most of my Republican colleagues will not even meet with Judge Garland. None of them, except for a couple of courageous exceptions, called for hearings. I believe only one or two said we should vote on his confirmation. The country doesn't understand why Republicans are failing to do their jobs. It is important, election year or not, that the Congress do its job.

THE STEEL INDUSTRY

Mr. President, for generations our steelworkers and manufacturers have made the steel that built this country. Manufacturers are the cornerstone of our economy. We know that every dollar invested in manufacturing adds an additional $1.48 to the economy, but our steel industry is being left behind. Years of outsourcing and years of illegal dumping—dumping means foreign competitors will sell steel into the United States below the cost of production so it is just impossible to compete on price or quality with them—have taken their toll on our companies and our workers.

I want to read a letter I got this year from a group of Ohio steelworkers. I want to read one that I chose to read from this. Thomas Kelling wrote:

> As of January 11, 2016, there are 12,000 steelworkers laid off. I am one of them. When you include other manufacturers that deal with steel—aluminum, refractory, etc.—there are 35,000 men and women out of work.
>
> Thousands of immigrants came to this country looking for work years ago, and the steel industry supplied them with work. Without the steel industry, the country would not be what it is today. Every building, car, motorcycle, bridge, and so on is made of steel.
>
> The steel industry has taken a big hit because of illegal dumping by China, Korea, India, and Italy, among others. These countries subsidize their companies—

I would add—he didn't say this in the letter—sometimes these companies are State owned and subsidized by the State.

> These countries subsidize their companies so they are able to sell steel at a much lower cost, which in turn causes the U.S. steel industry to decline—hurting thousands of families, and the economy in general.

Mr. Kelling is right. It is time for us to stand up for American steel manufacturers and workers who play by the rules but drown under a sea of illegal, subsidized imports. Far too many politicians seem content to throw up their hands and write off the industry and say: Well, that is an old industry. We can buy our steel from somewhere else. They seem to assume that because it is a tough problem, because it is complicated, it is not even worth trying to fix. Imagine if we had said that about the auto industry. I know what this body did. I know there was a lot of Republican opposition. Some Republicans like Senator Voinovich, my colleague from Ohio back then, were supportive. Most of my Republican colleagues tried to block the Bush administration—a fellow Republican. Then with the Obama administration, they really dug in in opposition to the auto rescue.

We know what happened. Chrysler posted 7 percent gains in sales last year. GM and Ford were not far behind with 5 percent. More vehicles were sold in 2015 than at any time in American history. When that number had dropped close to 10 million, it was back up to 16 million vehicles. That is a lot of autoworker jobs in Ohio at Chrysler, Ford, GM, and Honda. It is also a lot of autoworkers' supply chain jobs—some union, some not, some autoworker union, some other unions, some nonunion, but thousands of jobs in the supply chain making glass and tires and all kinds of hubcaps and metal tops—hard tops for the Chrysler, whatever they are—in gear shifts and transmissions and engines in plants all over Ohio.

So don't tell me we can't save the steel industry. Don't tell workers like Thomas Kelling it isn't worth saving. There are concrete steps to enforce a level playing field. We enacted a law last year to make it easier to petition our government when foreign producers are cheating on the rules. We know this happens all too often, especially in this industry, because so many countries around the world have their own steel industry. Some don't even use much of the steel they make but know they have a country—us—where they can dump the steel. This law is only as strong as its enforcement.

The Commerce Department needs to apply so-called adverse facts available, or AFA, in trade cases where a foreign company is not cooperating. If we don't apply adverse facts when it is warranted, we allow countries and companies that are cheating to get away with violating the law at the expense of our companies, at the expense of workers in Lorain, Niles, Youngstown, and Middletown—all over our State and all over our country.

Second, we need to fully fund the Office of Enforcement and Compliance. This office investigates charges of illegal subsidies and dumping by foreign

producers. There are so many violations, this office is overwhelmed. Trade investigations are lengthy. They are difficult. They are labor intensive. We are a Nation of laws. We enforce laws. We enforce rules. We follow laws. We follow the rules so that we can play fair on trade cases, but that takes time and expertise, and that is why we need to fund the Office of Enforcement and Compliance.

Third, the administration needs to do everything in its power to address global overcapacity, particularly from China. It is the single biggest challenge facing our domestic steel industry. China has excess steelmaking capacity of 300 million metric tons. Was does that mean? They can make 300 million metric tons more than they use in their country. What does that mean? That means they are looking for a market, and they are willing to subsidize their steel production to dump their steel into Ohio, into Detroit, in auto plants, and dump their steel where we build roads, bridges, and appliances.

Last year, China exported more steel than the total tonnage of steel produced by U.S. manufacturers. Think of that. Chinese capacity in steelmaking is about the same as the rest of the world combined. As I said, China exported more steel last year than the total tonnage of steel produced by U.S. manufacturers. No wonder our companies face such serious challenges. China is the single biggest contributor in excess capacity, but the problem is spreading elsewhere. The Chinese have committed to reducing steel production, but have failed to follow through.

Our steel industry has done the right thing. Our industry restructured to a sustainable model a decade ago—competitive, smart, productive—but it is now under threat again from Chinese imports. We have to file complaints and petitions against this unfair competition. These cases take too long.

To stop the flood of cheap illegal imports once and for all, we need a permanent shutdown of production in countries where the steel industry is not driven by the market. Let me give you an example. South Korea was making something called oil country tubular goods, OCTG. These are pipes made for drilling, for fracking, for drilling for oil and gas. It makes sense, right? Except South Korea didn't have a domestic industry. They used not one of these steel pipes that they manufacture. What were they doing? They were selling them under cost to the United States. They basically created an industry to make steel, to dump that steel in the United States and keep their workers going at the expense of our companies and our workers. We won trade cases against them, but it often took long, and by the time we won these cases, a lot of damage was done to those companies and those workers.

Finally, renegotiate the auto rules of origin, the Trans-Pacific Partnership. These provisions determine how much of a car is made in these 12 countries of the Trans-Pacific Partnership regions. Unfortunately, the TPP rules of origin are even weaker than they were in the North American Free Trade Agreement. What does that mean? That means only 40 percent of an auto sold in a TPP country needs to be made in TPP countries. So what that means is that more than 50 percent of the components for a newly made car can come from China sold into the United States or Mexico or Canada or any of the 12 countries with no tariffs. The whole point of the Trans-Pacific Partnership is to strengthen the auto supply chain and strengthen these countries' economies, but the way our negotiators did it was to drop the percentage components—the so-called rules of origin—from 60-some percent to 40-some percent so China could backdoor.

Think about this: 35,000 women and men out of work—35,000 families have been forced to have terrible conversations around the kitchen table. They have to sell their house. Maybe they are going to get foreclosed on because they are not working. They have to cut back on sports at the local school because, frankly, of a State government in our State that underfunds schools. If kids want to play sports—no matter if they are low-income kids—they have to pay for it. There was nothing like that when I was growing up, but it is a different world. We have a State government that doesn't respond in so many ways to the concerns of young parents that they have to come up with money. They can't do that now. They have lost their jobs. All of this impacts families.

The bad news doesn't stop with family layoffs. These conversations don't stop with mom and dad getting laid off. They lead to mom having to take a second job at night and to selling a car to save the house from being foreclosed.

Mr. Kelling writes: ''The livelihood of thousands are counting on you.'' I ask my colleagues to think about what that means. That doesn't just mean their income and job; it is so much more important than that. It is the ability to put food on the table, send their kids to college, and save something for retirement. It is the difference between a thriving community and a dying community.

We can't stand by and watch communities turn to ghost towns because foreign competitors don't play by the rules. It means we have to take action that levels the playing field and holds our trading partners accountable. If the administration doesn't take bold, decisive action soon, we will get thousands more letters, as do more and more of my colleagues who also get these letters. Thousands more workers like Thomas are going to lose their livelihoods, and our country will be worse off because of that.

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. GARDNER). Without objection, it is so ordered.

Mr. THUNE. Mr. President, I know of no further debate on the motion to proceed.

The PRESIDING OFFICER. Is there further debate?

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

The motion was agreed to.

AMERICA'S SMALL BUSINESS TAX RELIEF ACT OF 2015

The PRESIDING OFFICER. The clerk will report the bill.

The senior assistant legislative clerk read as follows:

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

AMENDMENT NO. 3464

(Purpose: In the nature of a substitute)

Mr. THUNE. Mr. President, I call up substitute amendment No. 3464.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from South Dakota [Mr. THUNE] proposes an amendment numbered 3464.

Mr. THUNE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. THUNE. Mr. President, I ask unanimous consent that the next amendments in order be the following and that it be in order to call them up and considered offered in the order listed: Gardner No. 3460; Thune No. 3512; Heinrich No. 3482, as modified; Thune No. 3462; Schumer No. 3483; Thune No. 3463; and Cantwell No. 3490.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 3460 TO AMENDMENT NO. 3464

Mr. THUNE. Mr. President, I call up Gardner amendment No. 3460.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from South Dakota [Mr. THUNE], for Mr. GARDNER, proposes an amendment numbered 3460 to amendment No. 3464.

Mr. THUNE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require the FAA Administrator to consider the operational history of a person before authorizing the person to operate certain unmanned aircraft systems.)

On page 89, line 3, insert ''and any operational history of the person, as appropriate'' before the period at the end.

AMENDMENT NO. 3512 TO AMENDMENT NO. 3464

(Purpose: To enhance airport security, and for other purposes)

Mr. THUNE. Mr. President, I call up amendment No. 3512.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from South Dakota [Mr. THUNE] proposes an amendment numbered 3512 to amendment No. 3464.

Mr. THUNE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

MORNING BUSINESS

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

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

BUDGET SCOREKEEPING REPORT

Mr. ENZI. Mr. President, I wish to submit to the Senate the budget scorekeeping report for April 2016. The report compares current law levels of spending and revenues with the amounts provided in the conference report to accompany S. Con. Res. 11, the budget resolution for fiscal year 2016. This information is necessary for the Senate Budget Committee to determine whether budget points of order lie against pending legislation. It has been prepared by the Republican staff of the Senate Budget Committee and the Congressional Budget Office, CBO, pursuant to section 308(b) of the Congressional Budget Act, CBA.

This is the third scorekeeping report for this calendar year but the seventh report I have made since adoption of the fiscal year 2016 budget resolution on May 5, 2015. My last filing can be found in the CONGRESSIONAL RECORD on February 24, 2016. The information contained in this report is current through April 4, 2016.

Table 1 gives the amount by which each Senate authorizing committee is below or exceeds its allocation under the budget resolution. This information is used for enforcing committee allocations pursuant to section 302 of the CBA. Over the fiscal year 2016–2025 period, which is the entire period covered by S. Con. Res. 11, Senate authorizing committees have spent $147.9 billion more than the budget resolution calls for.

Table 2 gives the amount by which the Senate Committee on Appropriations is below or exceeds the statutory spending limits. This information is used to determine points of order related to the spending caps found in section 312 and section 314 of the CBA. On December 18, 2015, the President signed H.R. 2029, the Consolidated Appropriations Act, 2016, P.L. 114–113, into law. This bill provided regular appropriations equal to the levels set in the Bipartisan Budget Act of 2015, P.L. 114–74, specifically $548.1 billion in budget authority for defense accounts, revised security category, and $518.5 billion in budget authority for nondefense accounts, revised nonsecurity category.

Table 3 gives the amount by which the Senate Committee on Appropriations is below or exceeds its allocation for Overseas Contingency Operations/Global War on Terrorism, OCO/GWOT, spending. This separate allocation for OCO/GWOT was established in section 3102 of S. Con. Res. 11 and is enforced using section 302 of the CBA. The consolidated appropriations bill included $73.7 billion in budget authority and $32.1 billion in outlays for OCO/GWOT in fiscal year 2016. This level is equal to the revised OCO/GWOT levels that I filed in the RECORD on December 18, 2015.

The budget resolution established two new points of order limiting the use of changes in mandatory programs in appropriations bills, CHIMPS. Tables 4 and 5 show compliance with fiscal year 2016 limits for overall CHIMPS and the Crime Victims Fund CHIMP, respectively. This information is used for determining points of order under section 3103 and section 3104, respectively. Enacted CHIMPS are under both the broader CHIMPS limit, $1.3 billion less, and the Crime Victims Fund limit, $1.8 billion less.

In addition to the tables provided by the Senate Budget Committee Republican staff, I am submitting additional tables from CBO that I will use for enforcement of budget levels agreed to by the Congress.

For fiscal year 2016, CBO estimates that current law levels are $138.9 billion and $103.6 billion above the budget resolution levels for budget authority and outlays, respectively. Revenues are $155.2 billion below the level assumed in the budget resolution. Finally, Social Security outlays are at the levels assumed in the budget resolution for fiscal year 2016, while Social Security revenues are $23 million below assumed levels for the budget year.

CBO's report also provides information needed to enforce the Senate's pay-as-you-go rule. The Senate's pay-as-you-go scorecard currently shows deficit reduction of $20.4 billion over the fiscal year 2015–2020 period and $95.7 billion over the fiscal year 2015–2025 period. Over the initial 6-year period, Congress has enacted legislation that would increase revenues by $17 billion and decrease outlays by $3.3 billion. Over the 11-year period, Congress has enacted legislation that would increase revenues by $36.8 billion and decrease outlays by $59 billion. The Senate's pay-as-you-go rule is enforced by section 201 of S. Con. Res. 21, the fiscal year 2008 budget resolution.

All years in the accompanying tables are fiscal years.

I ask unanimous consent that the accompanying tables be printed in the RECORD.

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

TABLE 1.—SENATE AUTHORIZING COMMITTEES—ENACTED DIRECT SPENDING ABOVE (+) OR BELOW (−) BUDGET RESOLUTIONS

(In millions of dollars)

	2016	2016–2020	2016–2025
Agriculture, Nutrition, and Forestry			
Budget Authority	0	0	0
Outlays	0	0	0
Armed Services			
Budget Authority	−66	−518	−1,117
Outlays	−50	−476	−1,099
Banking, Housing, and Urban Affairs			
Budget Authority	0	0	0
Outlays	0	0	0
Commerce, Science, and Transportation			
Budget Authority	130	650	1,300
Outlays	0	0	0
Energy and Natural Resources			
Budget Authority	0	0	0
Outlays	0	0	0
Environment and Public Works			
Budget Authority	2,880	19,432	9,459
Outlays	252	1,147	−8,801
Finance			
Budget Authority	365	41,116	152,815
Outlays	365	41,116	152,815
Foreign Relations			
Budget Authority	0	0	0
Outlays	0	0	0
Homeland Security and Governmental Affairs			
Budget Authority	0	0	0
Outlays	0	−1	0
Judiciary			
Budget Authority	−3,358	5,962	4,833
Outlays	1,713	5,862	4,082
Health, Education, Labor, and Pensions			
Budget Authority	0	208	278
Outlays	0	208	278
Rules and Administration			
Budget Authority	0	0	0
Outlays	0	0	0
Intelligence			
Budget Authority	0	0	0
Outlays	0	0	0
Veterans' Affairs			
Budget Authority	−2	−1	−1
Outlays	388	644	644
Indian Affairs			
Budget Authority	0	0	0
Outlays	0	0	0
Small Business			
Budget Authority	0	0	0
Outlays	1	2	2
Total			
Budget Authority	−51	66,849	167,567
Outlays	2,669	48,502	147,921

TABLE 2.—SENATE APPROPRIATIONS COMMITTEE—ENACTED REGULAR DISCRETIONARY APPROPRIATIONS [1]

(Budget authority, in millions of dollars)

	2016	
	Security [2]	Nonsecurity [2]
Statutory Discretionary Limits	548,091	518,491
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies	0	21,750
Commerce, Justice, Science, and Related Agencies	5,101	50,621
Defense	514,000	136
Energy and Water Development	18,860	18,325
Financial Services and General Government	44	23,191
Homeland Security	1,705	39,250
Interior, Environment, and Related Agencies	0	32,159
Labor, Health and Human Services, Education and Related Agencies	0	162,127
Legislative Branch	0	4,363
Military Construction and Veterans Affairs, and Related Agencies	8,171	71,698
State Foreign Operations, and Related Programs	0	37,780
Transportation and Housing and Urban Development, and Related Agencies	210	57,091
Current Level Total	548,091	518,491
Total Enacted Above (+) or Below (−) Statutory Limits	0	0

[1] This table excludes spending pursuant to adjustments to the discretionary spending limits. These adjustments are allowed for certain purposes in section 251(b)(2) of BBEDCA.

[2] Security spending is defined as spending in the National Defense budget function (050) and nonsecurity spending is defined as all other spending.

TABLE 3.—SENATE APPROPRIATIONS COMMITTEE—ENACTED OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM DISCRETIONARY APPROPRIATIONS

(In millions of dollars)

	2016	
	BA	OT
OCO/GWOT Allocation[1]	73,693	32,079
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies	0	0
Commerce, Justice, Science, and Related Agencies	0	0
Defense	58,638	27,354
Energy and Water Development	0	0
Financial Services and General Government	0	0
Homeland Security	160	128
Interior, Environment, and Related Agencies	0	0
Labor, Health and Human Services, Education and Related Agencies	0	0
Legislative Branch	0	0
Military Construction and Veterans Affairs, and Related Agencies	0	0
State Foreign Operations, and Related Programs	14,895	4,597
Transportation and Housing and Urban Development, and Related Agencies	0	0
Current Level Total	73,693	32,079
Total OCO/GWOT Spending vs. Budget Resolution	0	0

BA = Budget Authority; OT = Outlays

[1] This allocation may be adjusted by the Chairman of the Budget Committee to account for new information, pursuant to section 3102 of S. Con. Res. 11, the Concurrent Resolution of the Budget for Fiscal Year 2016.

TABLE 4.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)

(Budget authority, millions of dollars)

	2016
CHIMPS Limit for Fiscal Year 2016	19,100
Senate Appropriations Subcommittees	
Agriculture, Rural Development, and Related Agencies	600
Commerce, Justice, Science, and Related Agencies	9,458
Defense	0
Energy and Water Development	0
Financial Services and General Government	725
Homeland Security	176
Interior, Environment, and Related Agencies	28

TABLE 4.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)—Continued

(Budget authority, millions of dollars)

	2016
Labor, Health and Human Services, Education and Related Agencies	6,799
Legislative Branch	0
Military Construction and Veterans Affairs, and Related Agencies	0
State Foreign Operations, and Related Programs	0
Transportation and Housing and Urban Development, and Related Agencies	0
Current Level Total	17,786
Total CHIMPS Above (+) or Below (−) Budget Resolution	−1,314

TABLE 5.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAM (CHIMP) TO THE CRIME VICTIMS FUND

(Budget authority, millions of dollars)

	2016
Crime Victims Fund (CVF) CHIMP Limit for Fiscal Year 2016	10,800
Senate Appropriations Subcommittees	
Agriculture, Rural Development, and Related Agencies	0
Commerce, Justice, Science, and Related Agencies	9,000
Defense	0
Energy and Water Development	0
Financial Services and General Government	0
Homeland Security	0
Interior, Environment, and Related Agencies	0
Labor, Health and Human Services, Education and Related Agencies	0
Legislative Branch	0
Military Construction and Veterans Affairs, and Related Agencies	0
State Foreign Operations, and Related Programs	0
Transportation and Housing and Urban Development, and Related Agencies	0
Current Level Total	9,000
Total CVF CHIMP Above (+) or Below (−) Budget Resolution	−1,800

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 6, 2016.

Hon. MIKE ENZI,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2016 budget and is current through April 4, 2016. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016.

Since our last letter dated February 24, 2016, the Congress has not cleared any legislation for the President's signature that affects budget authority, outlays, or revenues.

Sincerely,

KEITH HALL.

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2016, AS OF APRIL 4, 2016

[In billions of dollars]

	Budget Resolution	Current Level[a]	Current Level Over/Under (−) Resolution
On-Budget			
Budget Authority	3,069.8	3,208.7	138.9
Outlays	3,091.2	3,194.9	103.6
Revenues	2,676.0	2,520.7	−155.2
Off-Budget			
Social Security Outlays[b]	777.1	777.1	0.0
Social Security Revenues	794.0	794.0	0.0

Source: Congressional Budget Office.

[a] Excludes emergency funding that was not designated as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

[b] Excludes administrative expenses paid from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund of the Social Security Administration, which are off-budget, but are appropriated annually.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2016, AS OF APRIL 4, 2016

[In millions of dollars]

	Budget Authority	Outlays	Revenues
Previously Enacted[a]			
Revenues	n.a.	n.a.	2,676,733
Permanents and other spending legislation	1,968,496	1,902,345	n.a.
Appropriation legislation	0	500,825	n.a.
Offsetting receipts	−784,820	−784,879	n.a.
Total, Previously Enacted	1,183,676	1,618,291	2,676,733
Enacted Legislation:			
An act to extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado, to authorize transfers of amounts to carry out the replacement of such medical center, and for other purposes (P.L. 114–25)	0	20	0
Defending Public Safety Employees' Retirement Act & Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (P.L. 114–26)	0	0	5
Trade Preferences Extension Act of 2015 (P.L. 114–27)	445	175	−766
Steve Gleason Act of 2015 (P.L. 114–40)	5	5	0
Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (P.L. 114–41)[b]	0	0	99
Continuing Appropriations Act, 2016 (P.L. 114–53)	700	775	0
Airport and Airway Extension Act of 2015 (P.L. 114–55)	130	0	0
Department of Veterans Affairs Expiring Authorities Act of 2015 (P.L. 114–58)	−2	368	0
Protecting Affordable Coverage for Employees Act (P.L. 114–60)	0	0	40
Bipartisan Budget Act of 2015 (P.L. 114–74)	3,424	4,870	269
Recovery Improvements for Small Entities After Disaster Act of 2015 (P.L. 114–88)	0	1	0
National Defense Authorization Act for Fiscal Year 2016 (P.L. 114–92)	−66	−50	0
Fixing America's Surface Transportation Act (P.L. 114–94)	2,880	252	471
Federal Perkins Loan Program Extension Act of 2015 (P.L. 114–105)	269	269	0
Consolidated Appropriations Act, 2016 (P.L. 114–113)[b]	2,008,016	1,563,177	−156,107
Patient Access and Medicare Protection Act (P.L. 114–115)	32	32	0
Trade Facilitation and Trade Enforcement Act of 2015 (P.L. 114–125)	20	20	−7
Total, Enacted Legislation	2,015,853	1,569,914	−155,996
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	9,170	6,674	0
Total Current Level[c]	3,208,699	3,194,879	2,520,737
Total Senate Resolution[d]	3,069,829	3,091,246	2,675,967
Current Level Over Senate Resolution	138,870	103,633	n.a.
Current Level Under Senate Resolution	n.a.	n.a.	155,230
Memorandum:			
Revenues, 2016–2025:			
Senate Current Level	n.a.	n.a.	31,755,050
Senate Resolution	n.a.	n.a.	32,233,099
Current Level Over Senate Resolution	n.a.	n.a.	n.a.
Current Level Under Senate Resolution	n.a.	n.a.	478,049

Source: Congressional Budget Office.
Notes: n.a. = not applicable; P.L. = Public Law.

[a] Includes the following acts that affect budget authority, outlays, or revenues, and were cleared by the Congress during this session, but before the adoption of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016: the Terrorism Risk Insurance Program Reauthorization Act of 2014 (P.L. 114–1; the Department of Homeland Security Appropriations Act, 2015 (P.L. 114–4), and the Medicare Access and CHIP Reauthorization Act of 2015 (P.L. 114–10).

[b] Emergency funding that was not designated as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall not count for certain budgetary enforcement purposes. These amounts, which are not included in the current level totals, are are follows:

	Budget Authority	Outlays	Revenues
Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (P.L. 114–41)	0	917	0
Consolidated Appropriations Act, 2016 (P.L. 114–113)	−2	0	0
Total	−2	917	0

[c] For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the resolution, as approved by the Senate, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

[d] Periodically, the Senate Committee on the Budget revises the budgetary levels in S. Con Res. 11, pursuant to various provisions of the resolution. The Initial Senate Resolution total below excludes $6,872 million in budget authority and $344 million in outlays assumed in S. Con Res. 11 for disaster-related spending. The Revised Senate Resolution total below includes amounts for disaster-related spending:

	Budget Authority	Outlays	Revenues
Initial Senate Resolution:	3,032,343	3,091,098	2,676,733
Revisions:			
Pursuant to section 311 of the Congressional Budget Act of 1974 and section 4311 S. Con. Res. 11	445	175	−766
Pursuant to section 311 of the Congressional Budget Act of 1974 and S. Con. Res. 11	700	700	0
Pursuant to section 311 of the Congressional Budget Act of 1974 and S. Con. Res. 11	0	1	0
Pursuant to section 311 of the Congressional Budget Act of 1974 and section 4313 of S. Con. Res. 11	269	269	0
Pursuant to section 311 of the Congressional Budget Act of 1974 and section 3404 of S. Con. Res. 11	36,072	−997	0
Revised Senate Resolution	3,069,829	3,091,246	2,675,967

TABLE 3.—SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD FOR THE 114TH CONGRESS, AS OF APRIL 4, 2016

[In millions of dollars]

	2015–2020	2015–2025
Beginning Balance [a]	0	0
Enacted Legislation: [b c d]		
Iran Nuclear Agreement Review Act of 2015 (P.L. 114–17) [e]	n.e.	n.e.
Construction Authorization and Choice Improvement Act (P.L. 114–19)	20	20
Justice for Victims of Trafficking Act of 2015 (P.L. 114–22)	1	2
Uniting and Strengthening America by Fulfilling Rights and Ensuring Effective Discipline Over Monitoring Act of 2015 (P.L. 114–23)	*	*
An act to extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado (P.L. 114–25)	150	150
Defending Public Safety Employees' Retirement Act & Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (P.L. 114–26)	−1	5
Trade Preferences Extension Act of 2015 (P.L. 114–27)	−640	−52
Boys Town Centennial Commemorative Coin Act (P.L. 114–30) [f]	0	0
Steve Gleason Act of 2015 (P.L. 114–40)	13	28
Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (P.L. 114–41)	−1,552	−6,924
Agriculture Reauthorizations Act of 2015 (P.L. 114–54)	*	*
Department of Veterans Affairs Expiring Authorities Act of 2015 (P.L. 114–58)	624	624
Protecting Affordable Coverage for Employees Act (P.L. 114–60)	−32	−2
Gold Star Fathers Act of 2015 (P.L. 114–62)	*	*
Ensuring Access to Clinical Trials Act of 2015 (P.L. 114–63)	*	*
Adoptive Family Relief Act (P.L. 114–70)	*	*
Surface Transportation Extension Act of 2015 (P.L. 114–73)	*	*
Bipartisan Budget Act of 2015 (P.L. 114–74)	−15,050	−71,315
Illegal, Unreported, and Unregulated Fishing Enforcement Act of 2015 (P.L. 114–81)	*	*
A bill to amend title XI of the Social Security Act to clarify waiver authority regarding programs for all-inclusive care for the elderly (PACE programs) (P.L. 114–85)	*	*
Recovery Improvements for Small Entities After Disaster Act of 2015 (P.L. 114–88)	2	2
Improving Regulatory Transparency for New Medical Therapies Act (P.L. 114–89)	*	*
National Defense Authorization Act for Fiscal Year 2016 (P.L. 114–92)	−194	−10
Equity in Government Compensation Act of 2015 (P.L. 114–93)	*	*
Fixing America's Surface Transportation Act (P.L. 114–94) [g]	−3,845	−18,144
Improving Access to Emergency Psychiatric Care Act (P.L. 114–97)	*	*
Breast Cancer Research Stamp Reauthorization Act of 2015 (P.L. 114–99)	−1	0
Hizballah International Financing Prevention Act of 2015 (P.L. 114–102)	*	*
Stem Cell Therapeutic and Research Reauthorization Act of 2015 (P.L. 114–104)	*	*
Federal Perkins Loan Program Extension Act of 2015 (P.L. 114–105)	−14	−13
Securing Fairness in Regulatory Timing Act of 2015 (P.L. 114–106)	*	*
National Guard and Reservist Debt Relief Extension Act of 2015 (P.L. 114–107)	*	*
Federal Improper Payments Coordination Act of 2015 (P.L. 114–109)	*	*
Consolidated Appropriations Act, 2016 (P.L. 114–113) [h]	2	4
Patient Access and Medicare Protection Act (P.L. 114–115)	36	−1
District of Columbia Courts, Public Defender Service, and Court Services and Offender Supervision Agency Act of 2015 (P.L. 114–118)	*	*
International Megan's Law to Prevent Child Exploitation and Other Sexual Crimes Through Advanced Notification of Traveling Sex Offenders (P.L. 114–119)	*	*
Coast Guard Authorization Act of 2015 (P.L. 114–120)	*	*
North Korea Sanctions and Policy Enhancement Act of 2016 (P.L. 114–122)	*	*
Trade Facilitation and Trade Enforcement Act of 2015 (P.L. 114–125)	104	−116
Judicial Redress Act of 2015 (P.L. 114–126)	*	*
To revise the boundaries of certain John H. Chafee Coastal Barrier Resources System units in Florida. (P.L. 114–128)	*	*
To amend title 36, United States Code, to make certain improvements in the congressional charter of the Disabled American Veterans. (P.L. 114–135)	*	*
Competitive Service Act of 2015 (P.L. 114–137)	*	*
Foreclosure Relief and Extension for Servicemembers Act of 2015 (P.L. 114–142)	*	*
Current Balance	−20,377	−95,742
Memorandum:		
	2015–2020	2015–2025
Changes to Revenues	17,037	36,750
Changes to Outlays	−3,340	−58,992

Source: Congressional Budget Office.

Notes: n.e. = not able to estimate; P.L. = Public Law. * = between −$500,000 and $500,000.

[a] Pursuant to S. Con. Res. 11, the Senate Pay-As-You-Go Scorecard was reset to zero.

[b] The amounts shown represent the estimated impact of the public laws on the deficit. Negative numbers indicate an increase in the deficit; positive numbers indicate a decrease in the deficit.

[c] Excludes off-budget amounts.

[d] Excludes amounts designated as emergency requirements.

[e] P.L. 114–17 could affect direct spending and revenues, but such impacts would depend on future actions of the President that CBO cannot predict. (***http://www.cbo.gov/sites/default/files/cbofiles/attachments/s615.pdf***).

[f] P.L. 114–30 will cause a decrease in spending of $5 million in 2017 and an increase in spending of $5 million in 2019 for a net impact of zero over the six-year and eleven-year periods.

[g] The budgetary effects associated with the Federal Reserve Surplus Funds are excluded from the PAYGO Scorecard in P.L. 114–94 pursuant to section 232(b) of H.C. Res. 290, the Concurrent Budget Resolution for Fiscal Year 2001 (106th Congress).

[h] The budgetary effects of divisions M through Q are not reflected in the PAYGO Scorecard pursuant to section 1001(b) of Title X of Division O of P.L. 114–113.

AMERICAN CITY QUALITY MONTH

Mr. KING. Mr. President, today I wish to recognize the many years of productive community partnership fostered by the cooperation of four organizations—the National League of Cities, the U.S. Conference of Mayors, the American City Planning Directors' Council, and the American City Quality Foundation—in their administration of the American City Quality Month every April since its establishment in 1988.

Thanks to the collaboration of both public and private partners connected through this program, communities across the Nation are bolstered each April by a combination of public meetings, educational opportunities for students, and public announcements, all

dedicated to the betterment of urban areas. By advocating for improved city planning, decisionmaking, design, development, management, and action, the program brings attention to the need for revitalization and upkeep of metropolitan spaces.

With the U.S. population expected to hit nearly 350 million by 2026 and almost 400 million by 2050, the sustainability of American cities, which contain 80.7 percent of the U.S. total population according to the 2010 census, is paramount to accommodating an ever-expanding citizenry.

The focus of the program lies not only with large cities like Boston and New York, but also with smaller ones like Portland and Augusta, ME. These small cities are growing and developing into economic powerhouses attractive to both skilled workers and middle-class families. Ensuring the preservation of productive relationships, infrastructure, and environmental well-being in Maine's growing urban spaces is a crucial piece of the success not only for these cities, but for the entire State. American City Quality Month inspires the dialogue and partnerships necessary for sustainable growth and revitalization.

I thank the organizers of American City Quality Month for ensuring that American cities of all sizes continue to promote the welfare of this generation and those to come.

101ST ANNUAL CONFERENCE OF THE WYOMING STATE SOCIETY, NSDAR

Mr. ENZI. Mr. President, I wish to pay special tribute and recognize the good work that the Wyoming State Society of the Daughters of the American Revolution is doing in my home State. This is their 101st annual conference, and the fact that the organization has not only continued to exist, but has grown stronger over the years, is proof of their determination to keep the spirit of the American Revolution alive. Thanks to them, our respect and our admiration for the heroes of those days has remained strong and continues to grow stronger.

On October 11, 1890, a group of concerned citizens banded together to create the National Society Daughters of the American Revolution. Their intent was to protect and preserve the principles and values upon which our Nation was founded. They knew that their ancestors were part of a very special time in our history and sharing their stories would raise our awareness of the blessings we had received from our citizenship.

Over the years the organization has grown in strength and numbers as the national society now includes 177,000 members all over the world who continue to embrace and promote the American dream and our American way of life.

In Wyoming the State society has 11 chapters with hundreds of members statewide.

The Daughters of the American Revolution is such a special organization in part because of its qualification for membership. Any woman 18 years or older can join if it can be shown that she is a direct descendent of one of our Nation's patriots from the days of the American Revolution.

Each member of the DAR knows that the best way to honor their family's contribution to the beginnings of our Nation is to promote a greater awareness and appreciation of what it means to be an American citizen. That means getting more and more involved every day in helping to make their community stronger and more committed to making the world a better place to live.

The Daughters of the American Revolution continues to make a difference, and we can be proud of the results they continue to achieve. The members of the DAR have taken their inspiration from our past, and it has encouraged and guided them to work together to build a better future for our Nation and all our people.

I thank them for the good work they do.

Thank you.

REMEMBERING DR. JOE MEDICINE CROW

Mr. TESTER. Mr. President, I ask unanimous consent that the following remarks that will be read on my behalf at the funeral of Dr. Joe Medicine Crow today be printed in the RECORD.

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

Today I wish to honor Dr. Joe Medicine Crow, a Presidential Medal of Freedom winner for his contributions to the culture, history, and security of the United States, who passed away on April 3, 2016.

On behalf of all Montanans and all Americans, I would like to thank Dr. Medicine Crow for his service and contributions to the nation.

It is my privilege to share Dr. Medicine Crow's story for the official Senate RECORD.

Thank you for inviting me to share a few words today to honor the life and legacy of Dr. Joe Medicine Crow. I'm sorry I cannot be with you in person.

I remember when I first met Dr. Joe Medicine Crow, I was immediately inspired. His words resonated deep into the souls of those he touched.

In 2008, I had the great honor of nominating Dr. Joe Medicine Crow for one of the highest awards given by the United States—the Presidential Medal of Freedom. Honorees are selected for their exemplary contributions to their country's culture, history, and security. I nominated Joe Medicine Crow because he embodied all of these things.

During World War II, he accomplished the four remarkable war deeds that make a traditional Crow War Chief. His bravery is the kind you read about only in stories. He fought in hand-to-hand combat, and led troops into enemy territory to capture 50 enemy horses.

And he accomplished these feats for the country that he loved, as so many Native Americans did during World War II, even though their treatment on the home front left much to be desired.

But Joe Medicine Crow's achievements for his people went far beyond bravery on the field of battle.

His commitment to education was unmatched and paved the way for generations of Native Americans to achieve their dream.

We are fortunate, in Montana, to have many reminders of the land and the people who came before us. Joe wasn't just a reminder, he was a shining example. Montanans will be telling the story of Medicine Crow for generations. And Americans across the country will have his work to thank for preserving the rich history, language, and vibrant culture of the Crow Nation.

Joe received the Presidential Medal of Freedom from President Barack Obama on August 12, 2009, and joined a short and prestigious list of Montanans to receive this honor. His actions and accomplishments ensure that his legacy will reflect the life he lived.

Joe was a remarkable Montanan. He was a soldier, scholar, and historian, but above all he was a fierce advocate for Native American families. He embodied the warrior spirit of the Crow people, and was a fierce example of America's highest ideals. I'm honored to lend my praise and remembrance of Dr. Joe Medicine Crow.

TRIBUTE TO SHERRY DAVICH

Mr. NELSON. Mr. President, I come to the floor today to speak about a topic that is bittersweet for me. I am here to share my gratitude for a person who I not only consider an adviser and an exemplary public servant, but a friend and confidant for over 40 years—our director of constituent services, Sherry Davich, who retired from the Senate.

I met Sherry back when we were both admittedly younger, after she worked on Jimmy Carter's Presidential campaign and I was running for the Florida House of Representatives. Sherry was finishing her bachelor's degree at Florida State University and had an undeniable curiosity and a nose for politics. After Carter became President and I was in the Florida House, I convinced her to intern in our office, and the rest is history. Forty years—wow, that is real public service.

Sherry has been unwavering in her service to the people of our country and of Florida as I have served in the House and Senate, as well as State treasurer and insurance commissioner. During her 15 years in the Senate, she has overseen over 350,000 constituent cases ranging from veterans not receiving their benefits, working with folks impacted by the BP oil spill, reuniting families as they navigate the immigration process, and of course, the lost passports and visa assistance.

She has touched the lives of so many of our constituents as their chief advocate. She has also been a part of my family. Actually Sherry and her husband, David, started to see each other as a ''Nelson Congressional Couple,'' both working in the DC office years ago. Grace and I think of Sherry, David, and their son Will, who was an intern in our office, as family. We are so thankful for her commitment, her loyalty, and her friendship.

Sherry has left a lasting mark on our family, our office family, and the folks she has served. She will be missed, and I am grateful to her beyond words.

ADDITIONAL STATEMENTS

DEERFIELD'S 250TH ANNIVERSARY CELEBRATION

• Ms. AYOTTE. Mr. President, today I wish to honor Deerfield, NH—a town in Rockingham County that is celebrating the 250th anniversary of its founding. I am proud to join citizens across the Granite State in recognizing this special milestone.

Deerfield was originally part of the town of Nottingham until residents petitioned to become a separate town by requesting the Colonial Governor ''set us off a distinct parish.'' Permission was granted, and Deerfield was incorporated in 1766 by Colonial Governor Benning Wentworth. Major John Simpson, a native of Deerfield, is notoriously known for firing the first shot at the Battle of Bunker Hill without permission from his commanding officers.

Founded with a strong background in agriculture, the town was once cleared of most of its forest in order to farm the land and is home to the oldest family fair in New England—the annual Deerfield Fair. Deerfield was also shaped by a steadfast commitment to education, and by the mid-19th century, the town had 13 school buildings, one within walking distance of almost every child in town. The town became a prosperous center as it lay on the road between larger hubs such as Portsmouth, Exeter, and Concord. In the 20th century, as the agricultural economy began to fade, Deerfield's forests slowly returned, and the population began to decrease.

Today Deerfield has a population of over 4,000 residents and is proud of its 250-year history. The residents have created a vibrant civic and social community, which serves our State and Nation well. The town exemplifies the motto, ''Deerfield, a place to call home since 1766.'' Deerfield has greatly contributed to the life and spirit of New Hampshire. I am pleased to extend my warm wishes to the people of Deerfield as they celebrate this very special occasion.•

TRIBUTE TO UTAH'S VIETNAM VETERANS AND THEIR SPOUSES

• Mr. LEE. Mr. President, on this special occasion, I would like to thank each and every one of Utah's more than 47,000 Vietnam veterans, as well as their spouses, for their service to our great State and this exceptional Nation. You answered the call of duty at a time of national need, and your courage is an inspiration to us all.

Over the next several weeks, friends, neighbors, and families will gather in communities across our great State to hold special commemorative ceremonies in honor of the men and women who served in the Vietnam war. But the people of Utah understand that our veterans deserve our gratitude and support, not just on special occasions, but every day.

Utah's communities, businesses, and public institutions are committed to ensuring that Utah is a place where veterans have the resources and support they need to lead fulfilling lives and achieve a high standard of living, whether they have just returned to civilian life or have been out of the service for 50 years.

In Salt Lake City, Provo, and St. George, the Beehive State has three of the best veterans centers in the Nation that provide critical mental health and counseling services to veterans and their families. And the people at the Utah Department of Veterans and Military Affairs, the host of today's commemorative ceremony, are faithful, tireless advocates of Utah's veterans. The work of Utah's VMA and the brave veterans they represent is one of the reasons why I am so proud to call Utah home.

May God bless the veterans of Utah, and may God bless these United States of America.•

RECOGNIZING SIMMONS-PINCKNEY MIDDLE SCHOOL

• Mr. SCOTT. Mr. President, I congratulate Simmons-Pinckney Middle School in Charleston on a successful first year and thank everyone who has helped make the school a part of our community.

Simmons-Pinckney's significance lies in its name. It was designed to honor State senator and civil rights leader, Reverend Clementa Pinckney, and a legendary blacksmith from Daniel Island, Mr. Philip Simmons. Reverend Pinckney was a servant of the people in the truest sense of the word and pastor at Mother Emanuel AME Church—where he lost his life while serving his ministry last June.

Mr. Philip Simmons's beautiful ironwork is not only displayed throughout Charleston, but in the South Carolina State Museum, Smithsonian Museum, and all around the world. These two men symbolize what I believe schools should promote, dedication and a commitment to leading our State and country to a brighter future.

Last year, Simmons-Pinckney Middle School opened to serve two purposes, and that is to remember the lives and legacies of these two amazing men and to ensure that each student receives the education they deserve. I am proud to welcome Simmons-Pinckney to the community as the newest middle school of the Charleston County School District.

Congratulations again to Simmons-Pinckney Middle School on a successful first year, and I wish the students and teachers more productive 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–4910. A communication from the Chief of the Planning and Regulatory Affairs Branch, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Supplemental Nutrition Assistance Program (SNAP): Employment and Training Program Monitoring, Oversight and Reporting Measures'' (RIN0584–AE33) received during adjournment of the Senate in the Office of the President of the Senate on March 30, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4911. A communication from the President of the United States, transmitting, pursuant to law, a notice of the continuation of the national emergency with respect to Somalia that was declared in Executive Order 13536 of April 12, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC–4912. A communication from the Chairman, Federal Financial Institutions Examination Council, transmitting, pursuant to law, the Council's 2015 Annual Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC–4913. A communication from the Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting, pursuant to law, a report entitled ''Consumer Response Annual Report''; to the Committee on Banking, Housing, and Urban Affairs.

EC–4914. A communication from the Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting, pursuant to law, a report entitled ''Consumer Financial Protection Bureau's Office of Minority and Women Inclusion Annual Report to Congress''; to the Committee on Banking, Housing, and Urban Affairs.

EC–4915. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Armourdale and Central Industrial District Levee Units at Kansas Citys, Missouri and Kansas, for the purpose of flood risk management; to the Committee on Environment and Public Works.

EC–4916. A communication from the Attorney, International Trade Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Modification of Regulations Regarding Price Adjustments in Antidumping Duty Proceedings'' (RIN0625–AB02) received during adjournment of the Senate in the Office of the President of the Senate on March 30, 2016; to the Committee on Finance.

EC–4917. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(d) of the Arms Export Control Act (DDTC 15–128); to the Committee on Foreign Relations.

EC–4918. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the Commission's fiscal year 2015 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–4919. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–334, ''Military Installation Public Charter School Amendment Act of 2016''; to the Committee on Homeland Security and Governmental Affairs.

EC–4920. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–335, ''Child Support Guideline Revision Amendment Act of 2016''; to the Committee on Homeland Security and Governmental Affairs.

EC–4921. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–336, ''Carcinogenic Flame Retardant Prohibition Amendment Act of 2016''; to the Committee on Homeland Security and Governmental Affairs.

EC–4922. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–337, ''Youth Apprenticeship Advisory Committee Amendment Act of 2016''; to the Committee on Homeland Security and Governmental Affairs.

EC–4923. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–338, ''Health Care Benefits Lien Reduction Act of 2016''; to the Committee on Homeland Security and Governmental Affairs.

EC–4924. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–339, ''Workers' Compensation Benefits Lien Reduction Amendment Act of 2016''; to the Committee on Homeland Security and Governmental Affairs.

EC–4925. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–340, ''Marion S. Barry Youth Employment Expansion Amendment Act of 2016''; to the Committee on Homeland Security and Governmental Affairs.

EC–4926. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–341, ''Higher Education Tax Exemption Act of 2016''; to the Committee on Homeland Security and Governmental Affairs.

EC–4927. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–342, ''Maverick Room Way Designation Act of 2016''; to the Committee on Homeland Security and Governmental Affairs.

EC–4928. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–343, ''Closing of a Portion of the Public Alley in Square 5197, S.O. 11–4822, Act of 2016''; to the Committee on Homeland Security and Governmental Affairs.

EC–4929. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–344, ''Closing of a Portion of the Public Alley in Square 2882, S.O. 14–21729, Act of 2016''; to the Committee on Homeland Security and Governmental Affairs.

EC–4930. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–345, ''Dedication of Land for Street Purposes in Squares 3185 and 3186, S.O. 13–11003 Act of 2016''; to the Committee on Homeland Security and Governmental Affairs.

EC–4931. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Flight Simulation Training Device Qualification Standards for Extended Envelope and Adverse Weather Event Training Tasks'' ((RIN2120–AK08) (Docket No. FAA–2014–0391)) 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–4932. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–2455)) received during adjournment of the Senate in the Office of the President of the Senate on March 29, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4933. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–2961)) received during adjournment of the Senate in the Office of the President of the Senate on March 29, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4934. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–2459)) 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–4935. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0774)) 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–4936. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–0495)) 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–4937. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–4227)) 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–4938. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Turbomeca S.A. Turboshaft Engines'' ((RIN2120–AA64) (Docket No. FAA–2016–2701)) 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–4939. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (134); Amdt. No. 3684'' (RIN2120–AA65) received during adjournment of the Senate in the Office of the President of the Senate on March 18, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4940. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (90); Amdt. No. 3683'' (RIN2120–AA65) received during adjournment of the Senate in the Office of the President of the Senate on March 18, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4941. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (44); Amdt. No. 3679'' (RIN2120–AA65) received during adjournment of the Senate in the Office of the President of the Senate on March 18, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4942. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (10); Amdt. No. 3682'' (RIN2120–AA65) received during adjournment of the Senate in the Office of the President of the Senate on March 18, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4943. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (32); Amdt. No. 3680'' (RIN2120–AA65) received during adjournment of the Senate in the Office of the President of the Senate on March 18, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4944. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (83); Amdt. No. 3681'' (RIN2120–AA65) received during adjournment of the Senate in the Office of the President of the Senate on March 18, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4945. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (196); Amdt. No. 3688'' (RIN2120–AA65) 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–4946. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of

Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (36); Amdt. No. 3687'' (RIN2120–AA65) 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–4947. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (93); Amdt. No. 3685'' (RIN2120–AA65) 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–4948. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (64); Amdt. No. 3686'' (RIN2120–AA65) 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–4949. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D Airspace and Class E Airspace; Lynchburg, VA'' ((RIN2120–AA66) (Docket No. FAA–2015–6231)) 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–4950. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D Airspace and Class E Airspace for the following New York Towns; Ithaca, NY; Poughkeepsie, NY'' ((RIN2120–AA66) (Docket No. FAA–2015–4532)) 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–4951. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and Class E Airspace for the following Minnesota Towns: Rochester, MN; and St. Cloud, MN'' ((RIN2120–AA66) (Docket No. FAA–2015–7484)) 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–4952. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Redesignation and Expansion of Restricted Area R–4403; Gainesville, MS'' ((RIN2120–AA66) (Docket No. FAA–2014–0370)) 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–4953. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Butte, MT'' ((RIN2120–AA66) (Docket No. FAA–2015–3772)) 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–4954. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Deer Lodge MT'' ((RIN2120–AA66) (Docket No. FAA–2015–3773)) 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–4955. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace for the following Tennessee Towns: Jackson, TN; Tri-Cities, TN'' ((RIN2120–AA66) (Docket No. FAA–2016–0735)) 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–4956. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and Class E Airspace; Minot, ND'' ((RIN2120–AA66) (Docket No. FAA–2015–7485)) 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–4957. A communication from the Senior Attorney Advisor, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Highway Safety Improvement Program'' (RIN2125–AF56) received during adjournment of the Senate in the Office of the President of the Senate on March 18, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4958. A communication from the Deputy Chief Counsel for Regulations and Security Standards, Transportation Security Administration, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Passenger Screening Using Advanced Imaging Technology'' (RIN1652–AA67) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4959. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''IFR Altitudes; Miscellaneous Amendments'' (RIN2120–AA66) received during adjournment of the Senate in the Office of the President of the Senate on March 29, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4960. A communication from the Paralegal Specialist, Federal Transit Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''State Safety Oversight'' (RIN2132–AB19) received during adjournment of the Senate in the Office of the President of the Senate on March 18, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4961. A communication from the Senior Attorney Advisor, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''National Performance Management Measures: Highway Safety Improvement Program'' (RIN2125–AF49) received during adjournment of the Senate in the Office of the President of the Senate on March 18, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4962. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf, and South Atlantic; Shrimp Fishery of the Gulf of Mexico; Amendment 15'' (RIN0648–BE93) received in the Office of the President of the Senate on March 16, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4963. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf, and South Atlantic; Snapper-Grouper Fishery and Golden Crab Fishery of the South Atlantic, and Dolphin and Wahoo Fishery of the Atlantic'' (RIN0648–BE38) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4964. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf, and South Atlantic; Dolphin and Wahoo Fishery Off the Atlantic States and Snapper-Grouper Fishery of the South Atlantic Region; Amendments 7/33'' (RIN0648–BD76) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4965. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Increase'' (RIN0648–XE480) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4966. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; 2016 Commercial Run-Around Gillnet Closure'' (RIN0648–XE406) received during adjournment of the Senate in the Office of the President of the Senate on March 29, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4967. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf, and South Atlantic; 2016 Commercial Accountability Measure and Closure for South Atlantic Golden Tilefish Longline Component'' (RIN0648–BE93) received during adjournment of the Senate in the Office of the President of the Senate on March 29, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4968. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled

''Fisheries of the Caribbean, Gulf, and South Atlantic; Snapper-Grouper Resources of the South Atlantic; Trip Limit Reduction'' (RIN0648–BE455) received during adjournment of the Senate in the Office of the President of the Senate on March 29, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4969. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf, and South Atlantic; 2016 Recreational Accountability Measure and Closure for Atlantic Migratory Group Cobia'' (RIN0648–XE445) received during adjournment of the Senate in the Office of the President of the Senate on March 29, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4970. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Jig Gear in the Central Regulatory Area of the Gulf of Alaska'' (RIN0648–XE482) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4971. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Other Hook-and-Line Fishery by Catcher Vessels in the Gulf of Alaska'' (RIN0648–XE493) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4972. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska'' (RIN0648–XE410) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4973. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XE494) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4974. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock in the Bering Sea and Aleutian Islands'' (RIN0648–XE482) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4975. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod in the Western Aleutian Islands District of the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XE471) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4976. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands Crab Rationalization Program'' (RIN0648–BE98) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4977. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XE368) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4978. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Trawl Catcher Vessels in the Western Regulatory Are of the Gulf of Alaska'' (RIN0648–XE505) received during adjournment of the Senate in the Office of the President of the Senate on March 29, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4979. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XE494) received during adjournment of the Senate in the Office of the President of the Senate on March 29, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4980. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer'' (RIN0648–XE449) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4981. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Atlantic Herring Fishery; Adjustments to 2016 Annual Catch Limits'' (RIN0648–XE379) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4982. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Annual Specifications'' (RIN0648–XE043) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4983. A communication from the Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, a report entitled ''2015 Report to Congress on the Disclosure of Financial Interest and Recusal Requirements for Regional Fishery Management Councils and Scientific and Statistical Committees and on Apportionment of Membership of the Regional Fishery Management Councils''; to the Committee on Commerce, Science, and Transportation.

EC–4984. A communication from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled ''Toys: Determination Regarding Heavy Elements Limits for Unfinished and Untreated Wood'' (RIN3041–AD46) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4985. A communication from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment To Clarify When Component Part Testing Can Be Used and Which Textile Products Have Been Determined Not To Exceed the Allowable Lead Content Limits'' (RIN3041–AD46) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4986. A communication from the Director, Bureau of Transportation Statistics, Department of Transportation, transmitting, pursuant to law, a report entitled ''Transportation Statistics Annual Report 2015''; to the Committee on Commerce, Science, and Transportation.

EC–4987. A communication from the Executive Director, Consumer Product Safety Commission, transmitting, pursuant to law, the Commission's 2014 Annual Report to the President and Congress; to the Committee on Commerce, Science, and Transportation.

EC–4988. A communication from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''NASA FAR Supplement: NASA Suspending and Debarring Official'' (RIN2700–AE26) received during adjournment of the Senate in the Office of the President of the Senate on March 18, 2016; to the Committee on Commerce, Science, and Transportation.

EC–4989. A communication from the Under Secretary for Policy, Department of Transportation, transmitting, pursuant to law, a report relative to the National Transportation Safety Board's 2016 Most Wanted List; to the Committee on Commerce, Science, and Transportation.

EC–4990. A communication from the Chairman of the Office of Proceedings, Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Improving Regulation and Regulatory Review'' (RIN2140–AB25) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2016; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–138. A resolution adopted by the House of Representatives of the State of

Michigan urging the President of the United States and the United States Congress to explore and support policies that will lead to the establishment of facilities within the United States for the reprocessing and recycling of spent nuclear fuel; to the Committee on Environment and Public Works.

HOUSE RESOLUTION NO. 220

Whereas, The federal Nuclear Waste Policy Act of 1982 called for the United States Department of Energy to begin collecting spent nuclear waste and develop a long-term plan for storage of the material. In 2002, Congress approved Yucca Mountain in Nevada as the location to allow the Department of Energy to establish a safe repository for high-level spent nuclear waste; and

Whereas, In 2010, the Department of Energy halted the project at Yucca Mountain when the construction authorization process was in progress, despite the Nuclear Waste Fund receiving more than $30 billion in revenue from electric customers throughout the United Slates in order to construct the facility and store the spent fuel; and

Whereas, The Argonne National Laboratory has developed a high-temperature method of recycling spent nuclear waste into fuel, known as pyrochemical processing. This process allows 100 times more of the energy in uranium ore to be used to produce electricity compared to current commercial reactors; and

Whereas, Extending the productive life of uranium ore through pyrochemical processing ensures almost inexhaustible supplies of low-cost uranium resources for the generation of electricity, minimizes the risk that used fuel could be stolen and used to produce weapons, and reduces the amount of nuclear waste and the time it must be isolated by almost 1,000 times; and

Whereas, Advanced non-light water reactors currently under development in the United States and internationally have the potential to utilize used fuel from existing reactors as fuel, but according to the Nuclear Regulatory Commission, there are no reprocessing facilities currently operating within the United States; and

Whereas, The federal government's inability to adequately store or reprocess almost 100,000 tons of spent nuclear fuel has adversely affected the residents of the state of Michigan. Michigan has paid more than $800 million into the Nuclear Waste Fund since 1983, but the federal government has failed to use it to permanently store nuclear waste in a way that serves the public: Now, therefore, be it

Resolved by the House of Representatives, That we urge the President and Congress of the United States to explore and support policies that will lead to the establishment of facilities within the United States for the reprocessing and recycling of spent nuclear fuel; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–139. A joint memorial adopted by the Legislature of the State of New Mexico supporting the passage of the Diné College Act of 2015; to the Committee on Indian Affairs.

SENATE JOINT MEMORIAL 15

Whereas, the State of New Mexico and the Navajo Nation maintain a government-to-government relationship, and the Navajo people residing in the State are citizens of both New Mexico and the Navajo Nation; and

Whereas, in 1968, the Navajo Nation established Navajo Community College, which later became Diné College, to provide access to higher education to the Navajo people; and

Whereas, Diné College's New Mexico Flagship Campus is located in Shiprock, and there is a Community Campus Center in Crownpoint; and

Whereas, Diné College has dual credit agreements with school districts and schools in New Mexico, including the Central Consolidated School District, Gallup-McKinley County School District, Magdalena Municipal School District, Navajo Preparatory School, Shiprock Alternative School, Inc., Wingate High School and the Alamo Navajo Community School; and

Whereas, the State of New Mexico provides support to Diné College through its Higher Education Department by way of higher education capital outlay projects, the tribal college dual credit funding program and high school equivalency credential program grants; and

Whereas, the United States Congress passed the Navajo Community College Act of 1971, the Navajo Community College Assistance Act of 1978 and the Navajo Nation Higher Education Act of 2008, which collectively provide for maintenance, operation and construction funding for Diné College; and

Whereas, Representative Ann Kirkpatrick from Arizona introduced the Diné College Act of 2015 ''to fulfill the United States Government's Trust responsibility to serve the higher education needs of the Navajo people and to clarify, unify, and modernize prior Diné College Legislation'', and Diné College has asked Senator Jeff Flake from Arizona to introduce a Senate Companion Bill: Now, therefore, be it

Resolved by the Legislature of the State of New Mexico, That the State of New Mexico stand in support of the passage of the Diné College Act of 2015 and urge the New Mexico Congressional Delegation to work to ensure its passage into Federal Law; and be it further

Resolved, That copies of this memorial be transmitted to the Secretary of Higher Education, the Governor, the New Mexico Congressional Delegation, the Speaker of the United States House of Representatives, the President of the United States Senate and the President of the United States.

POM–140. A petition by a citizen from the State of Texas urging the United States Congress to enact legislation that would require that an autopsy be conducted, and the results thereof be made public, whenever a still-serving President, Vice President, Member of Congress, Chief Justice or Associate Justice of the Supreme Court, or any Judge of any Federal Court dies; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 1336. A bill to implement the Convention on the Conservation and Management of the High Seas Fishery Resources in the South Pacific Ocean, as adopted at Auckland on November 14, 2009, and for other purposes (Rept. No. 114–235).

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. THUNE (for himself and Mr. WYDEN):

S. 2750. A bill to amend the Internal Revenue Code to extend and modify certain charitable tax provisions; to the Committee on Finance.

By Mr. COONS (for himself, Mr. GARDNER, and Mrs. GILLIBRAND):

S. 2751. A bill to create a pilot program permitting businesses receiving Phase II awards under the SBIR program to use not more than 5 percent of the amount of the award for commercialization-related services; to the Committee on Small Business and Entrepreneurship.

By Mr. RUBIO (for himself and Mr. KIRK):

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; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HATCH (for himself, Mr. BENNET, Mr. CORNYN, and Mr. WARNER):

S. 2753. A bill to amend title II of the Higher Education Act of 1965; to the Committee on Health, Education, Labor, and Pensions.

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

S. 2754. A bill to designate the Federal building and United States courthouse located at 300 Fannin Street in Shreveport, Louisiana, as the ''Tom Stagg Federal Building and United States Courthouse''; to the Committee on Environment and Public Works.

By Mr. BLUNT (for himself, Mr. SCHUMER, Mr. MCCONNELL, Mr. CORNYN, Mr. DURBIN, Mr. LEAHY, Ms. KLOBUCHAR, Mr. UDALL, Ms. AYOTTE, Mrs. FISCHER, Mr. ROBERTS, Mrs. CAPITO, Mr. WARNER, Mrs. FEINSTEIN, Mr. BURR, Mr. HELLER, Mr. COCHRAN, Mr. MORAN, Mr. WICKER, Mr. FRANKEN, and Mr. KING):

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; to the Committee on Rules and Administration.

By Mr. ROUNDS:

S. 2756. A bill to impose sanctions with respect to Iranian persons responsible for knowingly engaging in significant activities undermining cybersecurity, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SULLIVAN:

S. 2757. A bill to prohibit certain transactions with Iran and to impose sanctions with respect to foreign financial institutions that facilitate such transactions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LANKFORD:

S. Res. 414. A resolution expressing the sense of the Senate on the actions, including the reapplication of waived nuclear-related sanctions, that the United States should undertake in the event of an Iranian violation of the Joint Comprehensive Plan of Action; to the Committee on Foreign Relations.

By Mr. CASEY (for himself and Mr. TOOMEY):

S. Res. 415. A resolution congratulating the 2016 national champions, the Villanova Wildcats, for their win in the 2016 National Collegiate Athletic Association Division I Men's

Basketball Tournament; considered and agreed to.

ADDITIONAL COSPONSORS

S. 391

At the request of Mr. PAUL, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 391, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 624

At the request of Mr. BROWN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 624, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 857

At the request of Ms. STABENOW, the names of the Senator from Oklahoma (Mr. LANKFORD), the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 857, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of an initial comprehensive care plan for Medicare beneficiaries newly diagnosed with Alzheimer's disease and related dementias, and for other purposes.

S. 979

At the request of Mr. NELSON, the names of the Senator from Florida (Mr. RUBIO) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors 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. 1455

At the request of Mr. MARKEY, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1455, a bill to provide access to medication-assisted therapy, and for other purposes.

S. 1555

At the request of Ms. HIRONO, the name of the Senator from Massachusetts (Ms. WARREN) 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. 2042

At the request of Mrs. MURRAY, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2042, a bill to amend the National Labor Relations Act to strengthen protections for employees wishing to advocate for improved wages, hours, or other terms or conditions of employment and to provide for stronger remedies for interference with these rights, and for other purposes.

S. 2150

At the request of Mr. FRANKEN, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 2150, a bill to amend the Higher Education Act of 1965 to make technical improvements to the Net Price Calculator system so that prospective students may have a more accurate understanding of the true cost of college.

S. 2175

At the request of Mr. TESTER, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2175, a bill to amend title 38, United States Code, to clarify the role of podiatrists in the Department of Veterans Affairs, and for other purposes.

S. 2218

At the request of Mr. THUNE, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 2218, a bill to amend the Internal Revenue Code of 1986 to treat certain amounts paid for physical activity, fitness, and exercise as amounts paid for medical care.

S. 2373

At the request of Ms. CANTWELL, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2373, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 2377

At the request of Mr. REID, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2377, a bill to defeat the Islamic State of Iraq and Syria (ISIS) and protect and secure the United States, and for other purposes.

S. 2386

At the request of Mrs. GILLIBRAND, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 2386, a bill to authorize the establishment of the Stonewall National Historic Site in the State of New York as a unit of the National Park System, and for other purposes.

S. 2427

At the request of Mr. SCHUMER, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2427, a bill to prohibit discrimination against individuals with disabilities who need long-term services and supports, and for other purposes.

S. 2487

At the request of Mrs. BOXER, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2487, a bill to direct the Secretary of Veterans Affairs to identify mental health care and suicide prevention programs and metrics that are effective in treating women veterans as part of the evaluation of such programs by the Secretary, and for other purposes.

S. 2540

At the request of Mr. REID, the name of the Senator from Massachusetts (Ms. WARREN) 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 New Jersey (Mr. BOOKER) 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. 2551

At the request of Mr. CARDIN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 2551, a bill to help prevent acts of genocide and mass atrocities, which threaten national and international security, by enhancing United States civilian capacities to prevent and mitigate such crises.

S. 2595

At the request of Mr. CRAPO, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2595, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 2596

At the request of Mr. HELLER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 2596, a bill to amend title 10, United States Code, to permit veterans who have a service-connected, permanent disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces entitled to such travel.

S. 2604

At the request of Mr. WARNER, the names of the Senator from Montana (Mr. DAINES) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 2604, a bill to establish in the legislative branch the National Commission on Security and Technology Challenges.

S. 2612

At the request of Mr. LEAHY, the name of the Senator from Maine (Mr. KING) 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. 2666

At the request of Mr. SCHUMER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2666, a bill to amend the Internal Revenue Code of 1986 to prevent earnings stripping of domestic corporations which are members of a worldwide group of corporations which includes an inverted corporation and to require agreements with respect to certain related party transactions with those members.

S. 2674

At the request of Mrs. BOXER, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 2674, a bill to authorize the President to provide major disaster assistance for lead contamination of drinking water from public water systems.

S. 2690

At the request of Mr. RISCH, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 2690, a bill to amend the Pittman-Robertson Wildlife Restoration Act to modernize the funding of wildlife conservation, and for other purposes.

S. 2725

At the request of Ms. AYOTTE, the names of the Senator from North Carolina (Mr. TILLIS), the Senator from North Carolina (Mr. BURR), the Senator from Georgia (Mr. PERDUE) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 2725, a bill to impose sanctions with respect to the ballistic missile program of Iran, and for other purposes.

S. 2726

At the request of Mr. KIRK, the name of the Senator from South Dakota (Mr. ROUNDS) 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. 2736

At the request of Ms. HEITKAMP, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2736, a bill to improve access to durable medical equipment for Medicare beneficiaries under the Medicare program, and for other purposes.

At the request of Mr. THUNE, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 2736, supra.

S. 2746

At the request of Ms. AYOTTE, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 2746, a bill to establish various prohibitions regarding the transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, and with respect to United States Naval Station, Guantanamo Bay, and for other purposes.

S. 2748

At the request of Ms. BALDWIN, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. 2748, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, social work schools, and other programs, including physician assistant education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

S. 2749

At the request of Ms. AYOTTE, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 2749, a bill to provide an exception from the reduced flat rate per diem for long term temporary duty under Joint Travel Regulations for civilian employees of naval shipyards traveling for direct labor in support of off-yard work, and for other purposes.

S.J. RES. 5

At the request of Mr. UDALL, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S.J. Res. 5, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

S. RES. 392

At the request of Mr. LEAHY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. Res. 392, a resolution 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.

AMENDMENT NO. 3458

At the request of Mr. CASEY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of amendment No. 3458 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.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 414—EXPRESSING THE SENSE OF THE SENATE ON THE ACTIONS, INCLUDING THE REAPPLICATION OF WAIVED NUCLEAR-RELATED SANCTIONS, THAT THE UNITED STATES SHOULD UNDERTAKE IN THE EVENT OF AN IRANIAN VIOLATION OF THE JOINT COMPREHENSIVE PLAN OF ACTION

Mr. LANKFORD submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 414

Whereas national security is a fundamental and primary responsibility of both Congress and the President;

Whereas, on July 14, 2015, President Barack Obama reached an agreement with Iran known as the Joint Comprehensive Plan of Action, a political agreement among the United States, France, the Russian Federation, the People's Republic of China, the United Kingdom, and Germany (commonly referred to as the ''P5+1 countries'') and Iran that does not carry the force or effect of United States law;

Whereas President Obama lifted nuclear-related sanctions imposed by the United States with respect to Iran on January 16, 2016;

Whereas, on July 14, 2015, President Obama stated, ''If Iran violates the deal, all of these sanctions will snap back into place.'';

Whereas Congress intends to work with the President to ensure that the President's commitment to snapping back sanctions in response to any violation by Iran of the Joint Comprehensive Plan of Action is fully enforced;

Whereas Iran has been the beneficiary of financial assets and international engagement while its commitment to fulfilling its obligations under the Joint Comprehensive Plan of Action has yet to be proven; and

Whereas, given the historic and dramatic shift in longstanding United States foreign policy represented by the Joint Comprehensive Plan of Action, the obligations and commitments Iran agreed to as part the Joint Comprehensive Plan of Action must be clarified by the Senate: Now, therefore, be it

Resolved,

SECTION 1. SENSE OF THE SENATE ON IRANIAN VIOLATIONS OF THE JOINT COMPREHENSIVE PLAN OF ACTION.

(a) IN GENERAL.—It is the sense of the Senate—

(1) that the United States should take the actions specified in subsection (b) if—

(A) Iran ever seeks, develops, manufactures, or acquires nuclear weapons;

(B) Iran ever engages in plutonium reprocessing or plutonium-related research and development;

(C) Iran violates—

(i) the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968 (21 UST 483) (commonly referred to as the ''Nuclear Nonproliferation Treaty'' or the ''NPT'');

(ii) the Agreement between Iran and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons, done at Vienna June 19, 1973 (commonly referred to as the ''Comprehensive Safeguards Agreement'');

(iii) its commitment to ratify by October 18, 2023, the Additional Protocol to the Comprehensive Safeguards Agreement; or

(iv) the Iranian-ratified Additional Protocol to the Comprehensive Safeguards Agreement and modified Code 3.1 of the Subsidiary Arrangements to the Comprehensive Safeguards Agreement;

(D) Iran installs a new natural uranium core or the original core in the Arak reactor;

(E) the power of Iran's redesigned heavy water reactor exceeds 20 MWth;

(F) Iran produces any amount of weapons grade uranium or plutonium;

(G) Iran pursues construction at the existing unfinished Arak heavy water reactor based on its original design;

(H) Iran produces or tests natural uranium pellets, fuel pins, or fuel assemblies that are specifically designed for the support of the originally designed Arak heavy water reactor, designated by the International Atomic Energy Agency as IR–40;

(I) Iran does not store all existing natural uranium pellets and IR–40 fuel assemblies under the continuous monitoring of the International Atomic Energy Agency until the modernized Arak reactor becomes operable;

(J) once the Arak reactor becomes operable, Iran does not take the IR–40 fuel assemblies and natural uranium pellets and convert them to uranyl nitrate or exchange

them with an equivalent quantity of natural uranium;

(K) Iran does not make the necessary technical modifications to the natural uranium fuel production process line that was intended to supply fuel for the IR–40 reactor design, such that it can be used for the fabrication of the fuel reloads for the modernized Arak reactor;

(L) all spent fuel from the redesigned Arak reactor, regardless of its origin, for the lifetime of the reactor, is not shipped out of Iran;

(M) Iran operates the Fuel Manufacturing Plant to produce anything other than fuel assemblies for light water reactors or reloads for the modernized Arak reactor;

(N) Iran does not inform the International Atomic Energy Agency about the inventory and production of the Heavy Water Production Plant or does not allow the International Atomic Energy Agency to monitor the quantities of the heavy water stocks and the amount of heavy water produced, including through visits by the International Atomic Energy Agency, as requested, to the Heavy Water Production Plant;

(O) Iran does not ship out all spent fuel for all future and present nuclear power and research reactors;

(P) Iran does not remove and keep stored at Natanz in Hall B of the fuel enrichment plant under continuous monitoring by the International Atomic Energy Agency—

(i) all excess centrifuge machines, including IR–2m centrifuges (during the 10-year prohibition period under the Joint Comprehensive Plan of Action); and

(ii) UF6 pipework including sub headers, valves and pressure transducers at cascade level, and frequency inverters, and UF6 withdrawal equipment from one of the withdrawal stations, which is currently not in service, including its vacuum pumps and chemical traps (during the 10-year prohibition period under the Joint Comprehensive Plan of Action);

(Q) the 164–machine IR–2m cascade does not remain stored at Natanz in Hall B of the fuel enrichment plan under the continuous monitoring of the International Atomic Energy Agency;

(R) the 164–machine IR–4 cascade does not remain stored at Natanz in Hall B of the fuel enrichment plan under the continuous monitoring of the International Atomic Energy Agency;

(S) Iran enriches, obtains, or otherwise stockpiles any uranium, including in oxide form, enriched to greater than 3.67 percent;

(T) all future uranium oxide, scrap oxide, or other material not in fuel plates enriched to between 5 and 20 percent is not transferred out of Iran or diluted to a level of 3.67 percent or less within 6 months of production;

(U) Iran does not abide by its voluntary commitments as expressed in its own long-term enrichment and enrichment research and development plan submitted as part of the initial declaration described in Article 2 of the Additional Protocol to the Comprehensive Safeguards Agreement;

(V) Iran engages in production of centrifuges, including centrifuge rotors suitable for isotope separation or any other centrifuge components, which exceeds the enrichment and enrichment research and development requirements outlined in Annex I of the Joint Comprehensive Plan of Action;

(W) Iran does not permit the International Atomic Energy Agency the use of online enrichment measurement and electronic seals, as well as other International Atomic Energy Agency-approved and certified modern technologies in line with internationally accepted practices of the International Atomic Energy Agency;

(X) Iran does not facilitate automated collection of International Atomic Energy Agency measurement recordings registered by installed measurement devices and sent to the International Atomic Energy Agency working space at individual nuclear sites;

(Y) Iran does not make the necessary arrangements to allow for a long-term presence of the International Atomic Energy Agency, including issuing long-term visas, as well as providing proper working space at nuclear sites and, with to the best of its effort, at locations near nuclear sites in Iran for the designated International Atomic Energy Agency inspectors for working and keeping necessary equipment;

(Z) Iran does not increase the number of designated International Atomic Energy Agency inspectors to at least 130 by October 16, 2016, which is the date that is 9 months after implementation day, or does not allow the designation of inspectors from countries that have diplomatic relations with Iran;

(AA) Iran does not apply nuclear export policies and practices in line with the internationally established standards for the export of nuclear material, equipment, and technology;

(BB) Iran does not permit the International Atomic Energy Agency access to verify that uranium isotope separation production and research and development activities are consistent with Annex I of the Joint Comprehensive Plan of Action;

(CC) Iran engages in—

(i) designing, developing, acquiring, or using computer models to simulate nuclear explosive devices;

(ii) designing, developing, fabricating, acquiring, or using multi-point explosive detonation systems suitable for a nuclear explosive device, unless approved by the Joint Commission for non-nuclear purposes and subject to monitoring;

(iii) designing, developing, fabricating, acquiring, or using explosive diagnostic systems (streak cameras, framing cameras and flash x-ray cameras) suitable for the development of a nuclear explosive device, unless approved by the Joint Commission for non-nuclear purposes and subject to monitoring; or

(iv) designing, developing, fabricating, acquiring, or using explosively driven neutron sources or specialized materials for explosively driven neutron sources;

(DD) during the 10-year period beginning on implementation day and ending on January 16, 2026—

(i) Iran operates, for the purpose of enriching uranium, more than 5,060 IR–1 centrifuges;

(ii) Iran's enrichment capacity exceeds 5,060 IR–1 centrifuge machines in 30 cascades in their current configurations in currently operating units at the Natanz Fuel Enrichment Plant;

(iii) consistent with Iran's enrichment research and development plan, Iran's enrichment research and development with uranium includes any centrifuges other than IR–4, IR–5, IR–6, and IR–8 centrifuges;

(iv) Iran conducts testing of more than a single IR–4 centrifuge machine and IR–4 centrifuge cascade of up to 10 centrifuge machines;

(v) Iran tests more than a single IR–5 centrifuge machine;

(vi) Iran does not recombine the enriched and depleted streams from the IR–6 and IR–8 cascades through the use of welded pipework on withdrawal main headers in a manner that precludes the withdrawal of enriched and depleted uranium materials and verified by the International Atomic Energy Agency;

(vii) research and development with uranium is not strictly limited to IR–4, IR–5, IR–6, and IR–8 centrifuges;

(viii) Iran's uranium isotope separation-related research and development or production activities are not exclusively based on gaseous centrifuge technology;

(ix) Iran engages in nuclear direct-use or nuclear dual-use procurements of commodities without using the procurement channel mandated by the United Nations under United Nations Security Council Resolution 2231 (2015);

(x) research and development is carried out in the IR–4, IR–5, IR–6, or IR–8 centrifuges in a manner that accumulates enriched uranium, or Iran installs or tests those centrifuges beyond the enrichment and enrichment research and development requirements outlined in Annex I of the Joint Comprehensive Plan of Action;

(xi) except as otherwise provided in subparagraph (LL), mechanical testing on up to 2 single centrifuges for each type is carried out on any centrifuge other than the IR–2m, IR–4, IR–5, IR–6, IR–6s, IR–7, or IR–8; or

(xii) Iran builds or tests any new centrifuge without approval of the Joint Commission;

(EE) during the 15-year period beginning on implementation day and ending on January 16, 2031—

(i) Iran conducts uranium enrichment-related activities at Fordow;

(ii) Iran's stockpile of enriched uranium hexafluoride, or the equivalent in other chemical forms, exceeds 300kg enriched to 3.67 percent;

(iii) Iran reprocesses spent fuel except for irradiated enriched uranium targets for production of radio-isotopes for medical and peaceful industrial purposes;

(iv) Iran develops, acquires, or builds facilities capable of separation of plutonium, uranium, or neptunium from spent fuel or from fertile targets, other than for production of radio-isotopes for medical and peaceful industrial purposes;

(v) Iran develops, acquires, builds, or operates hot cells (containing a cell or interconnected cells), shielded cells, or shielded glove boxes with dimensions not less than 6 cubic meters in volume compatible with the specifications set out in Annex I of the Additional Protocol to the Comprehensive Safeguards Agreement, unless approved by the Joint Commission established by the Joint Comprehensive Plan of Action;

(vi) Iran undertakes destructive post irradiation examination of fuel pins, fuel assembly prototypes, and structural materials, unless the P5+1 countries make available their facilities to conduct destructive testing with Iranian specialists, as agreed pursuant to the Joint Comprehensive Plan of Action;

(vii) Iran engages in producing or acquiring plutonium or uranium metals or their alloys, or conducts research and development on plutonium or uranium (or their alloys) metallurgy, or casting, forming, or machining plutonium or uranium metal;

(viii) Iran produces, seeks, or acquires separated plutonium, highly enriched uranium, uranium–233, or neptunium–237 (except for use for laboratory standards or in instruments using neptunium–237);

(ix) Iran installs gas centrifuge machines, or enrichment-related infrastructure, whether suitable for uranium enrichment, research and development, or stable isotope enrichment, at any location other than a location exclusively specified under the Joint Comprehensive Plan of Action;

(x) Iran conducts all testing of centrifuges with uranium anywhere other than at the

Pilot Fuel Enrichment Plant or Iran conducts mechanical testing of centrifuges anywhere other than at the Pilot Fuel Enrichment Plant and the Tehran Research Centre;

(xi) Iran maintains more than 1044 IR–1 centrifuge machines at one wing of the Fordow Fuel Enrichment Plant;

(xii) Iran does not limit its stable isotope production activities with gas centrifuges to the Fordow Fuel Enrichment Plant or uses more than 348 IR–1 centrifuges for such activities;

(xiii) Iran exceeds the limitations on its activities at the Fordow Fuel Enrichment Plant as described in Annex I of the Joint Comprehensive Plan of Action;

(xiv) Iran does not permit the International Atomic Energy Agency regular access, including daily as requested by the International Atomic Energy Agency, access to the Fordow Fuel Enrichment Plant;

(xv) Iran builds or has a heavy water reactor;

(xvi) Iran does not permit the International Atomic Energy Agency to implement continuous monitoring, including through containment and surveillance measures, as necessary, to verify that stored centrifuges and infrastructure remain in storage;

(xvii) Iran does not permit the International Atomic Energy Agency regular access, including daily access as requested by the International Atomic Energy Agency, to relevant buildings at Natanz, including parts of the fuel enrichment plan and the Pilot Fuel Enrichment Plant;

(xviii) any uranium enrichment activity in Iran, including safeguarded research and development, occurs anywhere but the Natanz enrichment site;

(xix) Iran engages, including through export of any enrichment or enrichment related equipment and technology, with any other country, or with any foreign entity in enrichment or enrichment related activities, including related research and development activities, without approval by the Joint Commission;

(xx) the Fordow Fuel Enrichment Plant does not remain strictly a research facility, Iran conducts enrichment or research and development-related activities, or Iran holds nuclear material at that Plant;

(xxi) excess heavy water that is beyond Iran's needs for the modernized Arak research reactor or the zero power heavy water reactor, quantities needed for medical research and production of the deuterated solutions, and chemical compounds including, where appropriate, contingency stocks, is not made available for export to the international market based on international prices and delivered to an international buyer;

(xxii) all enriched uranium hexafluoride in excess of 300 kg of up to 3.57 percent enriched UF6 (or the equivalent in different chemical forms) is not immediately down-blended to natural uranium level or sold on the international market and delivered to an international buyer;

(xxiii) Iran does not rely on only light water for its future nuclear power and research reactors;

(xxiv) Iran conducts enrichment research and development in a manner that accumulates enriched uranium; or

(xxv) Iran enriches uranium to a level exceeding 3.67 percent;

(FF) during the 25-year period beginning on implementation day and ending on January 16, 2041—

(i) Iran does not permit the International Atomic Energy Agency to monitor that all uranium ore concentrate produced in Iran or obtained from any other source is transferred to the uranium conversion facility in Esfahan or to any other future uranium conversion facility that Iran might decide to build in Iran within this period; or

(ii) Iran does not provide the International Atomic Energy Agency with all necessary information so that the International Atomic Energy Agency will be able to verify the production of the uranium ore concentrate and the inventory of uranium ore concentrate produced in Iran or obtained from any other source;

(GG) on or after January 16, 2024, which is the date that is 8 years after implementation day, Iran commences manufacturing IR–6 and IR–8 centrifuges with rotors, or commences manufacturing IR–6 and IR–8 centrifuges without rotors at a rate of more than 200 centrifuges per year for each type;

(HH) on or after January 16, 2026, which is the date that is 10 years after implementation day, Iran commences manufacturing on more than 200 complete centrifuges per year for each type;

(II) Iran does not present its plan to, and seek approval by, the Joint Commission if Iran seeks to initiate research and development on a uranium metal based fuel for the Tehran Research Reactor in small agreed quantities after January 16, 2026, and before January 15, 2031, which are 10 and 15 years after implementation day, respectively; or

(JJ) during the 8½ year period beginning on implementation day and ending on July 16, 2024—

(i) Iran conducts testing on more than a single IR–6 centrifuge machine and intermediate cascades for such machines and commences testing on more than 30 centrifuge machines; or

(ii) Iran conducts testing on more than a single IR–8 centrifuge machine and intermediate cascades for such machines or commences testing on more than 30 centrifuge machines; and

(2) that—

(A) Iran's uranium enrichment and research and development plans should be made public;

(B) the reports of the Joint Commission and procurement requests made to the United Nations Security Council and to the Joint Commission, and whether or not such requests were approved, should be made available to the public; and

(C) countries should verify the end-use of items, materials, equipment, goods, and technologies that require import authorization by the Joint Commission but are not verified by the International Atomic Energy Agency.

(b) ACTIONS SPECIFIED.—The actions specified in this subsection are the following:

(1) Seeking immediate reinstitution and application of United Nations Security Council Resolutions 1696 (2006), 1737 (2006), 1747 (2007), 1803 (2008), 1835 (2008), 1929 (2010), and 2224 (2015).

(2) Seeking the immediate adoption of a United Nations Security Council resolution that directs all United Nations member states to prevent the direct or indirect supply, sale, or transfer to Iran of all items listed in subsection (a)(i) of United Nations Security Council Resolution 1718 (2006) in order to prevent Iran from arming itself while its commitment to international law is still in question.

(3) Working with international partners of the United States to seek the immediate reapplication of the regulations of the Council of the European Union concerning restrictive measures against Iran, as in effect on October 17, 2015.

(4) The immediate reapplication of the nuclear-related sanctions waived by the United States.

(5) Seeking the imposition of additional punitive sanctions with respect to Iran.

(c) DEFINITIONS.—In this section:

(1) HIGHLY ENRICHED URANIUM.—The term ''highly enriched uranium'' means uranium with a 20 percent or higher concentration of the isotope uranium-235.

(2) IMPLEMENTATION DAY.—The term ''implementation day'' means January 16, 2016.

(3) JOINT COMPREHENSIVE PLAN OF ACTION.—The term ''Joint Comprehensive Plan of Action'' means the Joint Comprehensive Plan of Action, agreed to at Vienna on July 14, 2015, by Iran and by the People's Republic of China, France, Germany, the Russian Federation, the United Kingdom, and the United States, with the High Representative of the European Union for Foreign Affairs and Security Policy, and all implementing materials and agreements related to the Joint Comprehensive Plan of Action.

(4) P5+1 COUNTRIES.—The term ''P5+1 countries'' means the United States, France, the Russian Federation, the People's Republic of China, the United Kingdom, and Germany.

(5) SPENT FUEL.—The term ''spent fuel'' includes all types of irradiated fuel.

SENATE RESOLUTION 415—CONGRATULATING THE 2016 NATIONAL CHAMPIONS, THE VILLANOVA WILDCATS, FOR THEIR WIN IN THE 2016 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I MEN'S BASKETBALL TOURNAMENT

Mr. CASEY (for himself and Mr. TOOMEY) submitted the following resolution; which was considered and agreed to:

S. RES. 415

Whereas, on April 4, 2016, the Villanova Wildcats defeated the University of North Carolina Tar Heels by a score of 77 to 74 in the final game of the National Collegiate Athletic Association (referred to in this preamble as the ''NCAA'') Division I Men's Basketball Tournament in Houston, Texas;

Whereas the Villanova Wildcats hold 2 national men's basketball titles for winning NCAA championships in 1985 and 2016;

Whereas junior forward Kris Jenkins scored the last-second, game-winning 3-point shot;

Whereas the Villanova Wildcats shot 58.2 percent from the field during the tournament, the highest percentage since the 64-team bracket was introduced in 1985;

Whereas the Villanova Wildcats had the largest margin of victory in any Final Four game, beating the Oklahoma Sooners by 44 points;

Whereas senior guard Ryan Arcidiacono was named the Most Outstanding Player of the 2016 Final Four, averaging 15.5 points on 73-percent shooting in the 2 final games in Houston and providing the game-winning assist in the championship game;

Whereas Jay Wright was named the Naismith Coach of the Year for the second time;

Whereas during the 2015–2016 season, the Villanova Wildcats finished with a record of 35-5; and

Whereas Villanova University is committed to the ideal of the student athlete and the education of the athletes of Villanova University, as evidenced by the presence of 5 seniors and 3 juniors on the roster of the Villanova Wildcats: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates and honors the Villanova University men's basketball team and its loyal fans on the performance of the team in

the 2016 National Collegiate Athletic Association Division I Men's Basketball Tournament; and

(2) recognizes and commends the hard work, dedication, determination, and commitment to excellence of the players, parents, families, coaches, and managers of the team.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3460. 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.

SA 3461. Mr. THUNE 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 3462. Mr. THUNE 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 3463. Mr. THUNE 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 3464. Mr. THUNE (for himself and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill H.R. 636, supra.

SA 3465. Mr. GARDNER 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 3466. Mr. GARDNER (for himself 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 3467. Mr. MARKEY (for himself, Mr. BLUMENTHAL, and Ms. KLOBUCHAR) 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 3468. Mr. MARKEY 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 3469. Mr. MARKEY 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 3470. Mr. MARKEY 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 3471. Mr. MARKEY 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 3472. Mr. MARKEY 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 3473. Mr. MARKEY 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 3474. 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 3475. Mr. CASSIDY (for himself and Mr. BENNET) 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 3476. Mr. CASSIDY 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 3477. Ms. HEITKAMP (for herself and Mr. INHOFE) submitted an amendment intended to be proposed by her to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3478. Ms. HEITKAMP submitted an amendment intended to be proposed by her to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3479. Ms. HEITKAMP submitted an amendment intended to be proposed by her to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3480. Mr. ISAKSON 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 3481. Mr. BLUNT (for himself and 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 3482. Mr. HEINRICH (for himself, Mr. MANCHIN, Mr. SCHUMER, Mr. NELSON, Ms. KLOBUCHAR, Ms. CANTWELL, Mr. CARPER, Ms. BALDWIN, Mr. DURBIN, Mr. BENNET, and 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 3483. Mr. SCHUMER (for himself, Mr. BLUMENTHAL, Mr. MARKEY, Mr. MENENDEZ, Mrs. GILLIBRAND, Mrs. FEINSTEIN, Mrs. BOXER, Mr. BOOKER, Mr. SCHATZ, and Ms. WARREN) 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 3484. Mr. BENNET (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3485. Mr. BOOKER (for himself 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 3486. Mr. BOOKER 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 3487. Mr. BOOKER 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 3488. Ms. CANTWELL (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3489. Mrs. BOXER (for herself, Ms. KLOBUCHAR, Ms. CANTWELL, Mr. BLUMENTHAL, Mr. MARKEY, Mrs. SHAHEEN, and Mr. FRANKEN) submitted an amendment intended to be proposed by her to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3490. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3491. Mr. ALEXANDER (for himself, Mr. MARKEY, Mrs. CAPITO, and Mrs. FEINSTEIN) 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 3492. Mr. INHOFE (for himself, Mr. BOOKER, Ms. HEITKAMP, and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3493. Mr. INHOFE 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 3494. Mr. WHITEHOUSE (for himself and Mr. INHOFE) 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 3495. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3496. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3497. Mr. MANCHIN (for himself and Mrs. CAPITO) 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 3498. 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 3499. Mr. WYDEN (for himself and Mr. MERKLEY) 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 3500. Mr. HOEVEN (for himself, Mr. WARNER, Ms. MURKOWSKI, Mr. SCHUMER, Mr. HELLER, Mr. REID, Mr. KAINE, 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 3501. Mr. REID (for himself and Mr. HELLER) 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 3502. Mr. REID (for himself and Mr. HELLER) 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 3503. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3504. Ms. KLOBUCHAR (for herself, Mr. MORAN, and Mr. INHOFE) submitted an amendment intended to be proposed by her to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3505. Mr. TESTER 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 3506. Mr. TESTER 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 3507. Mr. HELLER (for himself and Mr. REID) 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 3508. Ms. COLLINS (for herself, Mrs. MURRAY, Mr. TILLIS, Mr. INHOFE, and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3509. Mr. SCHUMER (for himself and Mrs. GILLIBRAND) 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 3510. Mr. SCHUMER (for himself and Mrs. GILLIBRAND) 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 3511. Mr. KIRK 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 3512. Mr. THUNE (for himself, Mr. NELSON, Ms. AYOTTE, and Ms. CANTWELL) proposed an amendment to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra.

SA 3513. Mrs. SHAHEEN submitted an amendment intended to be proposed by her

to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3514. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3515. Mr. MURPHY 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 3516. Mr. CORNYN (for himself 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 3517. 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.

TEXT OF AMENDMENTS

SA 3460. 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; as follows:

On page 89, line 3, insert ''and any operational history of the person, as appropriate'' before the period at the end.

SA 3461. Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 302, strike line 17 and all that follows through page 304, line 21 and insert the following:

(a) ASSESSMENT.—Not later than 1 year after the date of enactment of this Act, the Inspector General of the Department of Transportation shall assess—

(1) Administration and industry readiness to meet the ADS–B mandate by 2020;

(2) changes to ADS–B program since May 2010; and

(3) additional options to comply with the mandate and consequences, both for individual system users and for the overall safety and efficiency of the national airspace system, for noncompliance.

(b) REPORT.—Not later than 60 days after the date the assessment under subsection (a) is complete, the Inspector General of the Department of Transportation shall submit to the appropriate committees of Congress a report on the progress made toward meeting the ADS–B mandate by 2020, including any recommendations of the Inspector General to carry out such mandate.

SA 3462. Mr. THUNE 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 265, lines 19 and 20, strike ''(and any other victim of the accident, including any victim on the ground)'' and insert ''and the families of any other victim of the aircraft accident, including any victim on the ground,''.

On page 266, strike line 19 and all that follows through ''(D)'' on line 21, and insert the following:

(C) in paragraph (9), by inserting ''and the families of any other victim of the aircraft accident, including any victim on the ground,'' after ''nonrevenue passengers'';

(D) in paragraph (16), by striking ''major'' and inserting ''any''; and

(E)

SA 3463. Mr. THUNE 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 130, between lines 18 and 19, insert the following:

(iv) facilities that store or utilize nuclear material; and

SA 3464. Mr. THUNE (for himself and 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; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Federal Aviation Administration Reauthorization Act of 2016''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. References to title 49, United States Code.
Sec. 3. Definition of appropriate committees of Congress.
Sec. 4. Effective date.

TITLE I—AUTHORIZATIONS

Subtitle A—Funding of FAA Programs

Sec. 1001. Airport planning and development and noise compatibility planning and programs.
Sec. 1002. Air navigation facilities and equipment.
Sec. 1003. FAA operations.
Sec. 1004. FAA research and development.
Sec. 1005. Funding for aviation programs.
Sec. 1006. Extension of expiring authorities.

Subtitle B—Airport Improvement Program Modifications

Sec. 1201. Small airport regulation relief.
Sec. 1202. Priority review of construction projects in cold weather States.
Sec. 1203. State block grants updates.
Sec. 1204. Contract Tower Program updates.
Sec. 1205. Approval of certain applications for the contract tower program.
Sec. 1206. Remote towers.
Sec. 1207. Midway Island airport.
Sec. 1208. Airport road funding.
Sec. 1209. Repeal of inherently low-emission airport vehicle pilot program.
Sec. 1210. Modification of zero-emission airport vehicles and infrastructure pilot program.
Sec. 1211. Repeal of airport ground support equipment emissions retrofit pilot program.
Sec. 1212. Funding eligibility for airport energy efficiency assessments.
Sec. 1213. Recycling plans; safety projects at unclassified airports.
Sec. 1214. Transfers of instrument landing systems.
Sec. 1215. Non-movement area surveillance pilot program.
Sec. 1216. Amendments to definitions.
Sec. 1217. Clarification of noise exposure map updates.
Sec. 1218. Provision of facilities.
Sec. 1219. Contract weather observers.
Sec. 1220. Federal share adjustment.
Sec. 1221. Miscellaneous technical amendments.
Sec. 1222. Mothers' rooms at airports.
Sec. 1223. Eligibility for airport development grants at airports that enter into certain leases with components of the Armed Forces.
Sec. 1224. Clarification of definition of aviation-related activity for hangar use.
Sec. 1225. Use of airport improvement program funds for runway safety repairs.

Subtitle C—Passenger Facility Charges

Sec. 1301. PFC streamlining.
Sec. 1302. Intermodal access projects.
Sec. 1303. Use of revenue at a previously associated airport.
Sec. 1304. Future aviation infrastructure and financing study.

TITLE II—SAFETY

Subtitle A—Unmanned Aircraft Systems Reform

Sec. 2001. Definitions.

PART I—PRIVACY AND TRANSPARENCY

Sec. 2101. Unmanned aircraft systems privacy policy.
Sec. 2102. Sense of Congress.
Sec. 2103. Federal Trade Commission authority.
Sec. 2104. National Telecommunications and Information Administration multi-stakeholder process.
Sec. 2105. Identification standards.
Sec. 2106. Commercial and governmental operators.
Sec. 2107. Analysis of current remedies under Federal, State, and local jurisdictions.

PART II—UNMANNED AIRCRAFT SYSTEMS

Sec. 2121. Definitions.
Sec. 2122. Utilization of unmanned aircraft system test sites.
Sec. 2123. Additional research, development, and testing.
Sec. 2124. Safety standards.
Sec. 2125. Unmanned aircraft systems in the Arctic.
Sec. 2126. Special authority for certain unmanned aircraft systems.
Sec. 2127. Additional rulemaking authority.
Sec. 2128. Governmental unmanned aircraft systems.
Sec. 2129. Special rules for model aircraft.
Sec. 2130. Unmanned aircraft systems aeronautical knowledge and safety.
Sec. 2131. Safety statements.
Sec. 2132. Treatment of unmanned aircraft operating underground.
Sec. 2133. Enforcement.
Sec. 2134. Aviation emergency safety public services disruption.
Sec. 2135. Pilot project for airport safety and airspace hazard mitigation.
Sec. 2136. Contribution to financing of regulatory functions.
Sec. 2137. Sense of Congress regarding small UAS rulemaking.
Sec. 2138. Unmanned aircraft systems traffic management.
Sec. 2139. Emergency exemption process.
Sec. 2140. Public uas operations by tribal governments.
Sec. 2141. Carriage of property by small unmanned aircraft systems for compensation or hire.

Sec. 2142. Collegiate Training Initiative program for unmanned aircraft systems.

PART III—TRANSITION AND SAVINGS PROVISIONS

Sec. 2151. Senior advisor for unmanned aircraft systems integration.
Sec. 2152. Effect on other laws.
Sec. 2153. Spectrum.
Sec. 2154. Applications for designation.
Sec. 2155. Use of unmanned aircraft systems at institutions of higher education.
Sec. 2156. Transition language.

Subtitle B—FAA Safety Certification Reform

PART I—GENERAL PROVISIONS

Sec. 2211. Definitions.
Sec. 2212. Safety oversight and certification advisory committee.

PART II—AIRCRAFT CERTIFICATION REFORM

Sec. 2221. Aircraft certification performance objectives and metrics.
Sec. 2222. Organization designation authorizations.
Sec. 2223. ODA review.
Sec. 2224. Type certification resolution process.
Sec. 2225. Safety enhancing technologies for small general aviation airplanes.
Sec. 2226. Streamlining certification of small general aviation airplanes.

PART III—FLIGHT STANDARDS REFORM

Sec. 2231. Flight standards performance objectives and metrics.
Sec. 2232. FAA task force on flight standards reform.
Sec. 2233. Centralized safety guidance database.
Sec. 2234. Regulatory Consistency Communications Board.
Sec. 2235. Flight standards service realignment feasibility report.
Sec. 2236. Additional certification resources.

PART IV—SAFETY WORKFORCE

Sec. 2241. Safety workforce training strategy.
Sec. 2242. Workforce study.

PART V—INTERNATIONAL AVIATION

Sec. 2251. Promotion of United States aerospace standards, products, and services abroad.
Sec. 2252. Bilateral exchanges of safety oversight responsibilities.
Sec. 2253. FAA leadership abroad.
Sec. 2254. Registration, certification, and related fees.

Subtitle C—Airline Passenger Safety and Protections

Sec. 2301. Pilot records database deadline.
Sec. 2302. Access to air carrier flight decks.
Sec. 2303. Aircraft tracking and flight data.
Sec. 2304. Automation reliance improvements.
Sec. 2305. Enhanced mental health screening for pilots.
Sec. 2306. Flight attendant duty period limitations and rest requirements.
Sec. 2307. Training to combat human trafficking for certain air carrier employees.
Sec. 2308. Report on obsolete test equipment.
Sec. 2309. Plan for systems to provide direct warnings of potential runway incursions.
Sec. 2310. Laser pointer incidents.
Sec. 2311. Helicopter air ambulance operations data and reports.
Sec. 2312. Part 135 accident and incident data.
Sec. 2313. Definition of human factors.
Sec. 2314. Sense of Congress; pilot in command authority.
Sec. 2315. Enhancing ASIAS.
Sec. 2316. Improving runway safety.
Sec. 2317. Safe air transportation of lithium cells and batteries.
Sec. 2318. Prohibition on implementation of policy change to permit small, non-locking knives on aircraft.
Sec. 2319. Aircraft cabin evacuation procedures.

Subtitle D—General Aviation Safety

Sec. 2401. Automated weather observing systems policy.
Sec. 2402. Tower marking.
Sec. 2403. Crash-resistant fuel systems.
Sec. 2404. Requirement to consult with stakeholders in defining scope and requirements for Future Flight Service Program.

Subtitle E—General Provisions

Sec. 2501. Designated agency safety and health officer.
Sec. 2502. Repair stations located outside United States.
Sec. 2503. FAA technical training.
Sec. 2504. Safety critical staffing.
Sec. 2505. Approach control radar in all air traffic control towers.

Subtitle F—Third Class Medical Reform and General Aviation Pilot Protections

Sec. 2601. Short title.
Sec. 2602. Medical certification of certain small aircraft pilots.
Sec. 2603. Expansion of pilot's bill of rights.
Sec. 2604. Limitations on reexamination of certificate holders.
Sec. 2605. Expediting updates to notam program.
Sec. 2606. Accessibility of certain flight data.
Sec. 2607. Authority for legal counsel to issue certain notices.

TITLE III—AIR SERVICE IMPROVEMENTS

Sec. 3001. Definitions.

Subtitle A—Passenger Air Service Improvements

Sec. 3101. Causes of airline delays or cancellations.
Sec. 3102. Involuntary changes to itineraries.
Sec. 3103. Additional consumer protections.
Sec. 3104. Addressing the needs of families of passengers involved in aircraft accidents.
Sec. 3105. Emergency medical kits.
Sec. 3106. Travelers with disabilities.
Sec. 3107. Extension of Advisory Committee for Aviation Consumer Protection.
Sec. 3108. Extension of competitive access reports.
Sec. 3109. Refunds for delayed baggage.
Sec. 3110. Refunds for other fees that are not honored by a covered air carrier.
Sec. 3111. Disclosure of fees to consumers.
Sec. 3112. Seat assignments.
Sec. 3113. Child seating.
Sec. 3114. Consumer complaint process improvement.
Sec. 3115. Online access to aviation consumer protection information.
Sec. 3116. Study on in cabin wheelchair restraint systems.
Sec. 3117. Training policies regarding assistance for persons with disabilities.
Sec. 3118. Advisory committee on the air travel needs of passengers with disabilities.
Sec. 3119. Report on covered air carrier change, cancellation, and baggage fees.
Sec. 3120. Enforcement of aviation consumer protection rules.
Sec. 3121. Dimensions for passenger seats.
Sec. 3122. Cell phone voice communications.
Sec. 3123. Availability of slots for new entrant air carriers at Newark Liberty International Airport.

Subtitle B—Essential Air Service

Sec. 3201. Essential air service.
Sec. 3202. Small community air service development program.
Sec. 3203. Small community program amendments.
Sec. 3204. Waivers.
Sec. 3205. Working group on improving air service to small communities.

TITLE IV—NEXTGEN AND FAA ORGANIZATION

Sec. 4001. Definitions.

Subtitle A—Next Generation Air Transportation System

Sec. 4101. Return on investment assessment.
Sec. 4102. Ensuring FAA readiness to use new technology.
Sec. 4103. NextGen annual performance goals.
Sec. 4104. Facility outage contingency plans.
Sec. 4105. ADS–B mandate assessment.
Sec. 4106. Nextgen interoperability.
Sec. 4107. NextGen transition management.
Sec. 4108. Implementation of NextGen operational improvements.
Sec. 4109. Cybersecurity.
Sec. 4110. Defining NextGen.
Sec. 4111. Human factors.
Sec. 4112. Major acquisition reports.
Sec. 4113. Equipage mandates.
Sec. 4114. Workforce.
Sec. 4115. Architectural leadership.
Sec. 4116. Programmatic risk management.
Sec. 4117. NextGen prioritization.

Subtitle B—Administration Organization and Employees

Sec. 4201. Cost-saving initiatives.
Sec. 4202. Treatment of essential employees during furloughs.
Sec. 4203. Controller candidate interviews.
Sec. 4204. Hiring of air traffic controllers.
Sec. 4205. Computation of basic annuity for certain air traffic controllers.
Sec. 4206. Air traffic services at aviation events.
Sec. 4207. Full annuity supplement for certain air traffic controllers.
Sec. 4208. Inclusion of disabled veteran leave in Federal Aviation Administration personnel management system.

TITLE V—MISCELLANEOUS

Sec. 5001. National Transportation Safety Board investigative officers.
Sec. 5002. Performance-Based Navigation.
Sec. 5003. Overflights of national parks.
Sec. 5004. Navigable airspace analysis for commercial space launch site runways.
Sec. 5005. Survey and report on spaceport development.
Sec. 5006. Aviation fuel.
Sec. 5007. Comprehensive Aviation Preparedness Plan.
Sec. 5008. Advanced Materials Center of Excellence.
Sec. 5009. Interference with airline employees.
Sec. 5010. Secondary cockpit barriers.
Sec. 5011. GAO evaluation and audit.
Sec. 5012. Federal Aviation Administration performance measures and targets.
Sec. 5013. Staffing of certain air traffic control towers.
Sec. 5014. Critical airfield markings.
Sec. 5015. Research and deployment of certain airfield pavement technologies.

Sec. 5016. Report on general aviation flight sharing.
Sec. 5017. Increase in duration of general aviation aircraft registration.
Sec. 5018. Modification of limitation of liability relating to aircraft.
Sec. 5019. Government Accountability Office study of illegal drugs seized at international airports in the United States.
Sec. 5020. Sense of Congress on preventing the transportation of disease-carrying mosquitoes and other insects on commercial aircraft.
Sec. 5021. Work plan for the New York/New Jersey/Philadelphia metroplex program.
Sec. 5022. Report on plans for air traffic control facilities in the New York City and Newark region.
Sec. 5023. GAO study of international airline alliances.
Sec. 5024. Treatment of multi-year lessees of large and turbine-powered multiengine aircraft.
Sec. 5025. Evaluation of emerging technologies.
Sec. 5026. Student outreach report.
Sec. 5027. Right to privacy when using air traffic control system.
Sec. 5028. Conduct of security screening by the Transportation Security Administration at certain airports.
Sec. 5029. Aviation cybersecurity.
Sec. 5030. Prohibitions against smoking on passenger flights.
Sec. 5031. Technical and conforming amendments.

SEC. 2. REFERENCES TO TITLE 49, UNITED STATES CODE.

Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

SEC. 3. DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.

In this Act, unless expressly provided otherwise, the term ''appropriate committees of Congress'' means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 4. EFFECTIVE DATE.

Except as otherwise expressly provided, this Act and the amendments made by this Act shall take effect on the date of enactment of this Act.

TITLE I—AUTHORIZATIONS

Subtitle A—Funding of FAA Programs

SEC. 1001. AIRPORT PLANNING AND DEVELOPMENT AND NOISE COMPATIBILITY PLANNING AND PROGRAMS.

(a) AUTHORIZATION.—Section 48103(a) is amended by striking ''section 47505(a)(2), and carrying out noise compatibility programs under section 47504(c) $3,350,000,000 for each of fiscal years 2012 through 2015 and $2,652,083,333 for the period beginning on October 1, 2015, and ending on July 15, 2016'' and inserting ''section 47505(a)(2), carrying out noise compatibility programs under section 47504(c), for an airport cooperative research program under section 44511, for Airports Technology-Safety research, and Airports Technology-Efficiency research, $3,350,000,000 for fiscal year 2016 and $3,750,000,000 for fiscal year 2017''.

(b) OBLIGATIONAL AUTHORITY.—Section 47104(c) is amended in the matter preceding paragraph (1) by striking ''July 15, 2016'' and inserting ''September 30, 2017''.

SEC. 1002. AIR NAVIGATION FACILITIES AND EQUIPMENT.

Section 48101(a) is amended by striking paragraphs (1) through (5) and inserting the following:

''(1) $2,855,241,025 for fiscal year 2016.

''(2) $2,862,020,524 for fiscal year 2017.''.

SEC. 1003. FAA OPERATIONS.

(a) IN GENERAL.—Section 106(k)(1) is amended by striking subparagraphs (A) through (E) and inserting the following:

''(A) $9,910,009,314 for fiscal year 2016; and

''(B) $10,025,361,111 for fiscal year 2017.''.

(b) AUTHORIZED EXPENDITURES.—Section 106(k)(2) is amended by striking ''for fiscal years 2012 through 2015'' each place it appears and inserting ''for fiscal years 2016 through 2017''.

(c) AUTHORITY TO TRANSFER FUNDS.—Section 106(k)(3) is amended by striking ''2012 through 2015 and for the period beginning on October 1, 2015, and ending on July 15, 2016'' and inserting ''2016 through 2017''.

SEC. 1004. FAA RESEARCH AND DEVELOPMENT.

Section 48102 is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''44511-44513'' and inserting ''44512-44513''; and

(ii) by striking ''and, for each of fiscal years 2012 through 2015, under subsection (g)'';

(B) in paragraph (8), by striking ''; and'' and inserting a semicolon; and

(C) by striking paragraph (9) and inserting the following:

''(9) $166,000,000 for fiscal year 2016; and

''(10) $169,000,000 for fiscal year 2017.''; and

(2) in subsection (b), by striking paragraph (3).

SEC. 1005. FUNDING FOR AVIATION PROGRAMS.

(a) AIRPORT AND AIRWAY TRUST FUND GUARANTEE.—Section 48114(a)(1)(A) is amended to read as follows:

''(A) IN GENERAL.—The total budget resources made available from the Airport and Airway Trust Fund each fiscal year under sections 48101, 48102, 48103, and 106(k)—

''(i) shall in each of fiscal years 2016 through 2017, be equal to the sum of—

''(I) 90 percent of the estimated level of receipts plus interest credited to the Airport and Airway Trust Fund for that fiscal year; and

''(II) the actual level of receipts plus interest credited to the Airport and Airway Trust Fund for the second preceding fiscal year minus the total amount made available for obligation from the Airport and Airway Trust Fund for the second preceding fiscal year; and

''(ii) may be used only for the aviation investment programs listed in subsection (b)(1).''.

(b) ENFORCEMENT OF GUARANTEES.—Section 48114(c)(2) is amended by striking ''2016'' and inserting ''2017''.

SEC. 1006. EXTENSION OF EXPIRING AUTHORITIES.

(a) MARSHALL ISLANDS, MICRONESIA, AND PALAU.—Section 47115(j) is amended by striking ''2015 and for the period beginning on October 1, 2015, and ending on July 15, 2016,'' and inserting ''2017''.

(b) EXTENSION OF COMPATIBLE LAND USE PLANNING AND PROJECTS BY STATE AND LOCAL GOVERNMENTS.—Section 47141(f) is amended by striking ''July 15, 2016'' and inserting ''September 30, 2017''.

(c) INSPECTOR GENERAL REPORT ON PARTICIPATION IN FAA PROGRAMS BY DISADVANTAGED SMALL BUSINESS CONCERNS.—

(1) IN GENERAL.—For each of fiscal years 2016 through 2017, the Inspector General of the Department of Transportation shall submit to Congress a report on the number of new small business concerns owned and controlled by socially and economically disadvantaged individuals, including those owned by veterans, that participated in the programs and activities funded using the amounts made available under this Act.

(2) NEW SMALL BUSINESS CONCERNS.—For purposes of paragraph (1), a new small business concern is a small business concern that did not participate in the programs and activities described in paragraph (1) in a previous fiscal year.

(3) CONTENTS.—The report shall include—

(A) a list of the top 25 and bottom 25 large and medium hub airports in terms of providing opportunities for small business concerns owned and controlled by socially and economically disadvantaged individuals to participate in the programs and activities funded using the amounts made available under this Act;

(B) the results of an assessment, to be conducted by the Inspector General, on the reasons why the top airports have been successful in providing such opportunities; and

(C) recommendations to the Administrator of the Federal Aviation Administration and Congress on methods for other airports to achieve results similar to those of the top airports.

(d) EXTENSION OF PILOT PROGRAM FOR REDEVELOPMENT OF AIRPORT PROPERTIES.—Section 822(k) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 47141 note) is amended by striking ''July 15, 2016'' and inserting ''September 30, 2017''.

Subtitle B—Airport Improvement Program Modifications

SEC. 1201. SMALL AIRPORT REGULATION RELIEF.

Section 47114(c)(1)(F) is amended to read as follows:

''(F) SPECIAL RULE FOR FISCAL YEARS 2016 THROUGH 2017.—Notwithstanding subparagraph (A), the Secretary shall apportion to a sponsor of an airport under that subparagraph for each of fiscal years 2016 through 2017 an amount based on the number of passenger boardings at the airport during calendar year 2012 if the airport—

''(i) had 10,000 or more passenger boardings during calendar year 2012;

''(ii) had fewer than 10,000 passenger boardings during the calendar year used to calculate the apportionment for fiscal year 2016 or 2017 under subparagraph (A); and

''(iii) had scheduled air service in the calendar year used to calculate the apportionment.''.

SEC. 1202. PRIORITY REVIEW OF CONSTRUCTION PROJECTS IN COLD WEATHER STATES.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration, to the extent practicable, shall schedule the Administrator's review of construction projects so that projects to be carried out in the States in which the weather during a typical calendar year prevents major construction projects from being carried out before May 1 are reviewed as early as possible.

(b) REPORT.—The Administrator shall update the appropriate committees of Congress annually on the effectiveness of the review and prioritization.

SEC. 1203. STATE BLOCK GRANTS UPDATES.

Section 47128(a) is amended by striking ''9 qualified States for fiscal years 2000 and 2001 and 10 qualified States for each fiscal year thereafter'' and inserting ''15 qualified States for fiscal year 2016 and each fiscal year thereafter''.

SEC. 1204. CONTRACT TOWER PROGRAM UPDATES.

(a) SPECIAL RULE.—Section 47124(b)(1)(B) is amended by striking ''after such determination is made'' and inserting ''after the end of the period described in subsection (d)(6)(C)''.

(b) CONTRACT AIR TRAFFIC CONTROL TOWER COST-SHARE PROGRAM; FUNDING.—Section 47124(b)(3)(E) is amended to read as follows:

''(E) FUNDING.—Of the amounts appropriated under section 106(k)(1), such sums as may be necessary may be used to carry out this paragraph.''.

(c) CAP ON FEDERAL SHARE OF COST OF CONSTRUCTION.—Section 47124(b)(4)(C) is amended by striking ''$2,000,000'' and inserting ''$4,000,000''.

(d) COST BENEFIT RATIO REVISION.—Section 47124 is amended by adding at the end the following:

''(d) COST BENEFIT RATIOS.—

''(1) CONTRACT AIR TRAFFIC CONTROL TOWER PROGRAM AT COST-SHARE AIRPORTS.—Beginning on the date of enactment of the Federal Aviation Administration Reauthorization Act of 2016, if an air traffic control tower is operating under the Cost-share Program, the Secretary shall annually calculate a new benefit-to-cost ratio for the tower.

''(2) CONTRACT TOWER PROGRAM AT NON-COST-SHARE AIRPORTS.—Beginning on the date of enactment of the Federal Aviation Administration Reauthorization Act of 2016, if a tower is operating under the Contract Tower Program and continued under subsection (b)(1), the Secretary shall not calculate a new benefit-to-cost ratio for the tower unless the annual aircraft traffic at the airport where the tower is located decreases by more than 25 percent from the previous year or by more than 60 percent over a 3-year period.

''(3) CONSIDERATIONS.—In establishing a benefit-to-cost ratio under paragraph (1) or paragraph (2), the Secretary may consider only the following costs:

''(A) The Federal Aviation Administration's actual cost of wages and benefits of personnel working at the tower.

''(B) The Federal Aviation Administration's actual telecommunications costs of the tower.

''(C) Relocation and replacement costs of equipment of the Federal Aviation Administration associated with the tower, if paid for by the Federal Aviation Administration.

''(D) Logistics, such as direct costs associated with establishing or updating the tower's interface with other systems and equipment of the Federal Aviation Administration, if paid for by the Federal Aviation Administration.

''(4) EXCLUSIONS.—In establishing a benefit-to-cost ratio under paragraph (1) or paragraph (2), the Secretary may not consider the following costs:

''(A) Airway facilities costs, including labor and other costs associated with maintaining and repairing the systems and equipment of the Federal Aviation Administration.

''(B) Costs for depreciating the building and equipment owned by the Federal Aviation Administration.

''(C) Indirect overhead costs of the Federal Aviation Administration.

''(D) Costs for utilities, janitorial, and other services paid for or provided by the airport or the State or political subdivision of a State having jurisdiction over the airport where the tower is located.

''(E) The cost of new or replacement equipment, or construction of a new or replacement tower, if the costs incurred were incurred by the airport or the State or political subdivision of a State having jurisdiction over the airport where the tower is or will be located.

''(F) Other expenses of the Federal Aviation Administration not directly associated with the actual operation of the tower.

''(5) MARGIN OF ERROR.—The Secretary shall add a 5 percent margin of error to a benefit-to-cost ratio determination to acknowledge and account for any direct or indirect factors that are not included in the criteria the Secretary used in calculating the benefit-to-cost ratio.

''(6) PROCEDURES.—The Secretary shall establish procedures—

''(A) to allow an airport or the State or political subdivision of a State having jurisdiction over the airport where the tower is located not less than 90 days following the receipt of an initial benefit-to-cost ratio determination from the Secretary—

''(i) to request the Secretary reconsider that determination; and

''(ii) to submit updated or additional data to the Secretary in support of the reconsideration;

''(B) to allow the Secretary not more than 90 days to review the data submitted under subparagraph (A)(ii) and respond to the request under subparagraph (A)(i);

''(C) to allow the airport, State, or political subdivision of a State, as applicable, 30 days following the date of the response under subparagraph (B) to review the response before any action is taken based on a benefit-to-cost determination; and

''(D) to provide, after the end of the period described in subparagraph (C), an 18-month grace period before cost-share payments are due from the airport, State, or political subdivision of a State if as a result of the benefit-to-cost ratio determination the airport, State, or political subdivision, as applicable, is required to transition to the Cost-share Program.

''(e) DEFINITIONS.—In this section:

''(1) CONTRACT TOWER PROGRAM.—The term 'Contract Tower Program' means the level I air traffic control tower contract program established under subsection (a) and continued under subsection (b)(1).

''(2) COST-SHARE PROGRAM.—The term 'Cost-share Program' means the cost-share program established under subsection (b)(3).''.

(e) CONFORMING AMENDMENTS.—Section 47124(b) is amended—

(1) in paragraph (1)(C), by striking ''the program established under paragraph (3)'' and inserting ''the Cost-share Program'';

(2) in paragraph (3)—

(A) in the heading, by striking ''CONTRACT AIR TRAFFIC CONTROL TOWER PROGRAM'' and inserting ''COST-SHARE PROGRAM'';

(B) in subparagraph (A), by striking ''contract tower program established under subsection (a) and continued under paragraph (1) (in this paragraph referred to as the 'Contract Tower Program')'' and inserting ''Contract Tower Program'';

(C) in subparagraph (B), by striking ''In carrying out the program'' and inserting ''In carrying out the Cost-share Program'';

(D) in subparagraph (C), by striking ''participate in the program'' and inserting ''participate in the Cost-share Program'';

(E) in subparagraph (D), by striking ''under the program'' and inserting ''under the Cost-share Program''; and

(F) in subparagraph (F), by striking ''the program continued under paragraph (1)'' and inserting ''the Contract Tower Program''; and

(3) in paragraph (4)(B)(i)(I), by striking ''contract tower program established under subsection (a) and continued under paragraph (1) or the pilot program established under paragraph (3)'' and inserting ''Contract Tower Program or the Cost-share Program''.

(f) EXEMPTION.—Section 47124(b)(3)(D) is amended by adding at the end the following: ''Airports with both Part 121 air service and more than 25,000 passenger enplanements in calendar year 2014 shall be exempt from any cost share requirement under the Cost-share Program.''.

(g) SAVINGS PROVISION.—Notwithstanding the amendments made by this section, the towers for which assistance is being provided under section 41724 of title 49, United States Code, on the day before the date of enactment of this Act may continue to be provided such assistance under the terms of that section as in effect on that day.

SEC. 1205. APPROVAL OF CERTAIN APPLICATIONS FOR THE CONTRACT TOWER PROGRAM.

(a) IN GENERAL.—If the Administrator of the Federal Aviation Administration has not implemented a revised cost-benefit methodology for purposes of determining eligibility for the Contract Tower Program before the date that is 30 days after the date of enactment of this Act, any air traffic control tower with an application for participation in the Contract Tower Program pending as of January 1, 2016, shall be approved for participation in the Contract Tower Program if the Administrator determines the tower is eligible under the criteria set forth in the Federal Aviation Administration report, Establishment and Discontinuance Criteria for Airport Traffic Control Towers, dated August 1990 (FAA–APO–90–7).

(b) REQUESTS FOR ADDITIONAL AUTHORITY.—The Administrator shall respond not later than 30 days after the date the Administrator receives a formal request from an airport and air traffic control contractor for additional authority to expand contract tower operational hours and staff to accommodate flight traffic outside of current tower operational hours.

(c) DEFINITION OF CONTRACT TOWER PROGRAM.—In this section, the term ''Contract Tower Program'' has the meaning given the term in section 47124(e) of title 49, United States Code.

SEC. 1206. REMOTE TOWERS.

(a) PILOT PROGRAM.—

(1) ESTABLISHMENT.—The Administrator of the Federal Aviation Administration shall establish—

(A) in consultation with airport operators and general aviation users, a pilot program at public-use airports to construct and operate remote towers; and

(B) a selection process for participation in the pilot program.

(2) SAFETY CONSIDERATIONS.—In establishing the pilot program, the Administrator shall consult with operators of remote towers in foreign countries to design the pilot program in a manner that leverages as many safety and airspace efficiency benefits as possible.

(3) REQUIREMENTS.—In selecting the airports for participation in the pilot program, the Administrator shall—

(A) to the extent practicable, ensure that at least 2 different vendors of remote tower systems participate;

(B) include at least 1 airport currently in the Contract Tower Program and at least 1 airport that does not have an air traffic control tower; and

(C) clearly identify the research questions that will be addressed at each airport.

(4) RESEARCH.—In selecting an airport for participation in the pilot program, the Administrator shall consider—

(A) how inclusion of that airport will add research value to assist the Administrator in evaluating the feasibility, safety, and cost-benefits of remote towers;

(B) the amount and variety of air traffic at an airport; and

(C) the costs and benefits of including that airport.

(5) DATA.—The Administrator shall clearly identify and collect air traffic control information and data from participating airports that will assist the Administrator in evaluating the feasibility, safety, and cost-benefits of remote towers.

(6) REPORT.—Not later than 1 year after the date the first remote tower is operational, and annually thereafter, the Administrator shall submit to the appropriate committees of Congress a report—

(A) detailing any benefits, costs, or safety improvements associated with the use of the remote towers; and

(B) evaluating the feasibility of using remote towers, particularly in the Contract Tower Program and for airports without any air traffic control tower, or to improve safety at airports with towers.

(7) DEADLINE.—Not later than 1 year after the date of enactment of this Act, the Administrator shall select airports for participation in the pilot program.

(8) DEFINITIONS.—In this subsection:

(A) CONTRACT TOWER PROGRAM.—The term ''Contract Tower Program'' has the meaning given the term in section 47124(e) of title 49, United States Code.

(B) REMOTE TOWER.—The term ''remote tower'' means a system whereby air traffic services are provided to operators at an airport from a location that may not be on or near the airport.

(b) AIP FUNDING ELIGIBILITY.—For purposes of the pilot program under subsection (a), and after certificated systems are available, constructing a remote tower or acquiring and installing air traffic control, communications, or related equipment for a remote tower shall be considered airport development (as defined in section 47102 of title 49, United States Code) for purposes of subchapter I of chapter 471 of that title if components are installed and used at the airport, except for off-airport sensors installed on leased towers, as needed.

SEC. 1207. MIDWAY ISLAND AIRPORT.

Section 186(d) of the Vision 100—Century of Aviation Reauthorization Act (Public Law 108–176; 117 Stat. 2518) is amended by striking ''and for the period beginning on October 1, 2015, and ending on July 15, 2016,'' and inserting ''and for fiscal years 2016 through 2017''.

SEC. 1208. AIRPORT ROAD FUNDING.

(a) AIRPORT DEVELOPMENT GRANT ASSURANCES.—Section 47107(b) is amended by adding at the end the following:

''(4) This subsection does not prevent the use of airport revenue for the maintenance and improvement of the on-airport portion of a surface transportation facility providing access to an airport and non-airport locations if the surface transportation facility is owned or operated by the airport owner or operator and the use of airport revenue is prorated to airport use and limited to portions of the facility located on the airport. The Secretary shall determine the maximum percentage contribution of airport revenue toward surface transportation facility maintenance or improvement, taking into consideration the current and projected use of the surface transportation facility located on the airport for airport and non-airport purposes. The de minimus use, as determined by the Secretary, of a surface transportation facility for non-airport purposes shall not require prorating.''.

(b) RESTRICTIONS ON THE USE OF AIRPORT REVENUE.—Section 47133(c) is amended—

(1) by inserting ''(1)'' before ''Nothing'' and indenting appropriately; and

(2) by adding at the end the following:

''(2) Nothing in this section may be construed to prevent the use of airport revenue for the prorated maintenance and improvement costs of the on-airport portion of the surface transportation facility, subject to the provisions of section 47107(b)(4).''.

SEC. 1209. REPEAL OF INHERENTLY LOW-EMISSION AIRPORT VEHICLE PILOT PROGRAM.

(a) REPEAL.—Section 47136 is repealed.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents for chapter 471 is amended by striking the item relating to section 47136 and inserting the following:

''47136. [Reserved].''.

SEC. 1210. MODIFICATION OF ZERO-EMISSION AIRPORT VEHICLES AND INFRASTRUCTURE PILOT PROGRAM.

Section 47136a is amended—

(1) in subsection (a), by striking '', including'' and inserting ''used exclusively for transporting passengers on-airport or for employee shuttle buses within the airport, including''; and

(2) in subsection (f), by inserting '', as in effect on the day before the date of enactment of the Federal Aviation Administration Reauthorization Act of 2016,'' after ''section 47136''.

SEC. 1211. REPEAL OF AIRPORT GROUND SUPPORT EQUIPMENT EMISSIONS RETROFIT PILOT PROGRAM.

(a) REPEAL.—Section 47140 is repealed.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents for chapter 471 is amended by striking the item relating to section 47140 and inserting the following:

''47140. [Reserved].''.

SEC. 1212. FUNDING ELIGIBILITY FOR AIRPORT ENERGY EFFICIENCY ASSESSMENTS.

(a) COST REIMBURSEMENTS.—Section 47140a(a) is amended by striking ''airport.'' and inserting ''airport, and to reimburse the airport sponsor for the costs incurred in conducting the assessment.''.

(b) SAFETY PRIORITY.—Section 47140a(b)(2) is amended by inserting '', including a certification that no safety projects would be deferred by prioritizing a grant under this section,'' after ''an application''.

SEC. 1213. RECYCLING PLANS; SAFETY PROJECTS AT UNCLASSIFIED AIRPORTS.

Section 47106(a) is amended—

(1) in paragraph (5), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (6)—

(A) in the matter preceding subparagraph (A), by striking ''for an airport that has an airport master plan, the master plan addresses'' and inserting ''a master plan project, it will address''; and

(B) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(7) if the project is at an unclassified airport, the project will be funded with an amount apportioned under subsection 47114(d)(3)(B) and is—

''(A) for maintenance of the pavement of the primary runway;

''(B) for obstruction removal for the primary runway;

''(C) for the rehabilitation of the primary runway; or

''(D) a project that the Secretary considers necessary for the safe operation of the airport.''.

SEC. 1214. TRANSFERS OF INSTRUMENT LANDING SYSTEMS.

Section 44502(e) is amended by striking the first sentence and inserting ''An airport may transfer, without consideration, to the Administrator of the Federal Aviation Administration an instrument landing system consisting of a glide slope and localizer that conforms to performance specifications of the Administrator if an airport improvement project grant was used to assist in purchasing the system, and if the Federal Aviation Administration has determined that a satellite navigation system cannot provide a suitable approach.''.

SEC. 1215. NON-MOVEMENT AREA SURVEILLANCE PILOT PROGRAM.

(a) IN GENERAL.—Subchapter I of chapter 471 is amended by adding at the end the following:

''§ 47143. Non-movement area surveillance surface display systems pilot program

''(a) IN GENERAL.—The Administrator of the Federal Aviation Administration may carry out a pilot program to support non-Federal acquisition and installation of qualifying non-movement area surveillance surface display systems and sensors if—

''(1) the Administrator determines that acquisition and installation of qualifying non-movement area surveillance surface display systems and sensors improve safety or capacity in the National Airspace System; and

''(2) the non-movement area surveillance surface display systems and sensors are supplemental to existing movement area systems and sensors at the selected airports established under other programs administered by the Administrator.

''(b) PROJECT GRANTS.—

''(1) IN GENERAL.—For purposes of carrying out the pilot program, the Administrator may make a project grant out of funds apportioned under paragraph (1) or paragraph (2) of section 47114(c) to not more than 5 eligible sponsors to acquire and install qualifying non-movement area surveillance surface display systems and sensors. The Administrator may distribute not more than $2,000,000 per sponsor from the discretionary fund. The airports selected to participate in the pilot program shall have existing Federal Aviation Administration movement area systems and airlines that are participants in Federal Aviation Administration's Airport Collaborative Decision Making process.

''(2) PROCEDURES.—In accordance with the authority under section 106, the Administrator may establish procurement procedures applicable to grants issued under this subsection. The procedures may permit the sponsor to carry out the project with vendors that have been accepted in the procurement procedure or using Federal Aviation Administration contracts. The procedures may provide for the direct reimbursement (including administrative costs) of the Administrator by the sponsor using grant funds under this subsection, for the ordering of system-related equipment and its installation, or for the direct ordering of system-related equipment and its installation by the sponsor, using such grant funds, from the suppliers with which the Administrator has contracted.

''(3) DATA EXCHANGE PROCESSES.—The Administrator may establish data exchange processes to allow airport participation in the Federal Aviation Administration's Airport Collaborative Decision Making process and fusion of the non-movement surveillance data with the Administration's movement area systems.

''(c) DEFINITIONS.—In this section:

''(1) NON-MOVEMENT AREA.—The term 'non-movement area' is the portion of the airfield surface that is not under the control of air traffic control.

''(2) NON-MOVEMENT AREA SURVEILLANCE SURFACE DISPLAY SYSTEM AND SENSORS.—The term 'non-movement area surveillance surface display system and sensors' is a non-Federal surveillance system that uses on-airport sensors that track vehicles or aircraft that are equipped with transponders in the non-movement area.

''(3) QUALIFYING NON-MOVEMENT AREA SURVEILLANCE SURFACE DISPLAY SYSTEM AND SENSORS.—The term 'qualifying non-movement area surveillance surface display system and sensors' is a non-movement area surveillance surface display system that—

''(A) provides the required transmit and receive data formats consistent with the National Airspace System architecture at the appropriate service delivery point;

''(B) is on-airport; and

''(C) is airport operated.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents of chapter 471 is amended by inserting after the item relating to section 47142 the following:

''47143. Non-movement area surveillance surface display systems pilot program.''.

SEC. 1216. AMENDMENTS TO DEFINITIONS.

Section 47102 is amended—

(1) by redesignating paragraphs (10) through (28) as paragraphs (12) through (30), respectively;

(2) by redesignating paragraphs (7) through (9) as paragraphs (8) through (10), respectively;

(3) in paragraph (3)—

(A) in subparagraph (B)—

(i) by redesignating clauses (iii) through (x) as clauses (iv) through (xi), respectively; and

(ii) by striking clause (ii) and inserting the following:

''(II) security equipment owned and operated by the airport, including explosive detection devices, universal access control systems, perimeter fencing, and emergency call boxes, which the Secretary may require by regulation for, or approve as contributing significantly to, the security of individuals and property at the airport;

''(III) safety apparatus owned and operated by the airport, which the Secretary may require by regulation for, or approve as contributing significantly to, the safety of individuals and property at the airport, and integrated in-pavement lighting systems for runways and taxiways and other runway and taxiway incursion prevention devices;'';

(B) in subparagraph (K), by striking ''such project will result in an airport receiving appropriate'' and inserting ''the airport would be able to receive''; and

(C) in subparagraph (L)—

(i) by striking ''or conversion of vehicles and'' and inserting ''of vehicles used exclusively for transporting passengers on-airport, employee shuttle buses within the airport, or'';

(ii) by striking ''airport, to'' and inserting ''airport and equipped with''; and

(iii) by striking ''7505a) and if such project will result in an airport receiving appropriate'' and inserting ''7505a)) and if the airport would be able to receive'';

(4) in paragraph (5), by striking ''regulations'' and inserting ''requirements'';

(5) by inserting after paragraph (6) the following:

''(7) 'categorized airport' means a nonprimary airport that has an identified role in the National Plan of Integrated Airport Systems.'';

(6) in paragraph (9), as redesignated, by striking ''public'' and inserting ''public-use'';

(7) by inserting after paragraph (10), as redesignated, the following:

''(11) 'joint use airport' means an airport owned by the Department of Defense, at which both military and civilian aircraft make shared use of the airfield.'';

(8) in paragraph (24), as redesignated, by amending subparagraph (B)(i) to read as follows:

''(i) determined by the Secretary to have at least—

''(I) 100 based aircraft that are currently registered with the Federal Aviation Administration under chapter 445 of this title; and

''(II) 1 based jet aircraft that is currently registered with the Federal Aviation Administration where, for the purposes of this clause, 'based' means the aircraft or jet aircraft overnights at the airport for the greater part of the year; or''; and

(9) by adding at the end the following:

''(31) 'unclassified airport' means a nonprimary airport that is included in the National Plan of Integrated Airport Systems that is not categorized by the Administrator of the Federal Aviation Administration in the most current report entitled General Aviation Airports: A National Asset.''.

SEC. 1217. CLARIFICATION OF NOISE EXPOSURE MAP UPDATES.

Section 47503(b) is amended—

(1) by striking ''a change in the operation of the airport would establish'' and inserting ''there is a change in the operation of the airport that would establish''; and

(2) by inserting after ''reduction'' the following: ''if the change has occurred during the longer of—

''(1) the noise exposure map period forecast by the airport operator under subsection (a); or

''(2) the implementation timeframe of the operator's noise compatibility program''.

SEC. 1218. PROVISION OF FACILITIES.

Section 44502 is amended by adding at the end the following:

''(f) AIRPORT SPACE.—

''(1) RESTRICTION.—The Administrator may not require an airport owner or sponsor (as defined in section 47102) to provide to the Federal Aviation Administration without cost any of the following:

''(A) Building construction, maintenance, utilities, or expenses for services relating to air traffic control, air navigation, or weather reporting.

''(B) Space in a facility owned by the airport owner or sponsor for services relating to air traffic control, air navigation, or weather reporting.

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to affect—

''(A) any agreement the Secretary may have or make with an airport owner or sponsor for the airport owner or sponsor to provide any of the items described in subparagraph (A) or subparagraph (B) of paragraph (1) at below-market rates; or

''(B) any grant assurance that requires an airport owner or sponsor to provide land to the Administration without cost for an air traffic control facility.''.

SEC. 1219. CONTRACT WEATHER OBSERVERS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall submit to the appropriate committees of Congress a report—

(1) which includes public and stakeholder input, and examines all safety risks, hazard effects, efficiency and operational effects on airports, airlines, and other stakeholders that could result from loss of contract weather observer service at the 57 airports targeted for the loss of this service;

(2) detailing how the Federal Aviation Administration will accurately report rapidly changing severe weather conditions at these airports, including thunderstorms, lightning, fog, visibility, smoke, dust, haze, cloud layers and ceilings, ice pellets, and freezing rain or drizzle without contract weather observers; and

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

(b) MORATORIUM.—The Administrator may not finalize any determination regarding the continued use of the contract weather observer service at any airport until after the date the report is submitted under subsection (a).

(c) REPORT ON GOLDEN TRIANGLE INITIATIVE OF NOAA.—

(1) REPORT REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Administrator of the National Oceanic and Atmospheric Administration and the Administrator of the Federal Aviation Administration shall jointly submit to the appropriate committees of Congress a report on the Golden Triangle Initiative of the National Oceanic and Atmospheric Administration.

(2) ELEMENTS.—The report shall include the following:

(A) An assessment of the impacts of enhanced aviation forecast services provided as part of the Golden Triangle Initiative on weather-related air traffic delays.

(B) A description of the costs of providing such enhanced aviation forecast services.

(C) A description of potential alternative mechanisms to provide enhanced aviation forecast services comparable to such enhanced aviation forecast services for airports in rural or low population density areas.

SEC. 1220. FEDERAL SHARE ADJUSTMENT.

Section 47109(a)(5) is amended to read as follows:

''(5) 95 percent for a project at an airport for which the United States Government's share would otherwise be capped at 90 percent under paragraph (2) or paragraph (3) if the Administrator determines that the project is a successive phase of a multi-phased construction project for which the sponsor received a grant in fiscal year 2011 or earlier.''.

SEC. 1221. MISCELLANEOUS TECHNICAL AMENDMENTS.

(a) AIRPORT SECURITY PROGRAM.—Section 47137 is amended—

(1) in subsection (a), by striking ''Transportation'' and inserting ''Homeland Security'';

(2) in subsection (e), by striking ''Homeland Security'' and inserting ''Transportation''; and

(3) in subsection (g), by inserting ''of Transportation'' after ''Secretary'' the first place it appears.

(b) SECTION 516 PROPERTY CONVEYANCE RELEASES.—Section 817(a) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 47125 note) is amended—

(1) by striking ''or section 23'' and inserting '', section 23''; and

(2) by inserting before the period at the end the following: '', or section 47125 of title 49, United States Code''.

SEC. 1222. MOTHERS' ROOMS AT AIRPORTS.

(a) LACTATION AREA DEFINED.—Section 47102, as amended by section 1216 of this Act, is further amended—

(1) by redesignating paragraphs (12) through (31) as paragraphs (13) through (32), respectively; and

(2) by inserting after paragraph (11) the following:

''(12) 'lactation area' means a room or other location in a commercial service airport that—

''(A) provides a location for members of the public to express breast milk that is shielded from view and free from intrusion from the public;

''(B) has a door that can be locked;

''(C) includes a place to sit, a table or other flat surface, and an electrical outlet;

''(D) is readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs; and

''(E) is not located in a restroom.''.

(b) PROJECT GRANTS WRITTEN ASSURANCES FOR LARGE AND MEDIUM HUB AIRPORTS.—

(1) IN GENERAL.—Section 47107(a) is amended—

(A) in paragraph (20), by striking ''and'' at the end;

(B) in paragraph (21), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(22) with respect to a medium or large hub airport, the airport owner or operator will maintain a lactation area in each passenger terminal building of the airport in the sterile area (as defined in section 1540.5 of title 49, Code of Federal Regulations) of the building.''.

(2) APPLICABILITY.—

(A) IN GENERAL.—The amendment made by paragraph (1) shall apply to a project grant application submitted for a fiscal year beginning on or after the date that is 2 years after the date of enactment of this Act.

(B) SPECIAL RULE.—The requirement in the amendments made by paragraph (1) that a lactation area be located in the sterile area of a passenger terminal building shall not apply with respect to a project grant application for a period of time, determined by the Secretary of Transportation, if the Secretary determines that construction or maintenance activities make it impracticable or unsafe for the lactation area to be located in the sterile area of the building.

(c) TERMINAL DEVELOPMENT COSTS.—Section 47119(a) is amended by adding at the end the following:

''(3) LACTATION AREAS.—In addition to the projects described in paragraph (1), the Secretary may approve a project for terminal development for the construction or installation of a lactation area at a commercial service airport.''.

(d) PRE-EXISTING FACILITIES.—On application by an airport sponsor, the Secretary of Transportation may determine that a lactation area in existence on the date of enactment of this Act complies with the requirement of paragraph (22) of section 47107(a) of title 49, United States Code, as added by subsection (b), notwithstanding the absence of one of the facilities or characteristics referred to in the definition of the term ''lactation area'' in paragraph (12) of section 47102 of such title, as added by subsection (a).

SEC. 1223. ELIGIBILITY FOR AIRPORT DEVELOPMENT GRANTS AT AIRPORTS THAT ENTER INTO CERTAIN LEASES WITH COMPONENTS OF THE ARMED FORCES.

Section 47107, as amended by section 1208 of this Act, is further amended by adding at the end the following:

''(t) AIRPORTS THAT ENTER INTO CERTAIN LEASES WITH THE ARMED FORCES.—The Secretary of Transportation may not disapprove a project grant application under this subchapter for an airport development project at an airport solely because the airport renews a lease for the use, at a nominal rate, of airport property by a regular or reserve component of the Armed Forces, including the National Guard.''.

SEC. 1224. CLARIFICATION OF DEFINITION OF AVIATION-RELATED ACTIVITY FOR HANGAR USE.

Section 47107, as amended by section 1223 of this Act, is further amended by adding at the end the following:

''(u) CONSTRUCTION OF RECREATIONAL AIRCRAFT.—

''(1) IN GENERAL.—The construction of a covered aircraft shall be treated as an aeronautical activity for purposes of—

''(A) determining an airport's compliance with a grant assurance made under this section or any other provision of law; and

''(B) the receipt of Federal financial assistance for airport development.

''(2) COVERED AIRCRAFT DEFINED.—In this subsection, the term 'covered aircraft' means an aircraft—

''(A) used or intended to be used exclusively for recreational purposes; and

''(B) constructed or under construction, repair, or restoration by a private individual at a general aviation airport.''.

SEC. 1225. USE OF AIRPORT IMPROVEMENT PROGRAM FUNDS FOR RUNWAY SAFETY REPAIRS.

(a) IN GENERAL.—Subchapter I of chapter 471, as amended by this subtitle, is further amended by adding at the end the following:

''§ 47144. Use of funds for repairs for runway safety repairs

''(a) IN GENERAL.—The Secretary of Transportation may make project grants under this subchapter to an airport described in subsection (b) from funds under section 47114 apportioned to that airport or funds available for discretionary grants to that airport under section 47115 to conduct airport development to repair the runway safety area of the airport damaged as a result of a natural disaster in order to maintain compliance with the regulations of the Federal Aviation Administration relating to runway safety areas, without regard to whether construction of the runway safety area damaged was carried out using amounts the airport received under this subchapter.

''(b) AIRPORTS DESCRIBED.—An airport is described in this subsection if—

''(1) the airport is a public-use airport;

''(2) the airport is listed in the National Plan of Integrated Airport Systems of the Federal Aviation Administration;

''(3) the runway safety area of the airport was damaged as a result of a natural disaster;

''(4) the airport was denied funding under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 4121 et seq.) with respect to the disaster;

''(5) the operator of the airport has exhausted all legal remedies, including legal action against any parties (or insurers thereof) whose action or inaction may have contributed to the need for the repair of the runway safety area;

''(6) there is still a demonstrated need for the runway safety area to accommodate current or imminent aeronautical demand; and

''(7) the cost of repairing or replacing the runway safety area is reasonable in relation to the anticipated operational benefit of repairing the runway safety area, as determined by the Administrator of the Federal Aviation Administration.''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 471, as amended by this subtitle, is further amended by inserting after the item relating to section 47143 the following:

''47144. Use of funds for repairs for runway safety repairs.''.

Subtitle C—Passenger Facility Charges

SEC. 1301. PFC STREAMLINING.

(a) PASSENGER FACILITY CHARGES; GENERAL AUTHORITY.—Section 40117(b)(4) is amended—

(1) in the matter preceding subparagraph (A), by striking '', if the Secretary finds—'' and inserting a period; and

(2) by striking subparagraphs (A) and (B).

(b) PILOT PROGRAM FOR PASSENGER FACILITY CHARGE AUTHORIZATIONS AT NONHUB AIRPORTS.—Section 40117(l) is amended—

(1) in the heading by striking ''NONHUB'' and inserting ''CERTAIN''; and

(2) in paragraph (1), by striking ''nonhub'' and inserting ''nonhub, small hub, medium hub, and large hub''.

SEC. 1302. INTERMODAL ACCESS PROJECTS.

Section 40117 is amended by adding at the end the following:

''(n) PFC ELIGIBILITY FOR INTERMODAL GROUND ACCESS PROJECTS.—

''(1) IN GENERAL.—The Secretary may authorize a passenger facility charge imposed under subsection (b)(1) to be used to finance the eligible capital costs of an intermodal ground access project.

''(2) DEFINITION OF INTERMODAL GROUND ACCESS PROJECT.—In this subsection, the term 'intermodal ground access project' means a project for constructing a local facility owned or operated by an eligible agency that—

''(A) is located on airport property; and

''(B) is directly and substantially related to the movement of passengers or property traveling in air transportation.

''(3) ELIGIBLE CAPITAL COSTS.—The eligible capital costs of an intermodal ground access project shall be the lesser of—

''(A) the total capital cost of the project multiplied by the ratio that the number of individuals projected to use the project to gain access to or depart from the airport bears to the total number of individuals projected to use the local facility; or

''(B) the total cost of the capital improvements that are located on airport property.

''(4) DETERMINATIONS.—The Secretary shall determine the projected use and cost of a project for purposes of paragraph (3) at the time the project is approved under this subsection, except that, in the case of a project to be financed in part using funds administered by the Federal Transit Administration, the Secretary shall use the travel forecasting model for the project at the time the project is approved by the Federal Transit Administration to enter preliminary engineering to determine the projected use and cost of the project for purposes of paragraph (3).

''(5) NONATTAINMENT AREAS.—For airport property, any area of which is located in a nonattainment area (as defined under section 171 of the Clean Air Act (42 U.S.C. 7501)) for 1 or more criteria pollutant, the airport emissions reductions from less airport surface transportation and parking as a direct result of the development of an intermodal project on the airport property would be eligible for air quality emissions credits.''.

SEC. 1303. USE OF REVENUE AT A PREVIOUSLY ASSOCIATED AIRPORT.

Section 40117, as amended by section 1302 of this Act, is further amended by adding at the end the following:

''(o) USE OF REVENUES AT A PREVIOUSLY ASSOCIATED AIRPORT.—Notwithstanding the requirements relating to airport control under subsection (b)(1), the Secretary may authorize use of a passenger facility charge under subsection (b) to finance an eligible airport-related project if—

''(1) the eligible agency seeking to impose the new charge controls an airport where a $2.00 passenger facility charge became effective on January 1, 2013; and

''(2) the location of the project to be financed by the new charge is at an airport that was under the control of the same eligible agency that had controlled the airport described in paragraph (1).''.

SEC. 1304. FUTURE AVIATION INFRASTRUCTURE AND FINANCING STUDY.

(a) FUTURE AVIATION INFRASTRUCTURE AND FINANCING STUDY.—Not later than 60 days after the date of enactment of this Act, the Secretary of Transportation shall enter into an agreement with the Transportation Research Board of the National Academies to conduct a study and make recommendations on the actions needed to upgrade and restore the national aviation infrastructure system to its role as a premier system that meets the growing and shifting demands of the 21st century, including airport infrastructure needs and existing financial resources for commercial service airports.

(b) CONSULTATION.—In carrying out the study, the Transportation Research Board shall convene and consult with a panel of national experts, including—

(1) nonhub airports;

(2) small hub airports;

(3) medium hub airports;

(4) large hub airports;
(5) airports with international service;
(6) non-primary airports;
(7) local elected officials;
(8) relevant labor organizations;
(9) passengers;
(10) air carriers; and
(11) representatives of the tourism industry.

(c) CONSIDERATIONS.—In carrying out the study, the Transportation Research Board shall consider—

(1) the ability of airport infrastructure to meet current and projected passenger volumes;
(2) the available financial tools and resources for airports of different sizes;
(3) the current debt held by airports, and its impact on future construction and capacity needs;
(4) the impact of capacity constraints on passengers and ticket prices;
(5) the purchasing power of the passenger facility charge from the last increase in 2000 to the year of enactment of this Act;
(6) the impact to passengers and airports of indexing the passenger facility charge for inflation;
(7) how long airports are constrained with current passenger facility charge collections;
(8) the impact of passenger facility charges to promote competition;
(9) the additional resources or options to fund terminal construction projects;
(10) the resources eligible for use toward noise reduction and emission reduction projects;
(11) the gap between AIP-eligible projects and the annual Federal funding provided;
(12) the impact of regulatory requirements on airport infrastructure financing needs;
(13) airline competition;
(14) airline ancillary fees and their impact on ticket pricing and taxable revenue; and
(15) the ability of airports to finance necessary safety, security, capacity, and environmental projects identified in capital improvement plans.

(d) REPORT.—Not later than 15 months after the date of enactment of this Act, the Transportation Research Board shall submit to the Secretary and the appropriate committees of Congress a report on its findings and recommendations.

(e) FUNDING.—The Secretary is authorized to use such sums as are necessary to carry out the requirements of this section.

TITLE II—SAFETY

Subtitle A—Unmanned Aircraft Systems Reform

SEC. 2001. DEFINITIONS.

(a) IN GENERAL.—Unless expressly provided otherwise, the terms used in this subtitle have the meanings given the terms in section 44801 of title 49, United States Code, as added by section 2121 of this Act.

(b) DEFINITION OF CIVIL AIRCRAFT.—The term ''civil aircraft'' has the meaning given the term in section 40102 of title 49, United States Code.

PART I—PRIVACY AND TRANSPARENCY

SEC. 2101. UNMANNED AIRCRAFT SYSTEMS PRIVACY POLICY.

It is the policy of the United States that the operation of any unmanned aircraft or unmanned aircraft system shall be carried out in a manner that respects and protects personal privacy consistent with the United States Constitution and Federal, State, and local law.

SEC. 2102. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) each person that uses an unmanned aircraft system for compensation or hire, or in the furtherance of a business enterprise, except for news gathering, should have a written privacy policy consistent with section 2101 that is appropriate to the nature and scope of the activities regarding the collection, use, retention, dissemination, and deletion of any data collected during the operation of an unmanned aircraft system;
(2) each privacy policy described in paragraph (1) should be periodically reviewed and updated as necessary; and
(3) each privacy policy described in paragraph (1) should be publicly available.

SEC. 2103. FEDERAL TRADE COMMISSION AUTHORITY.

A violation of a privacy policy by a person that uses an unmanned aircraft system for compensation or hire, or in the furtherance of a business enterprise, in the national airspace system shall be an unfair and deceptive practice in violation of section 5(a) of the Federal Trade Commission Act (15 U.S.C. 45(a)).

SEC. 2104. NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION MULTI-STAKEHOLDER PROCESS.

Not later than July 31, 2016, the Administrator of the National Telecommunications and Information Administration shall submit to the appropriate committees of Congress a report on the industry privacy best practices developed through the multi-stakeholder engagement process (established under Presidential Memorandum of February 15, 2015 (80 Fed. Reg. 9355)) on unmanned aircraft systems transparency and accountability. In addition to the agreed upon best practices, this report shall include relevant stakeholder recommendations for legislative or regulatory action regarding privacy, accountability, and transparency, including ways to encourage the adoption of privacy policies by companies that use unmanned aircraft systems for compensation or hire, or in the furtherance of a business enterprise. The report shall take into account existing rights protected under the First Amendment to the United States Constitution in public spaces and the First Amendment rights of journalists to control their archives.

SEC. 2105. IDENTIFICATION STANDARDS.

(a) IN GENERAL.—The Director of the National Institute of Standards and Technology, in collaboration with the Administrator of the Federal Aviation Administration, and in consultation with the Secretary of Transportation, the President of RTCA, Inc., and the Administrator of the National Telecommunications and Information Administration, shall convene industry stakeholders to facilitate the development of consensus standards for remotely identifying operators and owners of unmanned aircraft systems and associated unmanned aircraft.

(b) CONSIDERATIONS.—As part of the standards developed under subsection (a), the Director shall consider—

(1) requirements for remote identification of unmanned aircraft systems;
(2) appropriate requirements for different classifications of unmanned aircraft systems operations, including public and civil;
(3) the role of manufacturers, the Federal Aviation Administration, and the owners of the systems described in paragraphs (1) and (2) in reporting and verifying identification data; and
(4) the feasibility of the development and operation of a publicly searchable online database to further enable the immediate remote identification of any unmanned aircraft and its operator by the general public and potential exceptions to inclusion in the online database.

(c) DEADLINE.—Not later than 1 year after the date of enactment of this Act, the Director shall submit to the appropriate committees of Congress a report on the consensus identification standards.

(d) GUIDANCE.—Not later than 1 year after the date that the Director submits the report on the consensus identification standards under subsection (c), the Administrator of the Federal Aviation Administration shall issue regulatory guidance based on the consensus identification standards.

SEC. 2106. COMMERCIAL AND GOVERNMENTAL OPERATORS.

(a) IN GENERAL.—Except for model aircraft under section 44808 of title 49, United States Code, in authorizing the operation of any public unmanned aircraft system or the operation of any unmanned aircraft system by a person conducting civil aircraft operations, the Administrator of the Federal Aviation Administration, to the extent practicable and consistent with applicable law and without compromising national security, homeland defense, or law enforcement, shall make the identifying information in subsection (b) available to the public via an easily searchable online database. The Administrator shall place a clear and conspicuous link to the database on the home page of the Federal Aviation Administration's website.

(b) CONTENTS.—The database described in subsection (a) shall contain the following:

(1) The name of each individual, or agency, as applicable, authorized to conduct civil or public unmanned aircraft systems operations described in subsection (a).
(2) The name of each owner of an unmanned aircraft system described in paragraph (1).
(3) The expiration date of any authorization related to a person identified in paragraph (1) or paragraph (2).
(4) The contact information for each person identified in paragraphs (1) and (2), including a telephone number and an electronic mail address, in accordance with applicable privacy laws.
(5) The tail number or specific identification number of all unmanned aircraft authorized for use that links each unmanned aircraft to the owner of that aircraft.
(6) For any unmanned aircraft system that will collect personally identifiable information about individuals, including the use of facial recognition—

(A) the circumstance under which the system will be used;
(B) the specific kinds of personally identifiable information that the system will collect about individuals; and
(C) how the information referred to in subparagraph (B), and the conclusions drawn from such information, will be used, disclosed, and otherwise handled, including—

(i) how the collection or retention of such information that is unrelated to the specific use will be minimized;
(ii) under what circumstances such information might be sold, leased, or otherwise provided to third parties;
(iii) the period during which such information will be retained;
(iv) when and how such information, including information no longer relevant to the specified use, will be destroyed; and
(v) steps that will be used to protect against the unauthorized disclosure of any information or data, such as the use of encryption methods and other security features.

(7) With respect to public unmanned aircraft systems—

(A) the locations where the unmanned aircraft system will operate;
(B) the time during which the unmanned aircraft system will operate;
(C) the general purpose of the flight; and
(D) the technical capabilities that the unmanned aircraft system possesses.

(c) RECORDS.—Each person described in subsection (b)(1), to the extent practicable without compromising national security, homeland defense, or law enforcement shall maintain and make available to the Administrator for not less than 1 year a record of the name and contact information of each person on whose behalf the unmanned aircraft system has been operated.

(d) DEADLINE.—The Administrator shall make the database available not later than 1 year after the date of enactment of this Act.

(e) TERMINATION.—The Administrator may cease the operation of such database on September 30, 2017.

SEC. 2107. ANALYSIS OF CURRENT REMEDIES UNDER FEDERAL, STATE, AND LOCAL JURISDICTIONS.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct and submit to the appropriate committees of Congress a review of the privacy issues and concerns associated with the operation of unmanned aircraft systems in the national airspace system that—

(1) examines and identifies the existing Federal, State, or local laws, including constitutional law, that address an individual's personal privacy;

(2) identifies specific issues and concerns that may limit the availability of existing civil or criminal legal remedies regarding inappropriate operation of unmanned aircraft systems in the national airspace system;

(3) identifies any deficiencies in current Federal, State, or local privacy protections; and

(4) recommends legislative or other actions to address the limitations and deficiencies identified in paragraphs (2) and (3).

PART II—UNMANNED AIRCRAFT SYSTEMS

SEC. 2121. DEFINITIONS.

(a) IN GENERAL.—Part A of subtitle VII is amended by inserting after chapter 447 the following:

"CHAPTER 448—UNMANNED AIRCRAFT SYSTEMS

''Sec.
''44801. Definitions.

"§ 44801. Definitions

''In this chapter—

''(1) 'appropriate committees of Congress' means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

''(2) 'Arctic' means the United States zone of the Chukchi Sea, Beaufort Sea, and Bering Sea north of the Aleutian chain.

''(3) 'certificate of waiver' and 'certificate of authorization' mean a Federal Aviation Administration grant of approval for a specific flight operation.

''(4) 'permanent areas' means areas on land or water that provide for launch, recovery, and operation of small unmanned aircraft.

''(5) 'public unmanned aircraft system' means an unmanned aircraft system that meets the qualifications and conditions required for operation of a public aircraft (as defined in section 40102(a)).

''(6) 'sense and avoid capability' means the capability of an unmanned aircraft to remain a safe distance from and to avoid collisions with other airborne aircraft.

''(7) 'small unmanned aircraft' means an unmanned aircraft weighing less than 55 pounds, including the weight of anything attached to or carried by the aircraft.

''(8) 'test range' means a defined geographic area where research and development are conducted as authorized by the Administrator of the Federal Aviation Administration.

''(9) 'test site' means any of the 6 test ranges established by the Administrator of the Federal Aviation Administration under section 332(c) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note), as in effect on the day before the date of enactment of the Federal Aviation Administration Reauthorization Act of 2016, and any public entity authorized by the Federal Aviation Administration as an unmanned aircraft system flight test center before January 1, 2009.

''(10) 'unmanned aircraft' means an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

''(11) 'unmanned aircraft system' means an unmanned aircraft and associated elements (including communication links and the components that control the unmanned aircraft) that are required for the operator to operate safely and efficiently in the national airspace system.''.

(b) TABLE OF CHAPTERS.—The table of chapters for subtitle VII is amended by inserting after the item relating to chapter 447 the following:

''448. Unmanned Aircraft Systems .... 44801''.

SEC. 2122. UTILIZATION OF UNMANNED AIRCRAFT SYSTEM TEST SITES.

(a) IN GENERAL.—Chapter 448, as designated by section 2121 of this Act, is amended by inserting after section 44801 the following:

"§ 44802. Unmanned aircraft system test sites

''(a)(1) IN GENERAL.—The Administrator of the Federal Aviation Administration shall establish and update, as appropriate, a program for the use of the 6 test sites established under section 332(c) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note), and any public entity authorized by the Federal Aviation Administration as an unmanned aircraft system flight test center before January 1, 2009, to facilitate the safe integration of unmanned aircraft systems into the national airspace system.

''(2) TERMINATION.—The program shall terminate on September 30, 2017.

''(b) PROGRAM REQUIREMENTS.—In establishing the program under subsection (a), the Administrator shall—

''(1) designate airspace for safely testing the integration of unmanned flight operations in the national airspace system;

''(2) develop operational standards and air traffic requirements for unmanned flight operations at test sites, including test ranges;

''(3) coordinate with and leverage the resources of the National Aeronautics and Space Administration and the Department of Defense;

''(4) address both civil and public unmanned aircraft systems;

''(5) ensure that the program is coordinated with relevant aspects of the Next Generation Air Transportation System;

''(6) provide for verification of the safety of unmanned aircraft systems and related navigation procedures as it relates to continued development of standards for integration into the national airspace system;

''(7) engage each test site operator in projects for research, development, testing, and evaluation of unmanned aircraft systems to facilitate the Federal Aviation Administration's development of standards for the safe integration of unmanned aircraft into the national airspace system, which may include solutions for—

''(A) developing and enforcing geographic and altitude limitations;

''(B) classifications of airspace where manufacturers must prevent flight of an unmanned aircraft system;

''(C) classifications of airspace where manufacturers of unmanned aircraft systems must alert the operator to hazards or limitations on flight;

''(D) sense and avoid capabilities;

''(E) beyond-line-of-sight, nighttime operations and unmanned traffic management, or other critical research priorities; and

''(F) improving privacy protections through the use of advances in unmanned aircraft systems technology;

''(8) coordinate periodically with all test site operators to ensure test site operators know which data should be collected, what procedures should be followed, and what research would advance efforts to safely integrate unmanned aircraft systems into the national airspace system;

''(9) allow a test site to develop multiple test ranges within the test site;

''(10) streamline the approval process for test sites when processing unmanned aircraft certificates of waiver or authorization for operations at the test sites;

''(11) require each test site operator to protect proprietary technology, sensitive data, or sensitive research of any civil or private entity when using that test site without the need to obtain an experimental or special airworthiness certificate;

''(12) evaluate options for the operation of 1 or more small unmanned aircraft systems beyond the visual line of sight of the operator for testing under controlled conditions that ensure the safety of persons and property, including on the ground; and

''(13) allow test site operators to receive Federal funding, other than from the Federal Aviation Administration, including in-kind contributions, from test site participants in the furtherance of research, development, and testing objectives.

''(c) TEST SITE LOCATIONS.—In determining the location of a test site under subsection (a), the Administrator shall—

''(1) take into consideration geographic and climatic diversity;

''(2) take into consideration the location of ground infrastructure and research needs; and

''(3) consult with the Administrator of the National Aeronautics and Space Administration and the Secretary of Defense.

''(d) REPORT TO CONGRESS.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Federal Aviation Administration Reauthorization Act of 2016, the Administrator shall submit to the appropriate committees of Congress a report on the establishment and implementation of the program under subsection (a).

''(2) BRIEFINGS.—Beginning 180 days after the date of enactment of the Federal Aviation Administration Reauthorization Act of 2016, and every 180 days thereafter until September 30, 2017, the Administrator shall provide to the appropriate committees of Congress a briefing that includes—

''(A) a current summary of unmanned aircraft systems operations at the test sites since the last briefing to Congress;

''(B) a description of all of the data generated from the operations described in subparagraph (A), and shared with the Federal Aviation Administration through a cooperative research and development agreement authorized in section 2123 of the Federal Aviation Administration Reauthorization Act of 2016, that relate to unmanned aircraft systems research priorities, including beyond-line-of-sight, unmanned traffic management, nighttime operations, and sense and avoid technology;

''(C) a description of how the data described in subparagraph (B) will be or is used—

''(i) to advance Federal Aviation Administration priorities;

''(ii) to validate the safety of unmanned aircraft systems and related technology; and

''(iii) to inform future rulemaking related to the integration of unmanned aircraft systems into the national airspace;

''(D) an evaluation of the activities and specific outcomes from activities at the test sites that support the safe integration of unmanned aircraft systems under this chapter; and

''(E) recommendations for future Federal Aviation Administration test site operations that would generate data necessary to inform future rulemaking related to unmanned aircraft systems.

''(e) REVIEW OF OPERATIONS BY TEST SITE OPERATORS.—The operator of each test site under subsection (a) shall—

''(1) review the operations of unmanned aircraft systems conducted at the test site, including—

''(A) ongoing or completed research; and

''(B) data regarding operations by private and public operators; and

''(2) submit to the Administrator, in such form and manner as specified by the Administrator, the results of the review, including recommendations to further enable private research and development operations at the test sites that contribute to the Federal Aviation Administration's safe integration of unmanned aircraft systems into the national airspace system, on a quarterly basis until the program terminates.

''(f) TESTING.—The Secretary may authorize an operator of a test site described in subsection (a) to administer testing requirements established by the Administrator for unmanned aircraft systems operations.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents for chapter 448, as added by section 2121 of this Act, is further amended by inserting after the item relating to section 44801 the following:

''44802. Unmanned aircraft system test sites.''.

(2) PILOT PROJECTS.—Section 332 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) is amended by striking subsection (c).

SEC. 2123. ADDITIONAL RESEARCH, DEVELOPMENT, AND TESTING.

(a) RESEARCH PLAN.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration and the United States Unmanned Aircraft System Executive Committee, jointly, and in coordination with industry, users, the Center of Excellence for Unmanned Aircraft Systems, and test site operators, shall develop a research plan to identify ongoing research into the broad range of technical, procedural, and policy concerns arising from the integration of unmanned aircraft systems into the national airspace system, and research needs regarding those concerns. In developing the plan, the Administrator shall determine and engage the appropriate entities to meet the research needs identified in the plan.

(b) COLLABORATIVE RESEARCH AND DEVELOPMENT AGREEMENTS.—The Administrator may use the other transaction authority under section 106(l)(6) of title 49, United States Code, and enter into collaborative research and development agreements, to direct research related to unmanned aircraft systems, including at any test site under section 44802(a) of that title.

SEC. 2124. SAFETY STANDARDS.

(a) IN GENERAL.—Chapter 448, as amended by section 2122 of this Act, is further amended by inserting after section 44802 the following:

''SEC. 44803. AIRCRAFT SAFETY STANDARDS.

''(a) CONSENSUS AIRCRAFT SAFETY STANDARDS.—Not later than 60 days after the date of enactment of the Federal Aviation Administration Reauthorization Act of 2016, the Director of the National Institute of Standards and Technology and the Administrator of the Federal Aviation Administration, in consultation with government and industry stakeholders and appropriate standards-setting organizations, shall initiate a collaborative process to develop risk-based, consensus industry airworthiness standards related to the safe integration of small unmanned aircraft systems into the national airspace system.

''(b) CONSIDERATIONS.—In developing the consensus aircraft safety standards, the Director and Administrator shall consider the following:

''(1) Technologies or standards related to geographic limitations, altitude limitations, and sense and avoid capabilities.

''(2) Using performance-based standards.

''(3) Predetermined action to maintain safety in the event that a communications link between a small unmanned aircraft and its operator is lost or compromised.

''(4) Detectability and identifiability to pilots, the Federal Aviation Administration, and air traffic controllers, as appropriate.

''(5) Means to prevent tampering with or modification of any system, limitation, or other safety mechanism or standard under this section or any other provision of law, including a means to identify any tampering or modification that has been made.

''(6) Consensus identification standards under section 2105.

''(7) How to update or modify a small unmanned aircraft system that was commercially distributed prior to the development of the consensus aircraft safety standards so that, to the greatest extent practicable, such systems meet the consensus aircraft safety standards.

''(8) Any technology or standard related to small unmanned aircraft systems that promotes aviation safety.

''(c) CONSULTATION.—In developing the consensus aircraft safety standards under subsection (a), the Director and Administrator shall consult with—

''(1) the Administrator of the National Aeronautics and Space Administration;

''(2) the President of RTCA, Inc.;

''(3) the Secretary of Defense;

''(4) each operator of a test site under section 44802;

''(5) the Center of Excellence for Unmanned Aircraft Systems;

''(6) unmanned aircraft systems stakeholders; and

''(7) community-based aviation organizations.

''(d) FAA APPROVAL.—Not later than 1 year after the date of enactment of the Federal Aviation Administration Reauthorization Act of 2016, the Administrator of the Federal Aviation Administration shall establish a process for the approval of small unmanned aircraft systems make and models based upon the consensus aircraft safety standards developed under subsection (a). The consensus aircraft safety standards developed under subsection (a) shall allow the Administrator to approve small unmanned aircraft systems for operation within the national airspace system without requiring the type certification process in parts 21 and 23 of the Code of Federal Regulations.

''(e) ELIGIBILITY.—The consensus aircraft safety standards for approval of small unmanned aircraft systems developed under this section shall set eligibility requirements for an airworthiness approval of a small unmanned aircraft system which shall include the following:

''(1) An applicant must provide the Federal Aviation Administration with—

''(A) the aircraft's operating instructions; and

''(B) the manufacturer's statement of compliance as described in subsection (f) of this section.

''(2) A sample aircraft must be inspected by the Federal Aviation Administration and found to be in a condition for safe operation and in compliance with the consensus aircraft safety standards required by the Administrator in subsection (d).

''(f) MANUFACTURER'S STATEMENT OF COMPLIANCE FOR SMALL UAS.—The manufacturer's statement of compliance shall—

''(1) identify the aircraft make and model, and consensus aircraft safety standard used;

''(2) state that the aircraft make and model meets the provisions of the standard identified in paragraph (1);

''(3) state that the aircraft make and model conforms to the manufacturer's design data, using the manufacturer's quality assurance system that meets the identified consensus standard adopted by the Administrator in subsection (d), and is manufactured in way that ensures consistency in the production process so that every unit produced meets the applicable consensus aircraft safety standards;

''(4) state that the manufacturer will make available to any interested person—

''(A) the aircraft's operating instructions, that meet the standard identified in paragraph (1); and

''(B) the aircraft's maintenance and inspection procedures, that meet the standard identified in paragraph (1);

''(5) state that the manufacturer will monitor and correct safety-of-flight issues through a continued airworthiness system that meets the standard identified in paragraph (1);

''(6) state that at the request of the Administration, the manufacturer will provide access by the Administration to its facilities; and

''(7) state that the manufacturer, in accordance with a production acceptance test procedure that meets an applicable consensus aircraft safety standard has—

''(A) ground and flight tested random samples of the aircraft;

''(B) found the sample aircraft performance acceptable; and

''(C) determined that the make and model of aircraft is suitable for safe operation.

''(g) PROHIBITION.—It shall be unlawful for any person to introduce or deliver for introduction into interstate commerce any unmanned aircraft manufactured after the date that the Administrator adopts consensus aircraft safety standards under this section, unless the manufacturer has received approval under subsection (d) for each make and model.''.

(b) TABLE OF CONTENTS.—The table of contents for chapter 448, as amended by section 2122 of this Act, is further amended by inserting after the item relating to section 44802 the following:

''44803. Aircraft safety standards.''.

SEC. 2125. UNMANNED AIRCRAFT SYSTEMS IN THE ARCTIC.

(a) IN GENERAL.—Chapter 448, as amended by section 2124 of this Act, is further amended by inserting after section 44803 the following:

''§ 44804. Unmanned aircraft systems in the Arctic

''(a) IN GENERAL.—The Secretary of Transportation shall develop a plan and initiate a process to work with relevant Federal agencies and national and international communities to designate permanent areas in the Arctic where small unmanned aircraft may operate 24 hours per day for research and commercial purposes.

''(b) PLAN CONTENTS.—The plan under subsection (a) shall include the development of

processes to facilitate the safe operation of unmanned aircraft beyond line of sight.

''(c) REQUIREMENTS.—Each permanent area designated under subsection (a) shall enable over-water flights from the surface to at least 2,000 feet in altitude, with ingress and egress routes from selected coastal launch sites.

''(d) AGREEMENTS.—To implement the plan under subsection (a), the Secretary may enter into an agreement with relevant national and international communities.

''(e) AIRCRAFT APPROVAL.—Not later than 1 year after the entry into force of an agreement necessary to effectuate the purposes of this section, the Secretary shall work with relevant national and international communities to establish and implement a process, or may apply an applicable process already established, for approving the use of unmanned aircraft in the designated permanent areas in the Arctic without regard to whether an unmanned aircraft is used as a public aircraft, a civil aircraft, or a model aircraft.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents for chapter 448, as amended by section 2124 of this Act, is further amended by inserting after the item relating to section 44803 the following:

''44804. Unmanned aircraft systems in the Arctic.''.

(2) EXPANDING USE OF UNMANNED AIRCRAFT SYSTEMS IN ARCTIC.—Section 332 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) is amended by striking subsection (d).

SEC. 2126. SPECIAL AUTHORITY FOR CERTAIN UNMANNED AIRCRAFT SYSTEMS.

(a) IN GENERAL.—Chapter 448, as amended by section 2125 of this Act, is further amended by inserting after section 44804 the following:

''§ 44805. Special authority for certain unmanned aircraft systems

''(a) IN GENERAL.—Notwithstanding any other requirement of this chapter, the Secretary of Transportation shall use a risk-based approach to determine if certain unmanned aircraft systems may operate safely in the national airspace system notwithstanding completion of the comprehensive plan and rulemaking required by section 332 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) or the guidance required by section 44807.

''(b) ASSESSMENT OF UNMANNED AIRCRAFT SYSTEMS.—In making the determination under subsection (a), the Secretary shall determine, at a minimum—

''(1) which types of unmanned aircraft systems, if any, as a result of their size, weight, speed, operational capability, proximity to airports and populated areas, and operation within or beyond visual line of sight, or operation during the day or night, do not create a hazard to users of the national airspace system or the public; and

''(2) whether a certificate under section 44703 or section 44704 of this title, or a certificate of waiver or certificate of authorization, is required for the operation of unmanned aircraft systems identified under paragraph (1) of this subsection.

''(c) REQUIREMENTS FOR SAFE OPERATION.—If the Secretary determines under this section that certain unmanned aircraft systems may operate safely in the national airspace system, the Secretary shall establish requirements for the safe operation of such aircraft systems in the national airspace system, including operation related to research, development, and testing of proprietary systems.

''(d) PILOT CERTIFICATION EXEMPTION.—If the Secretary proposes, under this section, to require an operator of an unmanned aircraft system to hold an airman certificate, a medical certificate, or to have a minimum number of hours operating a manned aircraft, the Secretary shall set forth the reasoning for such proposal and seek public notice and comment before imposing any such requirements.

''(e) SUNSET.—The authority under this section for the Secretary to determine if certain unmanned aircraft systems may operate safely in the national airspace system terminates effective September 30, 2017.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents for chapter 448, as amended by section 2125 of this Act, is further amended by inserting after the item relating to section 44804 the following:

''44805. Special rules for certain unmanned aircraft systems.''.

(2) SPECIAL RULES FOR CERTAIN UNMANNED AIRCRAFT SYSTEMS.—Section 333 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) and the item relating to that section in the table of contents under section 1(b) of that Act (126 Stat. 13) are repealed.

SEC. 2127. ADDITIONAL RULEMAKING AUTHORITY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) beyond visual line of sight and nighttime operations of unmanned aircraft systems have tremendous potential—

(A) to enhance research and development both commercially and in academics;

(B) to spur economic growth and development through innovative applications of this emerging technology; and

(C) to improve emergency response efforts as it relates to assessing damage to critical infrastructure such as roads, bridges, and utilities, including water and power, ultimately speeding response time;

(2) advancements in miniaturization of safety technologies, including for aircraft weighing under 4.4 pounds, have increased economic opportunities for using unmanned aircraft systems while reducing kinetic energy and risk compared to unmanned aircraft that may weigh as much as 55 pounds;

(3) advancements in unmanned technology will have the capacity to ultimately improve manned aircraft safety; and

(4) integrating unmanned aircraft systems safely into the national airspace, including beyond visual line of sight and nighttime operations on a routine basis should remain a top priority for the Federal Aviation Administration as it pursues additional rulemakings under the amendments made by this section.

(b) IN GENERAL.—Chapter 448, as amended by section 2126 of this Act, is further amended by inserting after section 44805 the following:

''§ 44806. Additional rulemaking authority

''(a) IN GENERAL.—Notwithstanding the rulemaking required by section 332 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) or the guidance required by section 44807 of this title and subject to subsection (b)(2) of this section and section 44808, the Administrator may issue regulations under which a person may operate certain unmanned aircraft systems (as determined by the Administrator) in the United States—

''(1) without an airman certificate;

''(2) without an airworthiness certificate for the associated unmanned aircraft; or

''(3) that are not registered with the Federal Aviation Administration.

''(b) MICRO UNMANNED AIRCRAFT SYSTEMS OPERATIONAL RULES.—

''(1) IN GENERAL.—Notwithstanding the rulemaking required by section 332 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note), the Administrator shall issue regulations not later than 270 days after the date of enactment of the Federal Aviation Administration Reauthorization Act of 2016 under which any person may operate a micro unmanned aircraft system classification of unmanned aircraft systems, the aircraft component of which weighs 4.4 pounds or less, including payload, without the person operating the system being required to pass any airman certification requirement, including any requirements under section 44703 of this title, part 61 of title 14, Code of Federal Regulations, or any other rule or regulation relating to airman certification.

''(2) OPERATIONAL RULES.—The rulemaking required by paragraph (1) relating to micro unmanned aircraft systems shall consider the following rules, or any appropriate modifications thereof concerning altitude, airspeed, geographic location, and time of day as the Administrator considers appropriate, for operation of such systems:

''(A) Operation an altitude of less than 400 feet above ground level.

''(B) Operation with an airspeed of not greater than 40 knots.

''(C) Operation within the visual line of sight of the operator.

''(D) Operation during the hours between sunrise and sunset.

''(E) Operation not less than 5 statute miles from the geographic center of an airport with an operational air traffic control tower or an airport denoted on a current aeronautical chart published by the Federal Aviation Administration, except that a micro unmanned aircraft system may be operated within 5 statute miles of such an airport if the operator of the system—

''(i) provides notice to the airport operator; and

''(ii) in the case of an airport with an operational air traffic control tower, receives approval from the air traffic control tower.

''(c) SCOPE OF REGULATIONS.—

''(1) IN GENERAL.—In determining whether a person may operate an unmanned aircraft system under 1 or more of the circumstances described under paragraphs (1) through (3) of subsection (a), the Administrator shall use a risk-based approach and consider, at a minimum, the physical and functional characteristics of the unmanned aircraft system.

''(2) LIMITATION.—The Administrator may only issue regulations under this section for unmanned aircraft systems that the Administrator determines may be operated safely in the national airspace system.

''(d) RULES OF CONSTRUCTION.—Nothing in this section may be construed—

''(1) to prohibit a person from operating an unmanned aircraft system under a circumstance described under paragraphs (1) through (3) of subsection (a) if—

''(A) the circumstance is allowed by regulations issued under this section; and

''(B) the person operates the unmanned aircraft system in a manner prescribed by the regulations; and

''(2) to limit or affect in any way the Administrator's authority to conduct a rulemaking, make a determination, or carry out any activity related to unmanned aircraft or unmanned aircraft systems under any other provision of law.''.

(c) TABLE OF CONTENTS.—The table of contents for chapter 448, as amended by section 2126 of this Act, is further amended by inserting after the item relating to section 44805 the following:

''44806. Additional rulemaking authority.''.

SEC. 2128. GOVERNMENTAL UNMANNED AIRCRAFT SYSTEMS.

(a) IN GENERAL.—Chapter 448, as amended by section 2127 of this Act, is further amended by inserting after section 44806 the following:

"§ 44807. Public unmanned aircraft systems

''(a) GUIDANCE.—The Secretary of Transportation shall issue guidance regarding the operation of a public unmanned aircraft system—

''(1) to streamline the process for the issuance of a certificate of authorization or a certificate of waiver;

''(2) to provide for a collaborative process with public agencies to allow for an incremental expansion of access to the national airspace system as technology matures and the necessary safety analyses and data become available, and until standards are completed and technology issues are resolved;

''(3) to facilitate the capability of public agencies to develop and use test ranges, subject to operating restrictions required by the Federal Aviation Administration, to test and operate public unmanned aircraft systems; and

''(4) to provide guidance on a public agency's responsibilities when operating an unmanned aircraft without a civil airworthiness certificate issued by the Administration.

''(b) STANDARDS FOR OPERATION AND CERTIFICATION.—The Administrator of the Federal Aviation Administration shall develop and implement operational and certification requirements for the operation of a public unmanned aircraft system in the national airspace system.

''(c) AGREEMENTS WITH GOVERNMENT AGENCIES.—

''(1) IN GENERAL.—The Secretary shall enter into an agreement with each appropriate public agency to simplify the process for issuing a certificate of waiver or a certificate of authorization with respect to an application for authorization to operate a public unmanned aircraft system in the national airspace system.

''(2) CONTENTS.—An agreement under paragraph (1) shall—

''(A) with respect to an application described in paragraph (1)—

''(i) provide for an expedited review of the application;

''(ii) require a decision by the Administrator on approval or disapproval not later than 60 business days after the date of submission of the application;

''(iii) allow for an expedited appeal if the application is disapproved; and

''(iv) if applicable, include verification of the data minimization policy required under subsection (d);

''(B) allow for a one-time approval of similar operations carried out during a fixed period of time; and

''(C) allow a government public safety agency to operate an unmanned aircraft weighing 25 pounds or less if that unmanned aircraft is operated—

''(i) within or beyond the line of sight of the operator;

''(ii) less than 400 feet above the ground;

''(iii) during daylight conditions;

''(iv) within Class G airspace; and

''(v) outside of 5 statute miles from any airport, heliport, seaplane base, spaceport, or other location with aviation activities.

''(d) DATA MINIMIZATION FOR CERTAIN PUBLIC UNMANNED AIRCRAFT SYSTEM OPERATORS.—Not later than 180 days after the date of enactment of the Federal Aviation Administration Reauthorization Act of 2016 each Federal agency authorized by the Secretary to operate an unmanned aircraft system shall develop and update a data minimization policy that requires, at a minimum, that—

''(1) prior to the deployment of any new unmanned aircraft system technology, and at least every 3 years, existing policies and procedures relating to the collection, use, retention, and dissemination of information obtained by an unmanned aircraft system must be examined to ensure that privacy, civil rights, and civil liberties are protected;

''(2) if the unmanned aircraft system is the platform for information collection, information must be collected, used, retained, and disseminated consistent with the Constitution, Federal law, and other applicable regulations and policies, such as the Privacy Act of 1974 (5 U.S.C. 552a);

''(3) the Federal agency or person operating on its behalf, only collect information using the unmanned aircraft system, or use unmanned aircraft system-collected information, to the extent that the collection or use is consistent with and relevant to an authorized purpose as determined by the head of a Federal agency and consistent with the law;

''(4) any information collected, using an unmanned aircraft or an unmanned aircraft system, that may contain personal information will not be retained by any Federal agency for more than 180 days after the date of collection unless—

''(A) the head of the Federal agency determines that retention of the information is directly relevant and necessary to accomplish the specific purpose for which the Federal agency used the unmanned aircraft system;

''(B) that Federal agency maintains the information in a system of records under section 552a of title 5; or

''(C) the information is required to be retained for a longer period under other applicable law, including regulations;

''(5) any information collected, using an unmanned aircraft or unmanned aircraft system, that is not maintained in a system of records under section 552a of title 5, will not be disseminated outside of that Federal agency unless—

''(A) dissemination is required by law; or

''(B) dissemination satisfies an authorized purpose and complies with that Federal agency's disclosure requirements;

''(6) to the extent it does not compromise law enforcement or national security a Federal agency shall—

''(A) provide notice to the public regarding where in the national airspace system the Federal agency is authorized to operate the unmanned aircraft system;

''(B) keep the public informed about the Federal agency's unmanned aircraft system program, including any changes to that program that would significantly affect privacy, civil rights, or civil liberties;

''(C) make available to the public, on an annual basis, a general summary of the Federal agency's unmanned aircraft system operations during the previous fiscal year, including—

''(i) a brief description of types or categories of missions flown; and

''(ii) the number of times the Federal agency provided assistance to other agencies or to State, local, tribal, or territorial governments; and

''(D) make available on a public and searchable Internet website the data minimization policy of the Federal agency;

''(7) ensures oversight of the Federal agency's unmanned aircraft system use, including—

''(A) the use of audits or assessments that comply with existing Federal agency policies and regulations;

''(B) the verification of the existence of rules of conduct and training for Federal Government personnel and contractors who work on programs, and procedures for reporting suspected cases of misuse or abuse of unmanned aircraft system technologies;

''(C) the establishment of policies and procedures, or confirmation that policies and procedures are in place, that provide meaningful oversight of individuals who have access to sensitive information, including personal information, collected using an unmanned aircraft system;

''(D) ensuring that any data-sharing agreements or policies, data use policies, and record management policies applicable to an unmanned aircraft system conform to applicable laws, regulations, and policies;

''(E) the establishment of policies and procedures, or confirmation that policies and procedures are in place, to authorize the use of an unmanned aircraft system in response to a request for unmanned aircraft system assistance in support of Federal, State, local, tribal, or territorial government operations; and

''(F) a requirement that State, local, tribal, and territorial government recipients of Federal grant funding for the purchase or use of unmanned aircraft systems for their own operations have in place policies and procedures to safeguard individuals' privacy, civil rights, and civil liberties prior to expending such funds; and

''(8) ensures the protection of civil rights and civil liberties, including—

''(A) ensuring that policies are in place to prohibit the collection, use, retention, or dissemination of data in any manner that would violate the First Amendment or in any manner that would discriminate against persons based upon their ethnicity, race, gender, national origin, religion, sexual orientation, or gender identity, in violation of law;

''(B) ensuring that unmanned aircraft system activities are performed in a manner consistent with the Constitution and applicable laws, Executive Orders, and other Presidential directives; and

''(C) ensuring that adequate procedures are in place to receive, investigate, and address, as appropriate, privacy, civil rights, and civil liberties complaints.

''(e) LAW ENFORCEMENT AND NATIONAL SECURITY.—Each Federal agency shall effectuate a requirement under subsection (d) only to the extent it does not compromise law enforcement or national security.

''(f) DEFINITION OF FEDERAL AGENCY.—In subsections (d) and (e), the term 'Federal agency' has the meaning given the term 'agency' in section 552(f) of title 5, United States Code.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents for chapter 448, as amended by section 2127 of this Act, is further amended by inserting after the item relating to section 44806 the following:

''44807. Public unmanned aircraft systems.''.

(2) PUBLIC UNMANNED AIRCRAFT SYSTEMS.—Section 334 of the FAA Modernization and reform Act of 2012 (49 U.S.C. 40101 note) and the item relating to that section in the table of contents under section 1(b) of that Act (126 Stat. 13) are repealed.

SEC. 2129. SPECIAL RULES FOR MODEL AIRCRAFT.

(a) IN GENERAL.—Chapter 448, as amended by section 2128 of this Act, is further amended by inserting after section 44807 the following:

"§ 44808. Special rules for model aircraft

''(a) IN GENERAL.—Notwithstanding any other provision of law relating to the incorporation of unmanned aircraft systems into Federal Aviation Administration plans and

policies, including this chapter, the Administrator of the Federal Aviation Administration may not promulgate any new rule or regulation specific only to an unmanned aircraft operating as a model aircraft if—

''(1) the aircraft is flown strictly for hobby or recreational use;

''(2) the aircraft is operated in accordance with a community-based set of safety guidelines and within the programming of a nationwide community-based organization;

''(3) not flown beyond visual line of sight of persons co-located with the operator or in direct communication with the operator;

''(4) the aircraft is operated in a manner that does not interfere with and gives way to any manned aircraft;

''(5) when flown within 5 miles of an airport, the operator of the aircraft provides the airport operator, where applicable, and the airport air traffic control tower (when an air traffic facility is located at the airport) with prior notice and receives approval from the tower, to the extent practicable, for the operation from each (model aircraft operators flying from a permanent location within 5 miles of an airport should establish a mutually agreed upon operating procedure with the airport operator and the airport air traffic control tower (when an air traffic facility is located at the airport));

''(6) the aircraft is flown from the surface to not more than 400 feet in altitude, except under special conditions and programs established by a community-based organization; and

''(7) the operator has passed an aeronautical knowledge and safety test administered by the Federal Aviation Administration online for the operation of unmanned aircraft systems subject to the requirements of section 44809 and maintains proof of test passage to be made available to the Administrator or law enforcement upon request.

''(b) UPDATES.—

''(1) IN GENERAL.—The Administrator, in collaboration with government and industry stakeholders, including nationwide community-based organizations, shall initiate a process to update the operational parameters under subsection (a), as appropriate.

''(2) CONSIDERATIONS.—In updating an operational parameter under paragraph (1), the Administrator shall consider—

''(A) appropriate operational limitations to mitigate aviation safety risk and risk to the uninvolved public;

''(B) operations outside the membership, guidelines, and programming of a nationwide community-based organization;

''(C) physical characteristics, technical standards, and classes of aircraft operating under this section;

''(D) trends in use, enforcement, or incidents involving unmanned aircraft systems; and

''(E) ensuring, to the greatest extent practicable, that updates to the operational parameters correspond to, and leverage, advances in technology.

''(3) SAVINGS CLAUSE.—Nothing in this subsection shall be construed as expanding the authority of the Administrator to require operators of model aircraft under the exemption of this subsection to be required to seek permissive authority of the Administrator prior to operation in the national airspace system.

''(c) STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to limit the authority of the Administrator to pursue enforcement action against persons operating model aircraft.

''(d) MODEL AIRCRAFT DEFINED.—In this section, the term 'model aircraft' means an unmanned aircraft that—

''(1) is capable of sustained flight in the atmosphere; and

''(2) is limited to weighing not more than 55 pounds, including the weight of anything attached to or carried by the aircraft, unless otherwise approved through a design, construction, inspection, flight test, and operational safety program administered by a community-based organization.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents for chapter 448, as amended by section 2128 of this Act, is further amended by inserting after the item relating to section 44807 the following:

''44808. Special rules for model aircraft.''.

(2) SPECIAL RULE FOR MODEL AIRCRAFT.—Section 336 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) and the item relating to that section in the table of contents under section 1(b) of that Act (126 Stat. 13) are repealed.

SEC. 2130. UNMANNED AIRCRAFT SYSTEMS AERONAUTICAL KNOWLEDGE AND SAFETY.

(a) IN GENERAL.—Chapter 448, as amended by section 2129 of this Act, is further amended by inserting after section 44808 the following:

''§ 44809. Aeronautical knowledge and safety test

''(a) IN GENERAL.—An individual may not operate an unmanned aircraft system unless—

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

''(2) the individual has authority to operate an unmanned aircraft under other Federal law; or

''(3) the individual is a holder of an airmen certificate issued under section 44703.

''(b) EXCEPTION.—This section shall not apply to the operation of an unmanned aircraft system that has been authorized by the Federal Aviation Administration under section 44802, 44805, 44806, or 44807. The Administrator may waive the requirements of this section for operators of aircraft weighing less than 0.55 pounds or for operators under the age of 13 operating the unmanned aircraft system under the supervision of an adult as determined by the Administrator.

''(c) AERONAUTICAL KNOWLEDGE AND SAFETY TEST.—Not later than 180 days after the date of enactment of the Federal Aviation Administration Reauthorization Act of 2016, the Administrator of the Federal Aviation Administration, in consultation with manufacturers of unmanned aircraft systems, other industry stakeholders, and community-based aviation organizations, shall develop an aeronautical knowledge and safety test that can be administered electronically.

''(d) REQUIREMENTS.—The Administrator shall ensure that the aeronautical knowledge and safety test is designed to adequately demonstrate an operator's—

''(1) understanding of aeronautical safety knowledge, as applicable; and

''(2) knowledge of Federal Aviation Administration regulations and requirements pertaining to the operation of an unmanned aircraft system in the national airspace system.

''(e) RECORD OF COMPLIANCE.—

''(1) IN GENERAL.—Each operator of an unmanned aircraft system described under subsection (a) shall maintain and make available for inspection, upon request by the Administrator or a Federal, State, or local law enforcement officer, a record of compliance with this section through—

''(A) an identification number, issued by the Federal Aviation Administration certifying passage of the aeronautical knowledge and safety test;

''(B) if the individual has authority to operate an unmanned aircraft system under other Federal law, the requisite proof of authority under that law; or

''(C) an airmen certificate issued under section 44703.

''(2) COORDINATION.—The Administrator may coordinate the identification number under paragraph (1)(A) with an operator's registration number to the extent practicable.

''(3) LIMITATION.—No fine or penalty may be imposed for the initial failure of an operator of an unmanned aircraft system to comply with paragraph (1) unless the Administrator finds that the conduct of the operator actually posed a risk to the national airspace system.''.

(b) TABLE OF CONTENTS.—The table of contents for chapter 448, as amended by section 2129 of this Act, is further amended by inserting after the item relating to section 44808 the following:

''44809. Aeronautical knowledge and safety test.''.

SEC. 2131. SAFETY STATEMENTS.

(a) IN GENERAL.—Chapter 448, as amended by section 2130 of this Act, is further amended by inserting after section 44809 the following:

''§ 44810. Safety statements

''(a) PROHIBITION.—Beginning on the date that is 1 year 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 1 year 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.

''(2) REQUIREMENTS.—A safety statement described in subsection (a) shall include—

''(A) information about laws and regulations applicable to unmanned aircraft systems;

''(B) recommendations for using unmanned aircraft in a manner that promotes the safety of persons and property;

''(C) the date that the safety statement was created or last modified; and

''(D) language approved by the Administrator regarding the following:

''(i) A person may operate the unmanned aircraft as a model aircraft (as defined in section 44808) or otherwise in accordance with Federal Aviation Administration authorization or regulation, including requirements for the completion of the aeronautical knowledge and safety test under section 44809.

''(ii) The definition of a model aircraft under section 44808.

''(iii) The requirements regarding a model aircraft under paragraphs (1) through (7) of section 44808(a).

''(iv) The Administrator of the Federal Aviation Administration may pursue enforcement action against a person operating model aircraft who endangers the safety of the national airspace system.

''(c) CIVIL PENALTY.—A person who violates subsection (a) shall be liable for each violation to the United States Government for a civil penalty described in section 46301(a).''.

(b) TABLE OF CONTENTS.—The table of contents for chapter 448, as amended by section 2130 of this Act, is further amended by inserting after the item relating to section 44809 the following:

''44810. Safety statements.''.

SEC. 2132. TREATMENT OF UNMANNED AIRCRAFT OPERATING UNDERGROUND.

An unmanned aircraft system that is operated underground for mining purposes shall not be subject to regulation or enforcement by the Federal Aviation Administration under chapter 448 of title 49, United States Code.

SEC. 2133. ENFORCEMENT.

(a) UAS SAFETY ENFORCEMENT.—The Administrator of the Federal Aviation Administration shall establish a program to utilize available remote detection and identification technologies for safety oversight, including enforcement actions against operators of unmanned aircraft systems that are not in compliance with applicable Federal aviation laws, including regulations.

(b) CIVIL PENALTIES.—

(1) IN GENERAL.—Section 46301 is amended—

(A) in subsection (a)(1)(A), by inserting ''chapter 448,'' after ''chapter 447 (except sections 44717 and 44719–44723),'';

(B) in subsection (a)(5), by inserting ''chapter 448,'' after ''chapter 447 (except sections 44717–44723),'';

(C) in subsection (d)(2), by inserting ''chapter 448,'' after ''chapter 447 (except sections 44717 and 44719–44723),''; and

(D) in subsection (f), by inserting ''chapter 448,'' after ''chapter 447 (except 44717 and 44719–44723),''.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to limit the authority of the Administrator to pursue an enforcement action for a violation of this Act, a regulation prescribed or order or authority issued under this Act, or any other applicable provision of aviation safety law or regulation.

(c) REPORTING.—As part of the program, the Administrator shall establish and publicize a mechanism for the public and Federal, State, and local law enforcement to report a suspected abuse or a violation of chapter 448 of title 49, United States Code, for enforcement action.

(d) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there is authorized to be appropriated $5,000,000 for each of the fiscal years 2016 through 2017.

SEC. 2134. AVIATION EMERGENCY SAFETY PUBLIC SERVICES DISRUPTION.

(a) IN GENERAL.—Chapter 463 is amended—

(1) in section 46301(d)(2), by inserting ''section 46320,'' after ''section 46319,''; and

(2) by adding at the end the following:

''§ 46320. Interference with firefighting, law enforcement, or emergency response activities

''(a) PROHIBITION.—No person may operate an aircraft so as to interfere with firefighting, law enforcement, or emergency response activities.

''(b) DEFINITION.—For purposes of this section, an aircraft interferes with the activities specified in subsection (a) when its operation prevents the initiation of, interrupts, or endangers a person or property engaged in those activities.

''(c) CIVIL PENALTY.—A person violating subsection (a) shall be liable for a civil penalty of not more than $20,000.

''(d) COMPROMISE AND SETOFF.—The United States Government may deduct the amount of a civil penalty imposed or compromised under this section from the amounts the Government owes the person liable for the penalty.''.

(b) TABLE OF CONTENTS.—The table of contents for chapter 463 is amended by inserting after the item relating to section 46319 the following:

''46320. Interference with firefighting, law enforcement, or emergency response activities.''.

SEC. 2135. PILOT PROJECT FOR AIRPORT SAFETY AND AIRSPACE HAZARD MITIGATION.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall carry out a pilot program for airspace hazard mitigation at airports and other critical infrastructure.

(b) CONSULTATION.—In carrying out the pilot program under subsection (a), the Administrator shall work with the Secretary of Defense, Secretary of Homeland Security, and the heads of relevant Federal agencies for the purpose of ensuring technologies that are developed, tested, or deployed by those departments and agencies to mitigate threats posed by errant or hostile unmanned aircraft system operations do not adversely impact or interfere with safe airport operations, navigation, and air traffic services.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated from the Airport and Airway Trust Fund to carry out this section $6,000,000, to remain available until expended.

SEC. 2136. CONTRIBUTION TO FINANCING OF REGULATORY FUNCTIONS.

(a) IN GENERAL.—Chapter 448, as amended by section 2131 of this Act, is further amended by inserting after section 44810 the following:

''§ 44811. Regulatory and administrative fees

''(a) IN GENERAL.—Subject to subsection (b), the Administrator may assess and collect regulatory and administrative fees to recover the costs of regulatory and administrative activities under this chapter related to authorization to operate unmanned aircraft systems for compensation or hire, or in the furtherance of a business enterprise.

''(b) LIMITATIONS.—Fees authorized under subsection (a) shall be reasonable, cost-based relative to the regulatory or administrative activity, and may not be discriminatory or a deterrent to compliance.

''(c) RECEIPTS CREDITED TO ACCOUNT.—Notwithstanding section 3302 of title 31, all fees and amounts collected under this section shall be credited to the separate account established under section 45303(c). Section 41742 shall not apply to fees and amounts collected under this section.

''(d) REGULATIONS.—Not later than 1 year after the date of enactment of the Federal Aviation Administration Reauthorization Act of 2016, the Administrator shall issue regulations to carry out this section.''.

(b) TABLE OF CONTENTS.—The table of contents for chapter 448, as amended by section 2131 of this Act, is further amended by inserting after the item relating to section 44810 the following:

''44811. Regulatory and administrative fees.''.

SEC. 2137. SENSE OF CONGRESS REGARDING SMALL UAS RULEMAKING.

It is the sense of the Congress that the Administrator of the Federal Aviation Administration and Secretary of Transportation should take every necessary action to expedite final action on the notice of proposed rulemaking dated February 23, 2015 (80 Fed. Reg. 9544), entitled ''Operation and Certification of Small Unmanned Aircraft Systems''.

SEC. 2138. UNMANNED AIRCRAFT SYSTEMS TRAFFIC MANAGEMENT.

(a) RESEARCH PLAN FOR UTM DEVELOPMENT.—

(1) IN GENERAL.—The Administrator of the Federal Aviation Administration, in coordination with the Administrator of the National Aeronautics and Space Administration, shall develop a research plan for unmanned aircraft systems traffic management (referred to in this section as ''UTM'') development.

(2) REQUIREMENTS.—In developing the research plan under paragraph (1), the Administrator shall—

(A) identify research goals related to:

(i) operational parameters related to altitude, geographic coverage, classes of airspace, and critical infrastructure;

(ii) avionics capability requirements or standards;

(iii) operator identification and authentication requirements and capabilities;

(iv) communication protocols with air traffic control facilities that will not interfere with existing responsibility to deconflict manned aircraft in the national airspace system;

(v) collision avoidance requirements;

(vi) separation standards for manned and unmanned aircraft; and

(vii) spectrum needs;

(B) evaluate options for the administration and management structure for the traffic management of low altitude operations of small unmanned aircraft systems; and

(C) ensure the plan is consistent with the broader Federal Aviation Administration regulatory and operational framework encompassing all unmanned aircraft systems operations expected to be authorized in the national airspace system.

(3) ASSESSMENT.—The research plan under paragraph (1) shall include an assessment of—

(A) the ability to allow near-term small unmanned aircraft system operations without need of an automated UTM system;

(B) the full range of operational capability any automated UTM system should possess;

(C) the operational characteristics and metrics that would drive incremental adoption of automated capability and procedures consistent with a rising aggregate community demand for service for low altitude operations of small unmanned aircraft systems; and

(D) the integration points for small unmanned aircraft system traffic management with the existing national airspace system planning and traffic management systems.

(4) DEADLINES.—The Administrator shall—

(A) initiate development of the research plan not later than 90 days after the date of enactment of this Act; and

(B) not later than 180 days after the date of enactment of this Act—

(i) complete the research plan;

(ii) submit the research plan to the appropriate committees of Congress; and

(iii) publish the research plan on the Federal Aviation Administration's Web site.

(b) PILOT PROGRAM.—

(1) IN GENERAL.—Not later than 120 days after the date the research plan under subsection (a) is submitted under paragraph (4)(B) of that subsection, the Administrator of the Federal Aviation Administration shall coordinate with the Administrator of the National Aeronautics and Space Administration and the small unmanned aircraft systems industry to develop operational concepts and top-level system requirements for a UTM system pilot program, consistent with subsection (a).

(2) SOLICITATION.—The Administrator shall issue a solicitation for operational prototype systems that meet the necessary objectives for use in a pilot program to demonstrate, validate, or modify, as appropriate, the requirements developed under paragraph (1).

(c) COMPREHENSIVE PLAN.—

(1) IN GENERAL.—Not later than 270 days after the date the pilot program under subsection (b) is complete, the Administrator of the Federal Aviation Administration, in coordination with the Administrator of the National Aeronautics and Space Administration, and in consultation with the head of each relevant Federal agency, shall develop a comprehensive plan for the deployment of UTM systems in the national airspace.

(2) SYSTEM REQUIREMENTS.—The comprehensive plan under paragraph (1) shall include requirements or standards consistent with established or planned rulemaking for, at a minimum—

(A) the flight of small unmanned aircraft systems in controlled and uncontrolled airspace;

(B) communications, as applicable—

(i) among small unmanned aircraft systems;

(ii) between small unmanned aircraft systems and manned aircraft operating in the same airspace; and

(iii) between small unmanned aircraft systems and air traffic control as considered necessary; and

(C) air traffic management for small unmanned aircraft systems operations.

(d) SYSTEM IMPLEMENTATION.—Based on the comprehensive plan under subsection (c), including the requirements under paragraph (2) of that subsection, and the pilot program under subsection (b), the Administrator shall determine the operational need and implementation schedule for evolutionary use of automation support systems to separate and deconflict manned and unmanned aircraft systems.

SEC. 2139. EMERGENCY EXEMPTION PROCESS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall publish guidance for applications for, and procedures for the processing of, on an emergency basis, exemptions or certificates of authorization or waiver for the use of unmanned aircraft systems by civil or public operators in response to a catastrophe, disaster, or other emergency to facilitate emergency response operations, such as firefighting, search and rescue, and utility and infrastructure restoration efforts. This guidance shall outline procedures for operations under both sections 44805 and 44807, of title 49, United States Code, with priority given to applications for public unmanned aircraft systems engaged in emergency response activities.

(b) REQUIREMENTS.—In providing guidance under subsection (a), the Administrator shall—

(1) make explicit any safety requirements that must be met for the consideration of applications that include requests for beyond visual line of sight, nighttime operations, or the suspension of otherwise applicable operating restrictions, consistent with public interest and safety; and

(2) explicitly state the procedures for coordinating with an incident commander, if any, to ensure operations granted under procedures developed under subsection (a) do not interfere with manned catastrophe, disaster, or other emergency response operations or otherwise impact response efforts.

(c) REVIEW.—In processing applications on an emergency basis for exemptions or certificates of authorization or waiver for unmanned aircraft systems operations in response to a catastrophe, disaster, or other emergency, the Administrator of the Federal Aviation Administration shall act on such applications as expeditiously as practicable and without requiring public notice and comment.

SEC. 2140. PUBLIC UAS OPERATIONS BY TRIBAL GOVERNMENTS.

(a) PUBLIC UAS OPERATIONS BY TRIBAL GOVERNMENTS.—Section 40102(a)(41) is amended by adding at the end the following:

''(F) An unmanned aircraft that is owned and operated by or exclusively leased for at least 90 consecutive days by an Indian tribal government (as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)), except as provided in section 40125(b).''.

(b) CONFORMING AMENDMENT.—Section 40125(b) is amended by striking ''or (D)'' and inserting ''(D), or (F)''.

SEC. 2141. CARRIAGE OF PROPERTY BY SMALL UNMANNED AIRCRAFT SYSTEMS FOR COMPENSATION OR HIRE.

(a) IN GENERAL.—Chapter 448, as amended by section 2136 of this Act, is further amended by adding after section 44811 the following:

''§ 44812. Carriage of property by small unmanned aircraft systems for compensation or hire

''(a) IN GENERAL.—Not later than 2 years after the date of enactment of this section, the Secretary of Transportation shall issue a final rule authorizing the carriage of property by operators of small unmanned aircraft systems for compensation or hire within the United States.

''(b) CONTENTS.—The final rule required under subsection (a) shall provide for the following:

''(1) SMALL UAS AIR CARRIER CERTIFICATE.—The Administrator of the Federal Aviation Administration, at the direction of the Secretary, shall establish a certificate (to be known as a 'small UAS air carrier certificate') for persons that undertake directly, by lease, or other arrangement the operation of small unmanned aircraft systems to carry property in air transportation, including commercial fleet operations with highly automated unmanned aircraft systems. The requirements to operate under a small UAS air carrier certificate shall—

''(A) consider the unique characteristics of highly automated, small unmanned aircraft systems; and

''(B) include requirements for the safe operation of small unmanned aircraft systems that, at a minimum, address—

''(i) airworthiness of small unmanned aircraft systems;

''(ii) qualifications for operators and the type and nature of the operations; and

''(iii) operating specifications governing the type and nature of the unmanned aircraft system air carrier operations.

''(2) SMALL UAS AIR CARRIER CERTIFICATION PROCESS.—The Administrator, at the direction of the Secretary, shall establish a process for the issuance of small UAS air carrier certificates established pursuant to paragraph (1) that is performance-based and ensures required safety levels are met. Such certification process shall consider—

''(A) safety risks and the mitigation of those risks associated with the operation of highly automated, small unmanned aircraft around other manned and unmanned aircraft, and over persons and property on the ground;

''(B) the competencies and compliance programs of manufacturers, operators, and companies that manufacture, operate, or both small unmanned aircraft systems and components; and

''(C) compliance with the requirements established pursuant to paragraph (1).

''(3) SMALL UAS AIR CARRIER CLASSIFICATION.—The Secretary shall develop a classification system for persons issued small UAS air carrier certificates pursuant to this subsection to establish economic authority for the carriage of property by small unmanned aircraft systems for compensation or hire. Such classification shall only require—

''(A) registration with the Department of Transportation; and

''(B) a valid small UAS air carrier certificate issued pursuant to this subsection.''.

(b) TABLE OF CONTENTS.—The table of contents for chapter 448, as amended by section 2136 of this Act, is further amended by adding after the item relating to section 44811 the following:

''44812. Carriage of property by small unmanned aircraft systems for compensation or hire.''.

SEC. 2142. COLLEGIATE TRAINING INITIATIVE PROGRAM FOR UNMANNED AIRCRAFT SYSTEMS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a Collegiate Training Initiative program relating to unmanned aircraft systems by making new agreements or continuing existing agreements with institutions of higher education (as defined by the Administrator) under which the institutions prepare students for careers involving unmanned aircraft systems. The Administrator may establish standards for the entry of such institutions into the program and for their continued participation in the program.

(b) UNMANNED AIRCRAFT SYSTEM DEFINED.—In this section, the term ''unmanned aircraft system'' has the meaning given that term by section 44801 of title 49, United States Code, as added by section 2121 of this Act.

PART III—TRANSITION AND SAVINGS PROVISIONS

SEC. 2151. SENIOR ADVISOR FOR UNMANNED AIRCRAFT SYSTEMS INTEGRATION.

(a) IN GENERAL.—There shall be in the Federal Aviation Administration a Senior Advisor for Unmanned Aircraft Systems Integration.

(b) QUALIFICATIONS.—The Senior Advisor for Unmanned Aircraft Systems Integration shall have a demonstrated ability in management and knowledge of or experience in aviation.

(c) RESPONSIBILITIES.—Unless otherwise determined by the Administrator of the Federal Aviation Administration—

(1) the Senior Advisor shall report directly to the Deputy Administrator of the Federal Aviation Administration; and

(2) the responsibilities of the Senior Advisor shall include the following:

(A) Providing advice to the Administrator and Deputy Administrator related to the integration of unmanned aircraft systems into the national airspace system.

(B) Reviewing and evaluating Federal Aviation Administration policies, activities, and operations related to unmanned aircraft systems.

(C) Facilitating coordination and collaboration among components of the Federal Aviation Administration with respect to activities related to unmanned aircraft systems integration.

(D) Interacting with Congress, and Federal, State, or local agencies, and stakeholder organizations whose operations and interests are affected by the activities of the Federal Aviation Administration on matters related to unmanned aircraft systems integration.

SEC. 2152. EFFECT ON OTHER LAWS.

(a) FEDERAL PREEMPTION.—No State or political subdivision of a State may enact or enforce any law, regulation, or other provision having the force and effect of law relating to the design, manufacture, testing, 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.

(b) PRESERVATION OF STATE AND LOCAL AUTHORITY.—Nothing in this subtitle shall be construed to limit a State or local government's authority to enforce Federal, State, or local laws relating to nuisance, voyeurism, privacy, data security, harassment, reckless endangerment, wrongful

death, personal injury, property damage, or other illegal acts arising from the use of unmanned aircraft systems if such laws are not specifically related to the use of an unmanned aircraft system.

(c) NO PREEMPTION OF COMMON LAW OR STATUTORY CAUSES OF ACTION.—Nothing in this subtitle, nor any standard, rule, requirement, standard of performance, safety determination, or certification implemented pursuant to this subtitle, shall be construed to preempt, displace, or supplant any State or Federal common law rights or any State or Federal statute creating a remedy for civil relief, including those for civil damage, or a penalty for a criminal conduct. Notwithstanding any other provision of this subtitle, nothing in this subtitle, nor any amendments made by this subtitle, shall preempt or preclude any cause of action for personal injury, wrongful death, property damage, or other injury based on negligence, strict liability, products liability, failure to warn, or any other legal theory of liability under any State law, maritime law, or Federal common law or statutory theory.

SEC. 2153. SPECTRUM.

(a) IN GENERAL.—Small unmanned aircraft systems may operate wireless control link, tracking, diagnostics, payload communication, and collaborative-collision avoidance, such as vehicle-to-vehicle communication, and other uses, if permitted by and 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 with carrier consent, whether they are operating within the UTM system under section 2138 of this Act or outside such a system.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration, the National Telecommunications and Information Administration, and the Federal Communications Commission, shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Energy and Commerce of the House of Representatives a report—

(1) on whether small unmanned aircraft systems operations should be permitted to operate on spectrum designated for aviation use, on an unlicensed, shared, or exclusive basis, for operations within the UTM system or outside of such a system;

(2) that addresses any technological, statutory, regulatory, and operational barriers to the use of such spectrum; and

(3) that, if it is determined that spectrum designated for aviation use is not suitable for operations by small unmanned aircraft systems, includes recommendations of other spectrum frequencies that may be appropriate for such operations.

SEC. 2154. APPLICATIONS FOR DESIGNATION.

(a) APPLICATIONS FOR DESIGNATION.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall establish a process to allow applicants to petition the Administrator of the Federal Aviation Administration to prohibit or otherwise limit the operation of an aircraft, including an unmanned aircraft, over, under, or within a specified distance from a fixed site facility.

(b) REVIEW PROCESS.—

(1) APPLICATION PROCEDURES.—

(A) IN GENERAL.—The Administrator shall establish the procedures for the application for designation under subsection (a).

(B) REQUIREMENTS.—The procedures shall—

(i) allow individual fixed site facility applications; and

(ii) allow for a group of similar facilities to apply for a collective designation.

(C) CONSIDERATIONS.—In establishing the procedures, the Administrator shall consider how the process will apply to—

(i) critical infrastructure, such as energy production, transmission, and distribution facilities and equipment;

(ii) oil refineries and chemical facilities;

(iii) amusement parks; and

(iv) other locations that may benefit from such restrictions.

(2) DETERMINATION.—

(A) IN GENERAL.—The Secretary shall provide for a determination under the review process established under subsection (a) not later than 90 days from the date of application, unless the applicant is provided with written notice describing the reason for the delay.

(B) AFFIRMATIVE DESIGNATIONS.—An affirmative designation shall outline—

(i) the boundaries for unmanned aircraft operation near the fixed site facility; and

(ii) such other limitations that the Administrator determines may be appropriate.

(C) CONSIDERATIONS.—In making a determination whether to grant or deny an application for a designation, the Administrator may consider—

(i) aviation safety;

(ii) personal safety of the uninvolved public;

(iii) national security; or

(iv) homeland security.

(D) OPPORTUNITY FOR RESUBMISSION.—If an application is denied and the applicant can reasonably address the reason for the denial, the Administrator may allow the applicant to reapply for designation.

(c) PUBLIC INFORMATION.—Designations under subsection (a) shall be published by the Federal Aviation Administration on a publicly accessible website.

SEC. 2155. USE OF UNMANNED AIRCRAFT SYSTEMS AT INSTITUTIONS OF HIGHER EDUCATION.

(a) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish procedures and standards, as applicable, to facilitate the safe operation of unmanned aircraft systems by institutions of higher education, including faculty, students, and staff.

(b) STANDARDS.—The procedures and standards required under subsection (a) shall outline risk-based operational parameters to ensure the safety of the national airspace system and the uninvolved public that facilitates the use of unmanned aircraft systems for educational or research purposes.

(c) UNMANNED AIRCRAFT SYSTEM APPROVAL.—The procedures required under subsection (a) shall allow unmanned aircraft systems operated under this section to be modified for research purposes without iterative approval from the Administrator.

(d) ADDITIONAL PROCEDURES.—The Administrator shall establish a procedure to provide for streamlined, risk-based operational approval for unmanned aircraft systems operated by institutions of higher education, including faculty, students, and staff, outside of the parameters or purposes set forth in subsection (b).

(e) DEADLINES.—

(1) IN GENERAL.—If, by the date that is 270 days after the date of enactment of this Act, the Administrator has not set forth standards and procedures required under subsections (a), (b), and (c), an institution of higher education may—

(A) without specific approval from the Federal Aviation Administration, operate small unmanned aircraft at model aircraft fields approved by the Academy of Model Aeronautics and with the permission of the local club of the Academy of Model Aeronautics; and

(B) submit to the Federal Aviation Administration applications for approval of the institution's designation of 1 or more outdoor flight fields.

(2) CONSEQUENCE OF FAILURE TO APPROVE.—If the Administrator does not take action with respect to an application submitted under paragraph (1)(B) within 30 days of the submission of the application, the failure to do so shall be treated as approval of the application.

(f) DEFINITIONS.—In this section:

(1) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given that term by section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(2) UNMANNED AIRCRAFT SYSTEM.—The term ''unmanned aircraft system'' has the meaning given the term in section 44801 of title 49, United States Code, as added by section 2121 of this Act.

(3) EDUCATIONAL OR RESEARCH PURPOSES.—The term ''educational or research purposes'', with respect to the operation of an unmanned aircraft system by an institution of higher education, includes—

(A) instruction of students at the institution;

(B) academic or research related use of unmanned aircraft systems by student organizations recognized by the institution, if such use has been approved by the institution;

(C) activities undertaken by the institution as part of research projects, including research projects sponsored by the Federal Government; and

(D) other academic activities at the institution, including general research, engineering, and robotics.

SEC. 2156. TRANSITION LANGUAGE.

(a) REGULATIONS.—Notwithstanding the repeals under sections 2122(b)(2), 2125(b)(2), 2126(b)(2), 2128(b)(2), and 2129(b)(2) of this Act, all orders, determinations, rules, regulations, permits, grants, and contracts, which have been issued under any law described under subsection (b) of this section on or before the effective date of this Act shall continue in effect until modified or revoked by the Secretary of Transportation, acting through the Administrator of the Federal Aviation Administration, as applicable, by a court of competent jurisdiction, or by operation of law other than this Act.

(b) LAWS DESCRIBED.—The laws described under this subsection are as follows:

(1) Section 332(c) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note).

(2) Section 332(d) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note).

(3) Section 333 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note).

(4) Section 334 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note).

(5) Section 336 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note).

(c) EFFECT ON PENDING PROCEEDINGS.—This Act shall not affect administrative or judicial proceedings pending on the effective date of this Act.

Subtitle B—FAA Safety Certification Reform

PART I—GENERAL PROVISIONS

SEC. 2211. DEFINITIONS.

In this subtitle:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Federal Aviation Administration.

(2) ADVISORY COMMITTEE.—The term ''Advisory Committee'' means the Safety Oversight and Certification Advisory Committee established under section 2212.

(3) FAA.—The term ''FAA'' means the Federal Aviation Administration.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

(5) SYSTEMS SAFETY APPROACH.—The term ''systems safety approach'' means the application of specialized technical and managerial skills to the systematic, forward-looking identification and control of hazards throughout the lifecycle of a project, program, or activity.

SEC. 2212. SAFETY OVERSIGHT AND CERTIFICATION ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—Not later than 60 days after the date of enactment of this Act, the Secretary shall establish a Safety Oversight and Certification Advisory Committee in accordance with this section.

(b) DUTIES.—The Advisory Committee shall provide advice to the Secretary on policy-level issues facing the aviation community that are related to FAA safety oversight and certification programs and activities, including the following:

(1) Aircraft and flight standards certification processes, including efforts to streamline those processes.

(2) Implementation and oversight of safety management systems.

(3) Risk-based oversight efforts.

(4) Utilization of delegation and designation authorities, including organization designation authorization.

(5) Regulatory interpretation standardization efforts.

(6) Training programs.

(7) Expediting the rulemaking process and prioritizing safety-related rules.

(8) Enhancing global competitiveness of U.S. manufactured and FAA type-certificate aircraft products and services throughout the world.

(c) FUNCTIONS.—In carrying out its duties under subsection (b) related to FAA safety oversight and certification programs and activities, the Advisory Committee shall—

(1) foster aviation stakeholder collaboration in an open and transparent manner;

(2) consult with, and ensure participation by—

(A) the private sector, including representatives of—

(i) general aviation;

(ii) commercial aviation;

(iii) aviation labor;

(iv) aviation, aerospace, and avionics manufacturing; and

(v) unmanned aircraft systems industry; and

(B) the public;

(3) recommend consensus national goals, strategic objectives, and priorities for the most efficient, streamlined, and cost-effective safety oversight and certification processes in order to maintain the safety of the aviation system while allowing the FAA to meet future needs and ensure that aviation stakeholders remain competitive in the global marketplace;

(4) provide policy recommendations for the FAA's safety oversight and certification efforts;

(5) periodically review and provide recommendations regarding the FAA's safety oversight and certification efforts;

(6) periodically review and evaluate registration, certification, and related fees;

(7) provide appropriate legislative, regulatory, and guidance recommendations for the air transportation system and the aviation safety regulatory environment;

(8) recommend performance objectives for the FAA and aviation industry;

(9) recommend performance metrics for the FAA and the aviation industry to be tracked and reviewed as streamlining certification reform, flight standards reform, and regulation standardization efforts progress;

(10) provide a venue for tracking progress toward national goals and sustaining joint commitments;

(11) recommend recruiting, hiring, staffing levels, training, and continuing education objectives for FAA aviation safety engineers and aviation safety inspectors;

(12) provide advice and recommendations to the FAA on how to prioritize safety rulemaking projects;

(13) improve the development of FAA regulations by providing information, advice, and recommendations related to aviation issues;

(14) encourage the validation of U.S. manufactured and FAA type-certificate aircraft products and services throughout the world; and

(15) any other functions as determined appropriate by the chairperson of the Advisory Committee and the Administrator.

(d) MEMBERSHIP.—

(1) VOTING MEMBERS.—The Advisory Committee shall be composed of the following voting members:

(A) The Administrator, or the Administrator's designee.

(B) At least 1 representative, appointed by the Secretary, of each of the following:

(i) Aircraft and engine manufacturers.

(ii) Avionics and equipment manufacturers.

(iii) Aviation labor organizations, including collective bargaining representatives of FAA aviation safety inspectors and aviation safety engineers.

(iv) General aviation operators.

(v) Air carriers.

(vi) Business aviation operators.

(vii) Unmanned aircraft systems manufacturers and operators.

(viii) Aviation safety management experts.

(2) NONVOTING MEMBERS.—

(A) IN GENERAL.—In addition to the members appointed under paragraph (1), the Advisory Committee shall be composed of nonvoting members appointed by the Secretary from among individuals representing FAA safety oversight program offices.

(B) DUTIES.—A nonvoting member may—

(i) take part in deliberations of the Advisory Committee; and

(ii) provide input with respect to any report or recommendation of the Advisory Committee.

(C) LIMITATION.—A nonvoting member may not represent any stakeholder interest other than that of an FAA safety oversight program office.

(3) TERMS.—Each voting member and nonvoting member of the Advisory Committee shall be appointed for a term of 2 years.

(4) RULE OF CONSTRUCTION.—Public Law 104–65 (2 U.S.C. 1601 et seq.) may not be construed to prohibit or otherwise limit the appointment of any individual as a member of the Advisory Committee.

(e) COMMITTEE CHARACTERISTICS.—The Advisory Committee shall have the following characteristics:

(1) Each voting member under subsection (d)(1)(B) shall be an executive that has decision authority within the member's organization and can represent and enter into commitments on behalf of that organization in a way that serves the entire group of organizations that member represents under that subsection.

(2) The ability to obtain necessary information from experts in the aviation and aerospace communities.

(3) A membership size that enables the Advisory Committee to have substantive discussions and reach consensus on issues in an expeditious manner.

(4) Appropriate expertise, including expertise in certification and risk-based safety oversight processes, operations, policy, technology, labor relations, training, and finance.

(f) CHAIRPERSON.—

(1) IN GENERAL.—The chairperson of the Advisory Committee shall be appointed by the Secretary from among the voting members under subsection (d)(1)(B).

(2) TERM.—Each member appointed under paragraph (1) shall serve a term of 2 years as chairperson.

(g) MEETINGS.—

(1) FREQUENCY.—The Advisory Committee shall convene at least 2 meetings a year at the call of the chairperson.

(2) PUBLIC ATTENDANCE.—Each meeting of the Advisory Committee shall be open and accessible to the public.

(h) SPECIAL COMMITTEES.—

(1) ESTABLISHMENT.—The Advisory Committee may establish 1 or more special committees composed of private sector representatives, members of the public, labor representatives, and other relevant parties in complying with consultation and participation requirements under subsection (c)(2).

(2) RULEMAKING ADVICE.—A special committee established by the Advisory Committee may—

(A) provide rulemaking advice and recommendations to the Advisory Committee;

(B) provide the FAA additional opportunities to obtain firsthand information and insight from those persons that are most affected by existing and proposed regulations; and

(C) assist in expediting the development, revision, or elimination of rules in accordance with, and without circumventing, established public rulemaking processes and procedures.

(3) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to a special committee under this subsection.

(i) SUNSET.—The Advisory Committee shall cease to exist on September 30, 2017.

PART II—AIRCRAFT CERTIFICATION REFORM

SEC. 2221. AIRCRAFT CERTIFICATION PERFORMANCE OBJECTIVES AND METRICS.

(a) IN GENERAL.—Not later than 120 days after the date the Advisory Committee is established under section 2212, the Administrator shall establish performance objectives and apply and track performance metrics for the FAA and the aviation industry relating to aircraft certification in accordance with this section.

(b) COLLABORATION.—The Administrator shall carry out this section in collaboration with the Advisory Committee and update agency performance objectives and metrics after considering the proposals recommended by the Advisory Committee under paragraphs (8) and (9) of section 2212(c).

(c) PERFORMANCE OBJECTIVES.—In establishing performance objectives under subsection (a), the Administrator shall ensure progress is made toward, at a minimum—

(1) eliminating certification delays and improving cycle times;

(2) increasing accountability for both FAA and the aviation industry;

(3) achieving full utilization of FAA delegation and designation authorities, including organizational designation authorization;

(4) fully implementing risk management principles and a systems safety approach;

(5) reducing duplication of effort;

(6) increasing transparency;

(7) developing and providing training, including recurrent training, in auditing and a systems safety approach to certification oversight;

(8) improving the process for approving or accepting the certification actions between the FAA and bilateral partners;

(9) maintaining and improving safety;

(10) streamlining the hiring process for—

(A) qualified systems safety engineers at staffing levels to support the FAA's efforts to implement a systems safety approach; and

(B) qualified systems safety engineers to guide the engineering of complex systems within the FAA; and

(11) maintaining the leadership of the United States in international aviation and aerospace.

(d) PERFORMANCE METRICS.—In carrying out subsection (a), the Administrator shall—

(1) apply and track performance metrics for the FAA and the aviation industry; and

(2) transmit to the appropriate committees of Congress an annual report on tracking the progress toward full implementation of the recommendations under section 2212.

(e) DATA.—

(1) BASELINES.—Not later than 1 year after the date the Advisory Committee recommends initial performance metrics under section 2212(c)(9), the Administrator shall generate initial data with respect to each of the performance metrics applied and tracked under this section.

(2) BENCHMARKS.—The Administrator shall use the performance metrics applied and tracked under this section to generate data on an ongoing basis and to measure progress toward the consensus national goals, strategic objectives, and priorities recommended under section 2212(c)(3).

(f) PUBLICATION.—

(1) IN GENERAL.—Subject to paragraph (2), the Administrator shall make data generated using the performance metrics applied and tracked under this section available in a searchable, sortable, and downloadable format through the Internet Web site of the FAA or other appropriate methods.

(2) LIMITATIONS.—The Administrator shall make the data under paragraph (1) available in a manner that—

(A) protects from disclosure identifying information regarding an individual or entity; and

(B) protects from inappropriate disclosure proprietary information.

SEC. 2222. ORGANIZATION DESIGNATION AUTHORIZATIONS.

(a) IN GENERAL.—Chapter 447 is amended by adding at the end the following:

"§ 44736. Organization designation authorizations

''(a) DELEGATIONS OF FUNCTIONS.—

''(1) IN GENERAL.—Except as provided in paragraph (3), in the oversight of an ODA holder, the Administrator of the Federal Aviation Administration, in accordance with Federal Aviation Administration standards, shall—

''(A) require, based on an application submitted by the ODA holder and approved by the Administrator (or the Administrator's designee), a procedures manual that addresses all procedures and limitations regarding the specified functions to be performed by the ODA holder subject to regulations prescribed by the Administrator;

''(B) delegate fully to the ODA holder each of the functions specified in the procedures manual, unless the Administrator determines, after the date of the delegation and as a result of an inspection or other investigation, that the public interest and safety of air commerce requires a limitation with respect to 1 or more of the functions; and

''(C) conduct oversight activities, including by inspecting the ODA holder's delegated functions and taking action based on validated inspection findings.

''(2) DUTIES OF ODA HOLDERS.—An ODA holder shall—

''(A) perform each specified function delegated to the ODA holder in accordance with the approved procedures manual for the delegation;

''(B) make the procedures manual available to each member of the appropriate ODA unit; and

''(C) cooperate fully with oversight activities conducted by the Administrator in connection with the delegation.

''(3) EXISTING ODA HOLDERS.—With regard to an ODA holder operating under a procedures manual approved by the Administrator before the date of enactment of the Federal Aviation Administration Reauthorization Act of 2016, the Administrator shall—

''(A) at the request of the ODA holder, and in an expeditious manner, consider revisions to the ODA holder's procedures manual;

''(B) delegate fully to the ODA holder each of the functions specified in the procedures manual, unless the Administrator determines, after the date of the delegation and as a result of an inspection or other investigation, that the public interest and safety of air commerce requires a limitation with respect to 1 or more of the functions; and

''(C) conduct oversight activities, including by inspecting the ODA holder's delegated functions and taking action based on validated inspection findings.

''(b) ODA OFFICE.—

''(1) ESTABLISHMENT.—Not later than 120 days after the date of enactment of Federal Aviation Administration Reauthorization Act of 2016, the Administrator shall identify, within the Office of Aviation Safety, a centralized policy office to be responsible for the organization designation authorization (referred to in this subsection as the ODA Office). The Director of the ODA Office shall report to the Director of the Aircraft Certification Service.

''(2) PURPOSE.—The purpose of the ODA Office shall be to provide oversight and ensure consistency of the Federal Aviation Administration audit functions under the ODA program across the agency.

''(3) FUNCTIONS.—The ODA Office shall—

''(A)(i) at the request of an ODA holder, eliminate all limitations specified in a procedures manual in place on the date of enactment of the Federal Aviation Administration Reauthorization Act of 2016 that are low and medium risk as determined by a risk analysis using criteria established by the ODA Office and disclosed to the ODA holder, except where an ODA holder's performance warrants the retention of a specific limitation due to documented concerns about inadequate current performance in carrying out that authorized function;

''(ii) require an ODA holder to establish a corrective action plan to regain authority for any retained limitations;

''(iii) require an ODA holder to notify the ODA Office when all corrective actions have been accomplished;

''(iv) make a reassessment to determine if subsequent performance in carrying out any retained limitation warrants continued retention and, if such reassessment determines performance meets objectives, lift such limitation immediately;

''(B) improve the Administration and the ODA holder performance and ensure full use of the authorities delegated under the ODA program;

''(C) develop a more consistent approach to audit priorities, procedures, and training under the ODA program;

''(D) expeditiously review a random sample of limitations on delegated authorities under the ODA program to determine if the limitations are appropriate;

''(E) review and approve new limitations to ODA functions; and

''(F) ensure national consistency in the interpretation and application of the requirements of the ODA program, including any limitations, and in the performance of the ODA program.

''(c) DEFINITIONS.—In this section:

''(1) ODA OR ORGANIZATION DESIGNATION AUTHORIZATION.—The term 'ODA' or 'organization designation authorization' means an authorization under section 44702(d) to perform approved functions on behalf of the Administrator of the Federal Aviation Administration under subpart D of part 183 of title 14, Code of Federal Regulations.

''(2) ODA HOLDER.—The term 'ODA holder' means an entity authorized under section 44702(d)—

''(A) to which the Administrator of the Federal Aviation Administration issues an ODA letter of designation under subpart D of part 183 of title 14, Code of Federal Regulations (or any corresponding similar regulation or ruling); and

''(B) that is responsible for administering 1 or more ODA units.

''(3) ODA PROGRAM.—The term 'ODA program' means the program to standardize Federal Aviation Administration management and oversight of the organizations that are approved to perform certain functions on behalf of the Administration under section 44702(d).

''(4) ODA UNIT.—The term 'ODA unit' means a group of 2 or more individuals under the supervision of an ODA holder who perform the specified functions under an ODA.

''(5) ORGANIZATION.—The term 'organization' means a firm, a partnership, a corporation, a company, an association, a joint-stock association, or a governmental entity.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents of chapter 447 is amended by adding after the item relating to section 44735 the following:

''44736. Organization designation authorizations.''.

SEC. 2223. ODA REVIEW.

(a) EXPERT REVIEW PANEL.—

(1) ESTABLISHMENT.—Not later than 60 days after the date of enactment of this Act, the Administrator of the FAA shall convene a multidisciplinary expert review panel (referred to in this section as the ''Panel'').

(2) COMPOSITION.—

(A) IN GENERAL.—The Panel shall be composed of not more than 20 members appointed by the Administrator.

(B) QUALIFICATIONS.—The members appointed to the Panel shall—

(i) each have a minimum of 5 years of experience in processes and procedures under the ODA program; and

(ii) include representatives of ODA holders, aviation manufacturers, safety experts, and FAA labor organizations, including labor representatives of FAA aviation safety inspectors and aviation safety engineers.

(b) SURVEY.—The Panel shall survey ODA holders and ODA program applicants to document FAA safety oversight and certification programs and activities, including the FAA's use of the ODA program and the speed and efficiency of the certification process. In carrying out this subsection, the Administrator shall consult with the appropriate survey experts and the Panel to best design and conduct the survey.

(c) ASSESSMENT.—The Panel shall—

(1) conduct an assessment of—

(A) the FAA's processes and procedures under the ODA program and whether the processes and procedures function as intended;

(B) the best practices of and lessons learned by ODA holders and the FAA personnel who provide oversight of ODA holders;

(C) the performance incentive policies, related to the ODA program for FAA personnel, that do not conflict with the public interest;

(D) the training activities related to the ODA program for FAA personnel and ODA holders; and

(E) the impact, if any, that oversight of the ODA program has on FAA resources and the FAA's ability to process applications for certifications outside of the ODA program; and

(2) make recommendations for improving FAA safety oversight and certification programs and activities based on the results of the survey under subsection (b) and each element of the assessment under paragraph (1) of this subsection.

(d) REPORT.—Not later than 180 days after the date the Panel is convened under subsection (a), the Panel shall submit to the Administrator, the Advisory Committee established under section 2212, and the appropriate committees of Congress a report on results of the survey under subsection (b) and the assessment and recommendations under subsection (c).

(e) DEFINITIONS.—The terms used in this section have the meanings given the terms in section 44736 of title 49, United States Code.

(f) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Panel.

(g) SUNSET.—The Panel shall terminate on the date the report is submitted under subsection (d).

SEC. 2224. TYPE CERTIFICATION RESOLUTION PROCESS.

(a) IN GENERAL.—Section 44704(a) is amended by adding at the end the following:

''(6) TYPE CERTIFICATION RESOLUTION PROCESS.—

''(A) IN GENERAL.—Not later than 15 months after the date of enactment of Federal Aviation Administration Reauthorization Act of 2016, the Administrator shall establish an effective, expeditious, and milestone-based issue resolution process for type certification activities under this subsection.

''(B) PROCESS REQUIREMENTS.—The resolution process shall provide for—

''(i) the resolution of technical issues at preestablished stages of the certification process, as agreed to by the Administrator and the type certificate applicant;

''(ii) the automatic escalation to appropriate management personnel of the Federal Aviation Administration and the type certificate applicant of any major certification process milestone that is not completed or resolved within a specific period of time agreed to by the Administrator and the type certificate applicant; and

''(iii) the resolution of a major certification process milestone escalated under clause (ii) within a specific period of time agreed to by the Administrator and the type certificate applicant.

''(C) DEFINITION OF MAJOR CERTIFICATION PROCESS MILESTONE.—In this paragraph, the term 'major certification process milestone' means a milestone related to a type certification basis, type certification plan, type inspection authorization, issue paper, or other major type certification activity agreed to by the Administrator and the type certificate applicant.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 44704 is amended in the heading by striking ''**airworthiness certificates,,**'' and inserting ''**airworthiness certificates,**''.

SEC. 2225. SAFETY ENHANCING TECHNOLOGIES FOR SMALL GENERAL AVIATION AIRPLANES.

(a) POLICY.—In a manner consistent with the Small Airplane Revitalization Act of 2013 (49 U.S.C. 44704 note), not later than 180 days after the date of enactment of this Act, the Administrator shall establish and begin implementing a risk-based policy that streamlines the installation of safety enhancing technologies for small general aviation airplanes in a manner that reduces regulatory delays and significantly improves safety.

(b) INCLUSIONS.—The safety enhancing technologies for small general aviation airplanes described in subsection (a) shall include, at a minimum, the replacement or retrofit of primary flight displays, auto pilots, engine monitors, and navigation equipment.

(c) COLLABORATION.—In carrying out this section, the Administrator shall collaborate with general aviation operators, general aviation manufacturers, and appropriate FAA labor organizations, including representatives of FAA aviation safety inspectors and aviation safety engineers, certified under section 7111 of title 5, United States Code.

(d) DEFINITION OF SMALL GENERAL AVIATION AIRPLANE.—In this section, the term ''small general aviation airplane'' means an airplane that—

(1) is certified to the standards of part 23 of title 14, Code of Federal Regulations;

(2) has a seating capacity of not more than 9 passengers; and

(3) is not used in scheduled passenger-carrying operations under part 121 of title 14, Code of Federal Regulations.

SEC. 2226. STREAMLINING CERTIFICATION OF SMALL GENERAL AVIATION AIRPLANES.

(a) FINAL RULEMAKING.—Not later than December 31, 2016, the Administrator shall issue a final rulemaking to comply with section 3 of the Small Airplane Revitalization Act of 2013 (49 U.S.C. 44704 note).

(b) GOVERNMENT REVIEW.—The Federal Government's review process shall be streamlined to meet the deadline in subsection (a).

PART III—FLIGHT STANDARDS REFORM

SEC. 2231. FLIGHT STANDARDS PERFORMANCE OBJECTIVES AND METRICS.

(a) IN GENERAL.—Not later than 120 days after the date the Advisory Committee is established under section 2212, the Administrator shall establish performance objectives and apply and track performance metrics for the FAA and the aviation industry relating to flight standards activities in accordance with this section.

(b) COLLABORATION.—The Administrator shall carry out this section in collaboration with the Advisory Committee and update agency performance objectives and metrics after considering the recommendations of the Advisory Committee under paragraphs (8) and (9) of section 2212(c).

(c) PERFORMANCE OBJECTIVES.—In carrying out subsection (a), the Administrator shall ensure that progress is made toward, at a minimum—

(1) eliminating delays with respect to such activities;

(2) increasing accountability for both FAA and the aviation industry;

(3) fully implementing risk management principles and a systems safety approach;

(4) reducing duplication of effort;

(5) promoting appropriate compliance activities and eliminating inconsistent regulatory interpretations and inconsistent enforcement activities;

(6) improving and providing greater opportunities for training, including recurrent training, in auditing and a systems safety approach to oversight;

(7) developing and allowing the use of a single master source for guidance;

(8) providing and using a streamlined appeal process for the resolution of regulatory interpretation questions;

(9) maintaining and improving safety; and

(10) increasing transparency.

(d) PERFORMANCE METRICS.—In carrying out subsection (a), the Administrator shall—

(1) apply and track performance metrics for the FAA and the aviation industry; and

(2) transmit to the appropriate committees of Congress an annual report tracking the progress toward full implementation of the performance metrics under section 2212.

(e) DATA.—

(1) BASELINES.—Not later than 1 year after the date the Advisory Committee recommends initial performance metrics under section 2212(c)(9), the Administrator shall generate initial data with respect to each of the performance metrics applied and tracked that are approved based on the recommendations required under this section.

(2) BENCHMARKS.—The Administrator shall use the performance metrics applied and tracked under this section to generate data on an ongoing basis and to measure progress toward the consensus national goals, strategic objectives, and priorities recommended under section 2212(c)(3).

(f) PUBLICATION.—

(1) IN GENERAL.—Subject to paragraph (2), the Administrator shall make data generated using the performance metrics applied and tracked under this section available in a searchable, sortable, and downloadable format through the Internet Web site of the FAA or other appropriate methods.

(2) LIMITATIONS.—The Administrator shall make the data under paragraph (1) available in a manner that—

(A) protects from disclosure identifying information regarding an individual or entity; and

(B) protects from inappropriate disclosure proprietary information.

SEC. 2232. FAA TASK FORCE ON FLIGHT STANDARDS REFORM.

(a) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Administrator shall establish the FAA Task Force on Flight Standards Reform (referred to in this section as the ''Task Force'').

(b) MEMBERSHIP.—

(1) APPOINTMENT.—The membership of the Task Force shall be appointed by the Administrator.

(2) NUMBER.—The Task Force shall be composed of not more than 20 members.

(3) REPRESENTATION REQUIREMENTS.—The membership of the Task Force shall include representatives, with knowledge of flight standards regulatory processes and requirements, of—

(A) air carriers;

(B) general aviation;

(C) business aviation;

(D) repair stations;

(E) unmanned aircraft systems operators;

(F) flight schools;

(G) labor unions, including those representing FAA aviation safety inspectors and those representing FAA aviation safety engineers; and

(H) aviation safety experts.

(c) DUTIES.—The duties of the Task Force shall include, at a minimum, identifying cost-effective best practices and providing recommendations with respect to—

(1) simplifying and streamlining flight standards regulatory processes;

(2) reorganizing the Flight Standards Service to establish an entity organized by function rather than geographic region, if appropriate;

(3) FAA aviation safety inspector training opportunities;

(4) FAA aviation safety inspector standards and performance; and

(5) achieving, across the FAA, consistent—

(A) regulatory interpretations; and

(B) application of oversight activities.

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, the Task Force shall submit to the Administrator, Advisory Committee established under section 2212, and appropriate committees of Congress a report detailing—

(1) the best practices identified and recommendations provided by the Task Force under subsection (c); and

(2) any recommendations of the Task Force for additional regulatory action or cost-effective legislative action.

(e) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Task Force.

(f) SUNSET.—The Task Force shall cease to exist on the date that the Task Force submits the report required under subsection (d).

SEC. 2233. CENTRALIZED SAFETY GUIDANCE DATABASE.

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Administrator of the FAA shall establish a centralized safety guidance database for all of the regulatory guidance issued by the FAA Office of Aviation Safety regarding compliance with 1 or more aviation safety-related provisions of the Code of Federal Regulations.

(b) REQUIREMENTS.—The database under subsection (a) shall—

(1) for each guidance, include a link to the specific provision of the Code of Federal Regulations;

(2) subject to paragraph (3), be accessible to the public; and

(3) be provided in a manner that—

(A) protects from disclosure identifying information regarding an individual or entity; and

(B) protects from inappropriate disclosure proprietary information.

(c) DATA ENTRY TIMING.—

(1) EXISTING DOCUMENTS.—Not later than 14 months after the date the database is established, the Administrator shall have completed entering into the database any applicable regulatory guidance that are in effect and were issued before that date.

(2) NEW REGULATORY GUIDANCE AND UPDATES.—Beginning on the date the database is established, the Administrator shall ensure that any applicable regulatory guidance that are issued on or after that date are entered into the database as they are issued.

(d) CONSULTATION REQUIREMENT.—In establishing the database under subsection (a), the Administrator shall consult and collaborate with appropriate stakeholders, including labor organizations (including those representing aviation workers, FAA aviation safety engineers, and FAA aviation safety inspectors) and aviation industry stakeholders.

(e) DEFINITION OF REGULATORY GUIDANCE.—In this section, the term ''regulatory guidance'' means all forms of written information issued by the FAA that an individual or entity may use to interpret or apply FAA regulations and requirements, including information an individual or entity may use to determine acceptable means of compliance with such regulations and requirements, such as an order, manual, circular, policy statement, legal interpretation memorandum, and rulemaking documents.

SEC. 2234. REGULATORY CONSISTENCY COMMUNICATIONS BOARD.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Administrator of the FAA shall establish a Regulatory Consistency Communications Board (referred to in this section as the ''Board'').

(b) CONSULTATION REQUIREMENT.—In establishing the Board, the Administrator shall consult and collaborate with appropriate stakeholders, including FAA labor organizations (including labor organizations representing FAA aviation safety inspectors and labor organizations representing FAA aviation safety engineers) and aviation industry stakeholders.

(c) MEMBERSHIP.—The Board shall be composed of FAA representatives, appointed by the Administrator, from—

(1) the Flight Standards Service;

(2) the Aircraft Certification Service; and

(3) the Office of the Chief Counsel.

(d) FUNCTIONS.—The Board shall carry out the following functions:

(1) Recommend, at a minimum, processes by which—

(A) FAA personnel and persons regulated by the FAA may submit regulatory interpretation questions without fear of retaliation;

(B) FAA personnel may submit written questions as to whether a previous approval or regulatory interpretation issued by FAA personnel in another office or region is correct or incorrect; and

(C) any other person may submit anonymous regulatory interpretation questions.

(2) Meet on a regular basis to discuss and resolve questions submitted under paragraph (1) and the appropriate application of regulations and policy with respect to each question.

(3) Provide to a person that submitted a question under subparagraph (A) or subparagraph (B) of paragraph (1) an expeditious written response to the question.

(4) Recommend a process to make the resolution of common regulatory interpretation questions publicly available to FAA personnel and the public in a manner that—

(A) does not reveal any identifying data of the person that submitted a question; and

(B) protects any proprietary information.

(5) Ensure that responses to questions under this subsection are incorporated into regulatory guidance (as defined in section 2233(e)).

(e) PERFORMANCE METRICS, TIMELINES, AND GOALS.—Not later than 180 days after the date that the Advisory Committee recommends performance objectives and performance metrics for the FAA and the aviation industry under paragraphs (8) and (9) of section 2212(c), the Administrator, in collaboration with the Advisory Committee, shall—

(1) establish performance metrics, timelines, and goals to measure the progress of the Board in resolving regulatory interpretation questions submitted under subsection (d)(1); and

(2) implement a process for tracking the progress of the Board in meeting the performance metrics, timelines, and goals under paragraph (1).

SEC. 2235. FLIGHT STANDARDS SERVICE REALIGNMENT FEASIBILITY REPORT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator, in consultation with relevant industry stakeholders, shall—

(1) determine the feasibility of realigning flight standards service regional field offices to specialized areas of aviation safety oversight and technical expertise; and

(2) submit to the appropriate committees of Congress a report on the findings under paragraph (1).

(b) CONSIDERATIONS.—In making a determination under subsection (a), the Administrator shall consider a flight standards service regional field office providing support in the area of its technical expertise to flight standards district offices and certificate management offices.

SEC. 2236. ADDITIONAL CERTIFICATION RESOURCES.

(a) IN GENERAL.—Notwithstanding any other provision of law, and subject to the requirements of subsection (b), the Administrator may enter into a reimbursable agreement with an applicant or certificate holder for the reasonable travel and per diem expenses of the FAA associated with official travel to expedite the acceptance or validation by a foreign authority of an FAA certificate or design approval.

(b) CONDITIONS.—The Administrator may enter into an agreement under subsection (a) only if—

(1) the travel covered under the agreement is determined to be necessary, by both the Administrator and the applicant or certificate holder, to expedite the acceptance or validation of the relevant certificate or approval;

(2) the travel is conducted at the request of the applicant or certificate holder;

(3) the travel plans and expenses are approved by the applicant or certificate holder prior to travel; and

(4) the agreement requires payment in advance of FAA services and is consistent with the processes under section 106(l)(6) of title 49, United States Code.

(c) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on—

(1) the number of occasions on which the Administrator entered into reimbursable agreements under this section;

(2) the number of occasions on which the Administrator declined a request by an applicant or certificate holder to enter into a reimbursable agreement under this section;

(3) the amount of reimbursements collected in accordance with agreements under this section; and

(4) the extent to which reimbursable agreements under this section assisted in reducing the amount of time necessary for foreign authorities' validations of FAA certificates and design approvals.

(d) DEFINITIONS.—In this section:

(1) APPLICANT.—The term ''applicant'' means a person that has applied to a foreign authority for the acceptance or validation of an FAA certificate or design approval.

(2) CERTIFICATE HOLDER.—The term ''certificate holder'' means a person that holds a certificate issued by the Administrator under part 21 of title 14, Code of Federal Regulations.

PART IV—SAFETY WORKFORCE

SEC. 2241. SAFETY WORKFORCE TRAINING STRATEGY.

(a) SAFETY WORKFORCE TRAINING STRATEGY.—Not later than 60 days after the date of enactment of this Act, the Administrator of the FAA shall review and revise its safety workforce training strategy to ensure that it—

(1) aligns with an effective risk-based approach to safety oversight;

(2) best utilizes available resources;

(3) allows FAA employees participating in organization management teams or conducting ODA program audits to complete, expeditiously, appropriate training, including recurrent training, in auditing and a systems safety approach to oversight;

(4) seeks knowledge-sharing opportunities between the FAA and the aviation industry in new technologies, best practices, and other areas of interest related to safety oversight;

(5) fosters an inspector and engineer workforce that has the skills and training necessary to improve risk-based approaches that focus on requirements management and auditing skills; and

(6) includes, as appropriate, milestones and metrics for meeting the requirements of paragraphs (1) through (5).

(b) REPORT.—Not later that 270 days after the date the strategy is established under subsection (a), the Administrator shall submit to the appropriate committees of Congress a report on the implementation of the strategy and progress in meeting any milestones or metrics included in the strategy.

(c) DEFINITIONS.—In this section:

(1) ODA HOLDER.—The term ''ODA holder'' has the meaning given the term in section 44736 of title 49, United States Code.

(2) ODA PROGRAM.—The term ''ODA program'' has the meaning given the term in section 44736(c)(3) of title 49, United States Code, as added by this Act.

(3) ORGANIZATION MANAGEMENT TEAM.—The term ''organization management team'' means a group of FAA employees consisting of FAA aviation safety engineers, flight test pilots, and aviation safety inspectors overseeing an ODA holder and its specified function delegated under section 44702 of title 49, United States Code.

SEC. 2242. WORKFORCE STUDY.

(a) WORKFORCE STUDY.—Not later than 90 days after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study to assess the workforce and training needs of the Office of Aviation Safety of the Federal Aviation Administration and take into consideration how those needs could be met.

(b) CONTENTS.—The study under subsection (a) shall include—

(1) a review of the current staffing levels and requirements for hiring and training, including recurrent training, of aviation safety inspectors and aviation safety engineers;

(2) an analysis of the skills and qualifications required of aviation safety inspectors and aviation safety engineers for successful performance in the current and future projected aviation safety regulatory environment, including an analysis of the need for a systems engineering discipline within the Federal Aviation Administration to guide the engineering of complex systems, with an emphasis on auditing an ODA holder (as defined in section 44736(c) of title 49, United States Code);

(3) a review of current performance incentive policies of the Federal Aviation Administration, as applied to the Office of Aviation Safety, including awards for performance;

(4) an analysis of ways the Federal Aviation Administration can work with the aviation industry and FAA labor force to establish knowledge-sharing opportunities between the Federal Aviation Administration and the aviation industry in new technologies, best practices, and other areas that could improve the aviation safety regulatory system; and

(5) recommendations on the best and most cost-effective approaches to address the needs of the current and future projected aviation safety regulatory system, including qualifications, training programs, and performance incentives for relevant agency personnel.

(c) REPORT.—Not later than 270 days after the date of enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the study required under subsection (a).

PART V—INTERNATIONAL AVIATION

SEC. 2251. PROMOTION OF UNITED STATES AEROSPACE STANDARDS, PRODUCTS, AND SERVICES ABROAD.

Section 40104 is amended by adding at the end the following:

''(d) PROMOTION OF UNITED STATES AEROSPACE STANDARDS, PRODUCTS, AND SERVICES ABROAD.—The Secretary shall take appropriate actions—

''(1) to promote United States aerospace-related safety standards abroad;

''(2) to facilitate and vigorously defend approvals of United States aerospace products and services abroad;

''(3) with respect to bilateral partners, to use bilateral safety agreements and other mechanisms to improve validation of United States type certificated aeronautical products and services and enhance mutual acceptance in order to eliminate redundancies and unnecessary costs; and

''(4) with respect to the aeronautical safety authorities of a foreign country, to streamline that country's validation of United States aerospace standards, products, and services.''.

SEC. 2252. BILATERAL EXCHANGES OF SAFETY OVERSIGHT RESPONSIBILITIES.

Section 44701(e) is amended by adding at the end the following:

''(5) FOREIGN AIRWORTHINESS DIRECTIVES.—

''(A) ACCEPTANCE.—The Administrator shall 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; and

''(iv) the aeronautical safety authority utilizes an open and transparent public notice and comment process in the issuance of airworthiness directives.

''(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 may approve an alternative means of compliance with respect to the airworthiness directive.''.

SEC. 2253. FAA LEADERSHIP ABROAD.

(a) IN GENERAL.—To promote United States aerospace safety standards, reduce redundant regulatory activity, and facilitate acceptance of FAA design and production approvals abroad, the Administrator shall—

(1) attain greater expertise in issues related to dispute resolution, intellectual property, and export control laws to better support FAA certification and other aerospace regulatory activities abroad;

(2) work with United States companies to more accurately track the amount of time it takes foreign authorities, including bilateral partners, to validate United States type certificated aeronautical products;

(3) provide assistance to United States companies who have experienced significantly long foreign validation wait times;

(4) work with foreign authorities, including bilateral partners, to collect and analyze data to determine the timeliness of the acceptance and validation of FAA design and production approvals by foreign authorities and the acceptance and validation of foreign-certified products by the FAA;

(5) establish appropriate benchmarks and metrics to measure the success of bilateral aviation safety agreements and to reduce the validation time for United States type certificated aeronautical products abroad; and

(6) work with foreign authorities, including bilateral partners, to improve the timeliness of the acceptance and validation of FAA design and production approvals by foreign authorities and the acceptance and validation of foreign-certified products by the FAA.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report that—

(1) describes the Administrator's strategic plan for international engagement;

(2) describes the structure and responsibilities of all FAA offices that have international responsibilities, including the Aircraft Certification Office, and all the activities conducted by those offices related to certification and production;

(3) describes current and forecasted staffing and travel needs for the FAA's international engagement activities, including the needs of the Aircraft Certification Office in the current and forecasted budgetary environment;

(4) provides recommendations, if appropriate, to improve the existing structure and personnel and travel policies supporting the FAA's international engagement activities, including the activities of the Aviation Certification Office, to better support the growth of United States aerospace exports; and

(5) identifies policy initiatives, regulatory initiatives, or cost-effective legislative initiatives needed to improve and enhance the timely acceptance of United States aerospace products abroad.

(c) INTERNATIONAL TRAVEL.—The Administrator of the FAA, or the Administrator's designee, may authorize international travel for any FAA employee, without the approval of any other person or entity, if the Administrator determines that the travel is necessary—

(1) to promote United States aerospace safety standards; or

(2) to support expedited acceptance of FAA design and production approvals.

SEC. 2254. REGISTRATION, CERTIFICATION, AND RELATED FEES.

Section 45305 is amended—

(1) in subsection (a) by striking ''Subject to subsection (b)'' and inserting ''Subject to subsection (c)'';

(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(3) by inserting after subsection (a) the following:

''(b) CERTIFICATION SERVICES.—Subject to subsection (c), and notwithstanding section 45301(a), the Administrator may establish and collect a fee from a foreign government or entity for services related to certification, regardless of where the services are provided, if the fee—

''(1) is established and collected in a manner consistent with aviation safety agreements; and

''(2) does not exceed the estimated costs of the services.''.

Subtitle C—Airline Passenger Safety and Protections

SEC. 2301. PILOT RECORDS DATABASE DEADLINE.

Section 44703(i)(2) is amended by striking ''The Administrator shall establish'' and inserting ''Not later than April 30, 2017, the Administrator shall establish and make available for use''.

SEC. 2302. ACCESS TO AIR CARRIER FLIGHT DECKS.

The Administrator of the Federal Aviation Administration shall collaborate with other aviation authorities to advance a global standard for access to air carrier flight decks and redundancy requirements consistent with the flight deck access and redundancy requirements in the United States.

SEC. 2303. AIRCRAFT TRACKING AND FLIGHT DATA.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall assess current performance standards, and as appropriate, conduct a rulemaking to revise the standards to improve near-term and long-term aircraft tracking and flight data recovery, including retrieval, access, and protection of such data after an incident or accident.

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

(1) various methods for improving detection and retrieval of flight data, including—

(A) low frequency underwater locating devices; and

(B) extended battery life for underwater locating devices;

(2) automatic deployable flight recorders;

(3) triggered transmission of flight data, and other satellite-based solutions;

(4) distress-mode tracking; and

(5) protections against disabling flight recorder systems.

(c) COORDINATION.—If the performance standards under subsection (a) are revised, the Administrator shall coordinate with international regulatory authorities and the International Civil Aviation Organization to ensure that any new international standard for aircraft tracking and flight data recovery is consistent with a performance-based approach and is implemented in a globally harmonized manner.

SEC. 2304. AUTOMATION RELIANCE IMPROVEMENTS.

(a) MODERNIZATION OF TRAINING.—Not later than October 1, 2017, the Administrator of the Federal Aviation Administration shall review, and update as necessary, recent guidance regarding pilot flight deck monitoring that an air carrier can use to train and evaluate its pilots to ensure that air carrier pilots are trained to use and monitor automation systems while also maintaining proficiency in manual flight operations consistent with the final rule entitled, ''Qualification, Service, and Use of Crewmembers and Aircraft Dispatchers'', published on November 12, 2013 (78 Fed. Reg. 67799).

(b) CONSIDERATIONS.—In reviewing and updating the guidance, the Administrator shall—

(1) consider casualty driven scenarios during initial and recurrent simulator instruction that focus on automation complacency during system failure, including flight segments when automation is typically engaged and should result in hand flying the aircraft into a safe position while employing crew resource management principles;

(2) consider the development of metrics or measurable tasks an air carrier may use to evaluate the ability of pilots to appropriately monitor flight deck systems;

(3) consider the development of metrics an air carrier may use to evaluate manual flying skills and improve related training;

(4) convene an expert panel, including members with expertise in human factors, training, and flight operations—

(A) to evaluate and develop methods for training flight crews to understand the functionality of automated systems for flight path management;

(B) to identify and recommend to the Administrator the most effective training methods that ensure that pilots can apply manual flying skills in the event of flight deck automation failure or an unexpected event; and

(C) to identify and recommend to the Administrator revision in the training guidance for flight crews to address the needs identified in subparagraphs (A) and (B); and

(5) develop any additional standards to be used for guidance the Administrator considers necessary to determine whether air carrier pilots receive sufficient training opportunities to develop, maintain, and demonstrate manual flying skills.

(c) DOT IG REVIEW.—Not later than 2 years after the date the Administrator reviews the guidance under subsection (a), the Inspector General of the Department of Transportation shall review the air carriers implementation of the guidance and the ongoing work of the expert panel.

SEC. 2305. ENHANCED MENTAL HEALTH SCREENING FOR PILOTS.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall consider the recommendations of the Pilot Fitness Aviation Rulemaking Committee in determining whether to implement, as part of a comprehensive medical certification process for pilots with a first- or second-class airman medical certificate, additional screening for mental health conditions, including depression and suicidal thoughts or tendencies, and assess treatments that would address any risk associated with such conditions.

SEC. 2306. FLIGHT ATTENDANT DUTY PERIOD LIMITATIONS AND REST REQUIREMENTS.

(a) MODIFICATION OF FINAL RULE.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall revise the flight attendant duty period limitations and rest requirements under section 121.467 of title 14, Code of Federal Regulations.

(b) CONTENTS.—Except as provided in subsection (c), in revising the rule under subsection (a), the Administrator shall ensure that a flight attendant scheduled to a duty period of 14 hours or less is given a scheduled rest period of at least 10 consecutive hours.

(c) EXCEPTION.—The rest period required under subsection (b) may be scheduled or reduced to 9 consecutive hours if the flight attendant is provided a subsequent rest period of at least 11 consecutive hours.

(d) FATIGUE RISK MANAGEMENT PLAN.—

(1) SUBMISSION OF PLAN BY PART 121 AIR CARRIERS.—Not later than 90 days after the date of enactment of this Act, each air carrier operating under part 121 of title 13, Code of Federal Regulations (referred to in this subsection as a ''part 121 air carrier''), shall submit a fatigue risk management plan for the carrier's flight attendants to the Administrator for review and acceptance.

(2) CONTENTS OF PLAN.—Each fatigue risk management plan submitted under paragraph (1) shall include—

(A) current flight time and duty period limitations;

(B) a rest scheme that is consistent with such limitations and enables the management of flight attendant fatigue, including annual training to increase awareness of—

(i) fatigue;

(ii) the effects of fatigue on flight attendants; and

(iii) fatigue countermeasures; and

(C) the development and use of methodology that continually assesses the effectiveness of implementation of the plan, including the ability of the plan—

(i) to improve alertness; and

(ii) to mitigate performance errors.

(3) REVIEW.—Not later than 1 year after the date of enactment of this Act, the Administrator shall—

(A) review each fatigue risk management plan submitted under this subsection; and

(B)(i) accept the plan; or

(ii) reject the plan and provide the part 121 air carrier with suggested modifications to be included when the plan is resubmitted.

(4) PLAN UPDATES.—

(A) IN GENERAL.—Not less frequently than once every 2 years, each part 121 air carrier shall—

(i) update the fatigue risk management plan submitted under paragraph (1); and

(ii) submit the updated plan to the Administrator for review and acceptance.

(B) REVIEW.—Not later than 1 year after the date on which an updated plan is submitted under subparagraph (A)(ii), the Administrator shall—

(i) review the updated plan; and

(ii)(I) accept the updated plan; or

(II) reject the updated plan and provide the part 121 air carrier with suggested modifications to be included when the updated plan is resubmitted.

(5) COMPLIANCE.—Each part 121 air carrier shall comply with its fatigue risk management plan after the plan is accepted by the Administrator under this subsection.

(6) CIVIL PENALTIES.—A violation of this subsection by a part 121 air carrier shall be treated as a violation of chapter 447 of title 49, United States Code, for the purpose of applying civil penalties under chapter 463 of such title.

SEC. 2307. TRAINING TO COMBAT HUMAN TRAFFICKING FOR CERTAIN AIR CARRIER EMPLOYEES.

(a) IN GENERAL.—Subchapter I of chapter 417 is amended by adding at the end the following:

''§ 41725. Training to combat human trafficking

''(a) IN GENERAL.—Each air carrier providing passenger air transportation shall provide flight attendants who are employees or contractors of the air carrier with training to combat human trafficking in the course of carrying out their duties as employees or contractors of the air carrier.

''(b) ELEMENTS OF TRAINING.—The training an air carrier is required to provide under subsection (a) to flight attendants shall include training with respect to—

''(1) common indicators of human trafficking; and

''(2) best practices for reporting suspected human trafficking to law enforcement officers.

''(c) MATERIALS.—An air carrier may provide the training required by subsection (a) using modules and materials developed by the Department of Transportation and the Department of Homeland Security, including the training module and associated materials of the Blue Lightning Initiative and modules and materials subsequently developed and recommended by such Departments with respect to combating human trafficking.

''(d) INTERAGENCY COORDINATION.—The Administrator of the Federal Aviation Administration shall coordinate with the Secretary of Homeland Security to ensure that appropriate training modules and materials are

available for air carriers to conduct the training required by subsection (a).

''(e) HUMAN TRAFFICKING DEFINED.—In this section, the term 'human trafficking' means 1 or more severe forms of trafficking in persons (as defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102)).''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 417 is amended by inserting after the item relating to section 41724 the following:

''41725. Training to combat human trafficking.''.

(c) REPORT REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall submit to the appropriate committees of Congress a report that includes—

(1) an assessment of the status of compliance of air carriers with section 41725 of title 49, United States Code, as added by subsection (a); and

(2) in collaboration with the Attorney General and the Secretary of Homeland Security, recommendations for improving the identification and reporting of human trafficking by air carrier personnel while protecting the civil liberties of passengers.

(d) IMMUNITY FOR REPORTING HUMAN TRAFFICKING.—Section 44941(a) is amended by striking ''or terrorism, as defined by section 3077 of title 18, United States Code,'' and inserting ''human trafficking (as defined by section 41725), or terrorism (as defined by section 3077 of title 18)''.

SEC. 2308. REPORT ON OBSOLETE TEST EQUIPMENT.

(a) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall submit to the appropriate committees of Congress a report on the National Test Equipment Program (referred to in this section as the ''Program'').

(b) CONTENTS.—The report shall include—

(1) a list of all known outstanding requests for test equipment, cataloged by type and location, under the Program;

(2) a description of the current method under the Program of ensuring calibrated equipment is in place for utilization;

(3) a plan by the Administrator for appropriate inventory of such equipment; and

(4) the Administrator's recommendations for increasing multifunctionality in future test equipment to be developed and all known and foreseeable manufacturer technological advances.

SEC. 2309. PLAN FOR SYSTEMS TO PROVIDE DIRECT WARNINGS OF POTENTIAL RUNWAY INCURSIONS.

(a) IN GENERAL.—Not later than June 30, 2016, the Administrator of the Federal Aviation Administration shall—

(1) assess available technologies to determine whether it is feasible, cost-effective, and appropriate to install and deploy, at any airport, systems to provide a direct warning capability to flight crews and air traffic controllers of potential runway incursions; and

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

(b) CONSIDERATIONS.—In conducting the assessment under subsection (a), the Administration shall consider National Transportation Safety Board findings and relevant aviation stakeholder views relating to runway incursions.

SEC. 2310. LASER POINTER INCIDENTS.

(a) IN GENERAL.—Beginning 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration, in coordination with the Director of the Federal Bureau of Investigation, shall provide quarterly updates to the appropriate committees of Congress regarding—

(1) the number of incidents involving the beam from a laser pointer (as defined in section 39A of title 18, United States Code) being aimed at, or in the flight path of, an aircraft in the airspace jurisdiction of the United States;

(2) the number of civil or criminal enforcement actions taken by the Federal Aviation Administration, Department of Transportation, or Department of Justice with regard to the incidents described in paragraph (1), including the amount of the civil or criminal penalties imposed on violators;

(3) the resolution of any incidents that did not result in a civil or criminal enforcement action; and

(4) any actions the Department of Transportation or Department of Justice has taken on its own, or in conjunction with other Federal agencies or local law enforcement agencies, to deter the type of activity described in paragraph (1).

(b) CIVIL PENALTIES.—The Administrator shall revise the maximum civil penalty that may be imposed on an individual who aims the beam of a laser pointer at an aircraft in the airspace jurisdiction of the United States, or at the flight path of such an aircraft, to be $25,000.

SEC. 2311. HELICOPTER AIR AMBULANCE OPERATIONS DATA AND REPORTS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration, in collaboration with helicopter air ambulance industry stakeholders, shall assess the availability of information to the general public related to the location of heliports and helipads used by helicopters providing air ambulance services, including helipads and helipads outside of those listed as part of any existing databases of Airport Master Record (5010) forms.

(b) REQUIREMENTS.—Based on the assessment under subsection (a), the Administrator shall—

(1) update, as necessary, any existing guidance on what information is included in the current databases of Airport Master Record (5010) forms to include information related to heliports and helipads used by helicopters providing air ambulance services; or

(2) develop, as appropriate and in collaboration with helicopter air ambulance industry stakeholders, a new database of heliports and helipads used by helicopters providing air ambulance services.

(c) REPORTS.—

(1) ASSESSMENT.—Not later than 30 days after the date the assessment under subsection (a) is complete, the Administrator shall submit to the appropriate committees of Congress a report on the assessment, including any recommendations on how to make information related to the location of heliports and helipads used by helicopters providing air ambulance services available to the general public.

(2) IMPLEMENTATION.—Not later than 30 days after completing action under paragraph (1) or paragraph (2) of subsection (b), the Administrator shall submit to the appropriate committees of Congress a report on the implementation of that action.

(d) INCIDENT AND ACCIDENT DATA.—Section 44731 is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''not later than 1 year after the date of enactment of this section, and annually thereafter'' and inserting ''annually'';

(B) in paragraph (2), by striking ''flights and hours flown, by registration number, during which helicopters operated by the certificate holder were providing helicopter air ambulance services'' and inserting ''hours flown by the helicopters operated by the certificate holder'';

(C) in paragraph (3)—

(i) by striking ''of flight'' and inserting ''of patients transported and the number of patient transport'';

(ii) by inserting ''or'' after ''interfacility transport,''; and

(iii) by striking '', or ferry or repositioning flight'';

(D) in paragraph (5)—

(i) by striking ''flights and''; and

(ii) by striking ''while providing air ambulance services''; and

(E) by amending paragraph (6) to read as follows:

''(6) The number of hours flown at night by helicopters operated by the certificate holder.'';

(2) in subsection (d)—

(A) by striking ''Not later than 2 years after the date of enactment of this section, and annually thereafter, the Administrator shall submit'' and inserting ''The Administrator shall submit annually''; and

(B) by adding at the end the following: ''The report shall include the number of accidents experienced by helicopter air ambulance operations, the number of fatal accidents experienced by helicopter air ambulance operations, and the rate, per 100,000 flight hours, of accidents and fatal accidents experienced by operators providing helicopter air ambulance services.'';

(3) by redesignating subsection (e) as subsection (f); and

(4) by inserting after subsection (d) the following:

''(e) IMPLEMENTATION.—In carrying out this section, the Administrator, in collaboration with part 135 certificate holders providing helicopter air ambulance services, shall—

''(1) propose and develop a method to collect and store the data submitted under subsection (a), including a method to protect the confidentiality of any trade secret or proprietary information submitted; and

''(2) ensure that the database under subsection (c) and the report under subsection (d) include data and analysis that will best inform efforts to improve the safety of helicopter air ambulance operations.''.

SEC. 2312. PART 135 ACCIDENT AND INCIDENT DATA.

Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall—

(1) determine, in collaboration with the National Transportation Safety Board and Part 135 industry stakeholders, what, if any, additional data should be reported as part of an accident or incident notice to more accurately measure the safety of on-demand Part 135 aircraft activity, to pinpoint safety problems, and to form the basis for critical research and analysis of general aviation issues; and

(2) submit to the appropriate committees of Congress a report on the findings under paragraph (1), including a description of the additional data to be collected, a timeframe for implementing the additional data collection, and any potential obstacles to implementation.

SEC. 2313. DEFINITION OF HUMAN FACTORS.

Section 40102(a), as amended by section 2140 of this Act, is further amended—

(1) by redesignating paragraphs (24) through (47) as paragraphs (25) through (48), respectively; and

(2) by inserting after paragraph (23) the following:

''(24) 'human factors' means a multidisciplinary field that generates and compiles information about human capabilities and limitations and applies it to design, development, and evaluation of equipment, systems,

facilities, procedures, jobs, environments, staffing, organizations, and personnel management for safe, efficient, and effective human performance, including people's use of technology.''.

SEC. 2314. SENSE OF CONGRESS; PILOT IN COMMAND AUTHORITY.

It is the sense of Congress that the pilot in command of an aircraft is directly responsible for, and is the final authority as to, the operation of that aircraft, as set forth in section 91.3(a) of title 14, Code of Federal Regulations (or any successor regulation thereto).

SEC. 2315. ENHANCING ASIAS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration, in consultation with relevant aviation industry stakeholders, shall assess what, if any, improvements are needed to develop the predictive capability of the Aviation Safety Information Analysis and Sharing program (referred to in this section as ''ASIAS'') with regard to identifying precursors to accidents.

(b) CONTENTS.—In conducting the assessment under subsection (a), the Administrator shall—

(1) determine what actions are necessary—

(A) to improve data quality and standardization; and

(B) to increase the data received from additional segments of the aviation industry, such as small airplane, helicopter, and business jet operations;

(2) consider how to prioritize the actions described in paragraph (1); and

(3) review available methods for disseminating safety trend data from ASIAS to the aviation safety community, including the inspector workforce, to inform in their risk-based decision making efforts.

(c) REPORT.—Not later than 60 days after the date the assessment under subsection (a) is complete, the Administrator shall submit to the appropriate committees of Congress a report on the assessment, including recommendations regarding paragraphs (1) through (3) of subsection (b).

SEC. 2316. IMPROVING RUNWAY SAFETY.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall expedite the development of metrics—

(1) to allow the Federal Aviation Administration to determine whether runway incursions are increasing; and

(2) to assess the effectiveness of implemented runway safety initiatives.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the progress in developing the metrics described in subsection (a).

SEC. 2317. SAFE AIR TRANSPORTATION OF LITHIUM CELLS AND BATTERIES.

(a) RESTRICTIONS ON TRANSPORTATION OF LITHIUM BATTERIES ON PASSENGER AIRCRAFT.—

(1) IN GENERAL.—Pursuant to section 828 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44701 note)—

(A) not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall update applicable regulations to implement the revised standards adopted by the International Civil Aviation Organization (ICAO) on February 22, 2016, regarding—

(i) prohibiting the bulk air transportation of lithium ion batteries on passenger aircraft; and

(ii) prohibiting bulk air transport cargo shipment of lithium batteries with an internal charge above 30 percent; and

(B) the Secretary of Transportation may initiate a review of existing regulations under parts 171–181 of title 49, Code of Federal Regulations, and any applicable regulations under title 14, Code of Federal Regulations, regarding the air transportation, including passenger-carrying and cargo aircraft, of lithium batteries and cells.

(2) MEDICAL DEVICE BATTERIES.—The Secretary of Transportation is encouraged to work with ICAO, pilots, and industry stakeholders to facilitate continued shipment of medical device batteries consistent with high standards of safety.

(3) 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) to promulgate additional emergency or permanent regulations as permitted by subsection (b) of that section.

(b) LITHIUM BATTERY SAFETY WORKING GROUP.—Not later than 90 days after the date of enactment of this Act, the President shall establish a lithium battery safety working group to promote and coordinate efforts related to the promotion of the safe manufacture, use, and transportation of lithium batteries and cells.

(1) COMPOSITION.—

(A) IN GENERAL.—The working group shall be composed of at least 1 representative from each of the following:

(i) Consumer Product Safety Commission.

(ii) Department of Transportation.

(iii) National Institute on Standards and Technology.

(iv) Food and Drug Administration.

(B) ADDITIONAL MEMBERS.—The working group may include not more than 4 additional members with expertise in the safe manufacture, use, or transportation of lithium batteries and cells.

(C) SUBCOMMITTEES.—The President, or members of the working group, may—

(i) establish working group subcommittees to focus on specific issues related to the safe manufacture, use, or transportation of lithium batteries and cells; and

(ii) include in a subcommittee the participation of nonmember stakeholders with expertise in areas that the President or members consider necessary.

(2) REPORT.—Not later than 1 year after the date it is established under subsection (b), the working group shall—

(A) research—

(i) additional ways to decrease the risk of fires and explosions from lithium batteries and cells;

(ii) additional ways to ensure uniform transportation requirements for both bulk and individual batteries; and

(iii) new or existing technologies that could reduce the fire and explosion risk of lithium batteries and cells; and

(B) transmit to the appropriate committees of Congress a report on the research under subparagraph (A), including any legislative recommendations to effectuate the safety improvements described in clauses (i) through (iii) of that subparagraph.

(3) EXEMPTION FROM FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group.

(4) TERMINATION.—The working group, and any working group subcommittees, shall terminate 90 days after the date the report is transmitted under paragraph (2).

SEC. 2318. PROHIBITION ON IMPLEMENTATION OF POLICY CHANGE TO PERMIT SMALL, NON-LOCKING KNIVES ON AIRCRAFT.

(a) IN GENERAL.—Notwithstanding any other provision of law, on and after the date of enactment of this Act, the Secretary of Homeland Security may not implement any change to the prohibited items list of the Transportation Security Administration that would permit passengers to carry small, non-locking knives through passenger screening checkpoints at airports, into sterile areas at airports, or on board passenger aircraft.

(b) PROHIBITED ITEMS LIST DEFINED.—In this section, the term ''prohibited items list'' means the list of items passengers are prohibited from carrying as accessible property or on their persons through passenger screening checkpoints at airports, into sterile areas at airports, and on board passenger aircraft pursuant to section 1540.111 of title 49, Code of Federal Regulations.

SEC. 2319. AIRCRAFT CABIN EVACUATION PROCEDURES.

(a) REVIEW.—The Administrator of the Federal Aviation Administration shall review—

(1) evacuation certification of transport-category aircraft used in air transportation, with regard to—

(A) emergency conditions, including impacts into water;

(B) crew procedures used for evacuations under actual emergency conditions;

(C) any relevant changes to passenger demographics and legal requirements, including the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), that affect emergency evacuations; and

(D) any relevant changes to passenger seating configurations, including changes to seat width, padding, reclining, size, pitch, leg room, and aisle width; and

(2) recent accidents and incidents in which passengers evacuated such aircraft.

(b) CONSULTATION; REVIEW OF DATA.—In conducting the review under subsection (a), the Administrator shall—

(1) consult with the National Transportation Safety Board, transport-category aircraft manufacturers, air carriers, and other relevant experts and Federal agencies, including groups representing passengers, airline crew members, maintenance employees, and emergency responders; and

(2) review relevant data with respect to evacuation certification of transport-category aircraft.

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the results of the review under subsection (a) and related recommendations, if any, including recommendations for revisions to the assumptions and methods used for assessing evacuation certification of transport-category aircraft.

Subtitle D—General Aviation Safety

SEC. 2401. AUTOMATED WEATHER OBSERVING SYSTEMS POLICY.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall—

(1) update automated weather observing systems standards to maximize the use of new technologies that promote the reduction of equipment or maintenance cost for non-Federal automated weather observing systems, including the use of remote monitoring and maintenance, unless demonstrated to be ineffective;

(2) review, and if necessary update, existing policies in accordance with the standards developed under paragraph (1); and

(3) establish a process under which appropriate on site airport personnel or an aviation official may, with appropriate manufacturer training or alternative training as determined by the Administrator, be permitted to conduct the minimum tri-annual preventative maintenance checks under the advisory circular for non-Federal automated weather observing systems (AC 150/5220-16D).

(b) PERMISSION.—Permission to conduct the minimum tri-annual preventative maintenance checks described under subsection (a)(3) shall not be withheld but for specific cause.

(c) STANDARDS.—In updating the standards under subsection (a)(1), the Administrator shall—

(1) ensure the standards are performance-based;

(2) use risk analysis to determine the accuracy of the automated weather observing systems outputs required for pilots to perform safe aircraft operations; and

(3) provide a cost benefit analysis to determine whether the benefits outweigh the cost for any requirement not directly related to safety.

(d) REPORT.—Not later than September 30, 2017, the Administrator shall provide a report to the appropriate committees of Congress on the implementation of requirements under this section.

SEC. 2402. TOWER MARKING.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue regulations to require the marking of covered towers.

(b) MARKING REQUIRED.—The regulations under subsection (a) shall require that a covered tower be clearly marked in a manner that is consistent with applicable guidance under the Federal Aviation Administration Advisory Circular issued December 4, 2015 (AC 70/7460–1L) or other relevant safety guidance, as determined by the Administrator.

(c) APPLICATION.—The regulations issued under subsection (a) shall ensure that—

(1) all covered towers constructed on or after the date on which such regulations take effect are marked in accordance with subsection (b); and

(2) a covered tower constructed before the date on which such regulations take effect is marked in accordance with subsection (b) not later than 1 year after such effective date.

(d) DEFINITION OF COVERED TOWER.—

(1) IN GENERAL.—In this section, the term ''covered tower'' means a structure that—

(A) is self-standing or supported by guy wires and ground anchors;

(B) is 10 feet or less in diameter at the above-ground base, excluding concrete footing;

(C) at the highest point of the structure is at least 50 feet above ground level;

(D) at the highest point of the structure is not more than 200 feet above ground level;

(E) has accessory facilities on which an antenna, sensor, camera, meteorological instrument, or other equipment is mounted; and

(F) is located—

(i) outside the boundaries of an incorporated city or town; or

(ii) on land that is—

(I) undeveloped; or

(II) used for agricultural purposes.

(2) EXCLUSIONS.—The term ''covered tower'' does not include any structure that—

(A) is adjacent to a house, barn, electric utility station, or other building;

(B) is within the curtilage of a farmstead;

(C) supports electric utility transmission or distribution lines;

(D) is a wind powered electrical generator with a rotor blade radius that exceeds 6 feet; or

(E) is a street light erected or maintained by a Federal, State, local, or tribal entity.

(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 access to the database is limited to individuals, such as airmen, who require the information for aviation safety purposes only.

SEC. 2403. CRASH-RESISTANT FUEL SYSTEMS.

Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall evaluate and update, as necessary, standards for crash-resistant fuel systems for civilian rotorcraft.

SEC. 2404. REQUIREMENT TO CONSULT WITH STAKEHOLDERS IN DEFINING SCOPE AND REQUIREMENTS FOR FUTURE FLIGHT SERVICE PROGRAM.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall consult with general aviation stakeholders in defining the scope and requirements for any new Future Flight Service Program of the Administration to be used in a competitive source selection for the next flight service contract with the Administration.

Subtitle E—General Provisions

SEC. 2501. DESIGNATED AGENCY SAFETY AND HEALTH OFFICER.

(a) IN GENERAL.—Section 106 is amended by adding at the end the following:

''(u) DESIGNATED AGENCY SAFETY AND HEALTH OFFICER.—

''(1) APPOINTMENT.—There shall be a Designated Agency Safety and Health Officer appointed by the Administrator who shall exclusively fulfill the duties prescribed in this subsection.

''(2) RESPONSIBILITIES.—The Designated Agency Safety and Health Officer shall have responsibility and accountability for—

''(A) auditing occupational safety and health issues across the Administration;

''(B) overseeing Administration-wide compliance with relevant Federal occupational safety and health statutes and regulations, national industry and consensus standards, and Administration policies; and

''(C) encouraging a culture of occupational safety and health to complement the Administration's existing safety culture.

''(3) REPORTING STRUCTURE.—The Designated Agency Safety and Health Officer shall occupy a full-time, senior executive position and shall report directly to the Assistant Administrator for Human Resource Management.

''(4) QUALIFICATIONS AND REMOVAL.—

''(A) QUALIFICATIONS.—The Designated Agency Safety and Health Officer shall have demonstrated ability and experience in the establishment and administration of comprehensive occupational safety and health programs and knowledge of relevant Federal occupational safety and health statutes and regulations, national industry and consensus standards, and Administration policies.

''(B) REMOVAL.—The Designated Agency Safety and Health Officer shall serve at the pleasure of the Administrator.''.

(b) DEADLINE FOR APPOINTMENT.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall appoint an individual to serve as the Designated Agency Safety and Health Officer under section 106(u) of title 49, United States Code.

SEC. 2502. REPAIR STATIONS LOCATED OUTSIDE UNITED STATES.

(a) RISK-BASED OVERSIGHT.—Section 44733 is amended—

(1) by redesignating subsection (f) as subsection (g);

(2) by inserting after subsection (e) the following:

''(f) RISK-BASED OVERSIGHT.—

''(1) IN GENERAL.—Not later than 90 days after the date of enactment of the Federal Aviation Administration Reauthorization Act of 2016, the Administrator shall take measures to ensure that the safety assessment system established under subsection (a)—

''(A) places particular consideration on inspections of part 145 repair stations located outside the United States that conduct scheduled heavy maintenance work on part 121 air carrier aircraft; and

''(B) accounts for the frequency and seriousness of any corrective actions that part 121 air carriers must implement to aircraft following such work at such repair stations.

''(2) INTERNATIONAL AGREEMENTS.—The Administrator shall take the measures required under paragraph (1)—

''(A) in accordance with the United States obligations under applicable international agreements; and

''(B) in a manner consistent with the applicable laws of the country in which a repair station is located.

''(3) ACCESS TO DATA.—The Administrator may access and review such information or data in the possession of a part 121 air carrier as the Administrator may require in carrying out paragraph (1)(B).''; and

(3) in subsection (g), as redesignated—

(A) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(B) by inserting before paragraph (2), as redesignated, the following:

''(1) HEAVY MAINTENANCE WORK.—The term 'heavy maintenance work' means a C-check, a D-check, or equivalent maintenance operation with respect to the airframe of a transport-category aircraft.''.

(b) ALCOHOL AND CONTROLLED SUBSTANCES TESTING.—The Administrator of the Federal Aviation Administration shall ensure that—

(1) not later than 90 days after the date of enactment of this Act, a notice of proposed rulemaking required pursuant to section 44733(d)(2) of title 49, United States Code, is published in the Federal Register; and

(2) not later than 1 year after the date on which the notice of proposed rulemaking is published in the Federal Register, the rulemaking is finalized.

(c) BACKGROUND INVESTIGATIONS.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall ensure that each employee of a repair station certificated under part 145 of title 14, Code of Federal Regulations, who performs a safety-sensitive function on an air carrier aircraft has undergone a preemployment background investigation sufficient to determine whether the individual presents a threat to aviation safety, in a manner that is—

(1) determined acceptable by the Administrator;

(2) consistent with the applicable laws of the country in which the repair station is located; and

(3) consistent with the United States obligations under international agreements.

SEC. 2503. FAA TECHNICAL TRAINING.

(a) E-LEARNING TRAINING PILOT PROGRAM.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration, in collaboration with the exclusive bargaining representatives of covered FAA personnel, shall establish an e-learning training pilot program in accordance with the requirements of this section.

(b) CURRICULUM.—The pilot program shall—

(1) include a recurrent training curriculum for covered FAA personnel to ensure that the covered FAA personnel receive instruction on the latest aviation technologies, processes, and procedures;

(2) focus on providing specialized technical training for covered FAA personnel, as determined necessary by the Administrator;

(3) include training courses on applicable regulations of the Federal Aviation Administration; and

(4) consider the efficacy of instructor-led online training.

(c) PILOT PROGRAM TERMINATION.—The pilot program shall terminate 1 year after the date of establishment of the pilot program.

(d) E-LEARNING TRAINING PROGRAM.—Upon termination of the pilot program, the Administrator shall assess and establish or update an e-learning training program that incorporates lessons learned for covered FAA personnel as a result of the pilot program.

(e) DEFINITIONS.—In this section:

(1) COVERED FAA PERSONNEL.—The term ''covered FAA personnel'' means airway transportation systems specialists and aviation safety inspectors of the Federal Aviation Administration.

(2) E-LEARNING TRAINING.—The term ''e-learning training'' means learning utilizing electronic technologies to access educational curriculum outside of a traditional classroom.

SEC. 2504. SAFETY CRITICAL STAFFING.

(a) AUDIT BY DOT INSPECTOR GENERAL.—Not later than 1 year after the date of enactment of this Act, the Inspector General of the Department of Transportation shall conduct and complete an audit of the staffing model used by the Federal Aviation Administration to determine the number of aviation safety inspectors that are needed to fulfill the mission of the Federal Aviation Administration and adequately ensure aviation safety.

(b) CONTENTS.—The audit shall include, at a minimum—

(1) a review of the staffing model and an analysis of how consistently the staffing model is applied throughout the Federal Aviation Administration's aviation safety lines of business;

(2) a review of the assumptions and methods used in devising and implementing the staffing model to assess the adequacy of the staffing model to predict the number of aviation safety inspectors needed to properly fulfill the mission of the Federal Aviation Administration and meet the future growth of the aviation industry; and

(3) a determination on whether the current staffing model takes into account the Federal Aviation Administration's authority to fully utilize designees.

(c) REPORT.—Not later than 30 days after the date of completion of the audit, the Inspector General shall submit to the appropriate committees of Congress a report on the results of the audit.

SEC. 2505. APPROACH CONTROL RADAR IN ALL AIR TRAFFIC CONTROL TOWERS.

The Administrator of the Federal Aviation Administration shall—

(1) identify airports that are currently served by Federal Aviation Administration towers with non-radar approach and departure control (Type 4 tower); and

(2) develop an implementation plan, including budgetary considerations, to provide the facilities identified under paragraph (1) with approach control radar.

Subtitle F—Third Class Medical Reform and General Aviation Pilot Protections

SEC. 2601. SHORT TITLE.

This subtitle may be cited as the ''Pilot's Bill of Rights 2''.

SEC. 2602. MEDICAL CERTIFICATION OF CERTAIN SMALL AIRCRAFT PILOTS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue or revise regulations to ensure that an individual may operate as pilot in command of a covered aircraft if—

(1) the individual possesses a valid driver's license issued by a State, territory, or possession of the United States and complies with all medical requirements or restrictions associated with that license;

(2) the individual holds a medical certificate issued by the Federal Aviation Administration on the date of enactment of this Act, held such a certificate at any point during the 10-year period preceding such date of enactment, or obtains such a certificate after such date of enactment;

(3) the most recent medical certificate issued by the Federal Aviation Administration to the individual—

(A) indicates whether the certificate is first, second, or third class;

(B) may include authorization for special issuance;

(C) may be expired;

(D) cannot have been revoked or suspended; and

(E) cannot have been withdrawn;

(4) the most recent application for airman medical certification submitted to the Federal Aviation Administration by the individual cannot have been completed and denied;

(5) the individual has completed a medical education course described in subsection (c) during the 24 calendar months before acting as pilot in command of a covered aircraft and demonstrates proof of completion of the course;

(6) the individual, when serving as a pilot in command, is under the care and treatment of a physician if the individual has been diagnosed with any medical condition that may impact the ability of the individual to fly;

(7) the individual has received a comprehensive medical examination from a State-licensed physician during the previous 48 months and—

(A) prior to the examination, the individual—

(i) completed the individual's section of the checklist described in subsection (b); and

(ii) provided the completed checklist to the physician performing the examination; and

(B) the physician conducted the comprehensive medical examination in accordance with the checklist described in subsection (b), checking each item specified during the examination and addressing, as medically appropriate, every medical condition listed, and any medications the individual is taking; and

(8) the individual is operating in accordance with the following conditions:

(A) The covered aircraft is carrying not more than 5 passengers.

(B) The individual is operating the covered aircraft under visual flight rules or instrument flight rules.

(C) The flight, including each portion of that flight, is not carried out—

(i) for compensation or hire, including that no passenger or property on the flight is being carried for compensation or hire;

(ii) at an altitude that is more than 18,000 feet above mean sea level;

(iii) outside the United States, unless authorized by the country in which the flight is conducted; or

(iv) at an indicated air speed exceeding 250 knots.

(b) COMPREHENSIVE MEDICAL EXAMINATION.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall develop a checklist for an individual to complete and provide to the physician performing the comprehensive medical examination required in subsection (a)(7).

(2) REQUIREMENTS.—The checklist shall contain—

(A) a section, for the individual to complete that contains—

(i) boxes 3 through 13 and boxes 16 through 19 of the Federal Aviation Administration Form 8500–8 (3–99);

(ii) a signature line for the individual to affirm that—

(I) the answers provided by the individual on that checklist, including the individual's answers regarding medical history, are true and complete;

(II) the individual understands that he or she is prohibited under Federal Aviation Administration regulations from acting as pilot in command, or any other capacity as a required flight crew member, if he or she knows or has reason to know of any medical deficiency or medically disqualifying condition that would make the individual unable to operate the aircraft in a safe manner; and

(III) the individual is aware of the regulations pertaining to the prohibition on operations during medical deficiency and has no medically disqualifying conditions in accordance with applicable law;

(B) a section with instructions for the individual to provide the completed checklist to the physician performing the comprehensive medical examination required in subsection (a)(7); and

(C) a section, for the physician to complete, that instructs the physician—

(i) to perform a clinical examination of—

(I) head, face, neck, and scalp;

(II) nose, sinuses, mouth, and throat;

(III) ears, general (internal and external canals), and eardrums (perforation);

(IV) eyes (general), ophthalmoscopic, pupils (equality and reaction), and ocular motility (associated parallel movement, nystagmus);

(V) lungs and chest (not including breast examination);

(VI) heart (precordial activity, rhythm, sounds, and murmurs);

(VII) vascular system (pulse, amplitude, and character, and arms, legs, and others);

(VIII) abdomen and viscera (including hernia);

(IX) anus (not including digital examination);

(X) skin;

(XI) G–U system (not including pelvic examination);

(XII) upper and lower extremities (strength and range of motion);

(XIII) spine and other musculoskeletal;

(XIV) identifying body marks, scars, and tattoos (size and location);

(XV) lymphatics;

(XVI) neurologic (tendon reflexes, equilibrium, senses, cranial nerves, and coordination, etc.);

(XVII) psychiatric (appearance, behavior, mood, communication, and memory);

(XVIII) general systemic;

(XIX) hearing;

(XX) vision (distant, near, and intermediate vision, field of vision, color vision, and ocular alignment);

(XXI) blood pressure and pulse; and

(XXII) anything else the physician, in his or her medical judgment, considers necessary;

(ii) to exercise medical discretion to address, as medically appropriate, any medical conditions identified, and to exercise medical discretion in determining whether any medical tests are warranted as part of the comprehensive medical examination;

(iii) to discuss all drugs the individual reports taking (prescription and nonprescription) and their potential to interfere with

the safe operation of an aircraft or motor vehicle;

(iv) to sign the checklist, stating: ''I certify that I discussed all items on this checklist with the individual during my examination, discussed any medications the individual is taking that could interfere with their ability to safely operate an aircraft or motor vehicle, and performed an examination that included all of the items on this checklist. I certify that I am not aware of any medical condition that, as presently treated, could interfere with the individual's ability to safely operate an aircraft.''; and

(v) to provide the date the comprehensive medical examination was completed, and the physician's full name, address, telephone number, and State medical license number.

(3) LOGBOOK.—The completed checklist shall be retained in the individual's logbook and made available on request.

(c) MEDICAL EDUCATION COURSE REQUIREMENTS.—The medical education course described in this subsection shall—

(1) be available on the Internet free of charge;

(2) be developed and periodically updated in coordination with representatives of relevant nonprofit and not-for-profit general aviation stakeholder groups;

(3) educate pilots on conducting medical self-assessments;

(4) advise pilots on identifying warning signs of potential serious medical conditions;

(5) identify risk mitigation strategies for medical conditions;

(6) increase awareness of the impacts of potentially impairing over-the-counter and prescription drug medications;

(7) encourage regular medical examinations and consultations with primary care physicians;

(8) inform pilots of the regulations pertaining to the prohibition on operations during medical deficiency and medically disqualifying conditions;

(9) provide the checklist developed by the Federal Aviation Administration in accordance with subsection (b); and

(10) upon successful completion of the course, electronically provide to the individual and transmit to the Federal Aviation Administration—

(A) a certification of completion of the medical education course, which shall be printed and retained in the individual's logbook and made available upon request, and shall contain the individual's name, address, and airman certificate number;

(B) subject to subsection (d), a release authorizing the National Driver Register through a designated State Department of Motor Vehicles to furnish to the Federal Aviation Administration information pertaining to the individual's driving record;

(C) a certification by the individual that the individual is under the care and treatment of a physician if the individual has been diagnosed with any medical condition that may impact the ability of the individual to fly, as required under (a)(6);

(D) a form that includes—

(i) the name, address, telephone number, and airman certificate number of the individual;

(ii) the name, address, telephone number, and State medical license number of the physician performing the comprehensive medical examination required in subsection (a)(7);

(iii) the date of the comprehensive medical examination required in subsection (a)(7); and

(iv) a certification by the individual that the checklist described in subsection (b) was followed and signed by the physician in the comprehensive medical examination required in subsection (a)(7); and

(E) a statement, which shall be printed, and signed by the individual certifying that the individual understands the existing prohibition on operations during medical deficiency by stating: ''I understand that I cannot act as pilot in command, or any other capacity as a required flight crew member, if I know or have reason to know of any medical condition that would make me unable to operate the aircraft in a safe manner.''.

(d) NATIONAL DRIVER REGISTER.—The authorization under subsection (c)(10)(B) shall be an authorization for a single access to the information contained in the National Driver Register.

(e) SPECIAL ISSUANCE PROCESS.—

(1) IN GENERAL.—An individual who has qualified for the third-class medical certificate exemption under subsection (a) and is seeking to serve as a pilot in command of a covered aircraft shall be required to have completed the process for obtaining an Authorization for Special Issuance of a Medical Certificate for each of the following:

(A) A mental health disorder, limited to an established medical history or clinical diagnosis of—

(i) personality disorder that is severe enough to have repeatedly manifested itself by overt acts;

(ii) psychosis, defined as a case in which an individual—

(I) has manifested delusions, hallucinations, grossly bizarre or disorganized behavior, or other commonly accepted symptoms of psychosis; or

(II) may reasonably be expected to manifest delusions, hallucinations, grossly bizarre or disorganized behavior, or other commonly accepted symptoms of psychosis;

(iii) bipolar disorder; or

(iv) substance dependence within the previous 2 years, as defined in section 67.307(a)(4) of title 14, Code of Federal Regulations.

(B) A neurological disorder, limited to an established medical history or clinical diagnosis of any of the following:

(i) Epilepsy.

(ii) Disturbance of consciousness without satisfactory medical explanation of the cause.

(iii) A transient loss of control of nervous system functions without satisfactory medical explanation of the cause.

(C) A cardiovascular condition, limited to a one-time special issuance for each diagnosis of the following:

(i) Myocardial infraction.

(ii) Coronary heart disease that has required treatment.

(iii) Cardiac valve replacement.

(iv) Heart replacement.

(2) SPECIAL RULE FOR CARDIOVASCULAR CONDITIONS.—In the case of an individual with a cardiovascular condition, the process for obtaining an Authorization for Special Issuance of a Medical Certificate shall be satisfied with the successful completion of an appropriate clinical evaluation without a mandatory wait period.

(3) SPECIAL RULE FOR MENTAL HEALTH CONDITIONS.—

(A) In the case of an individual with a clinically diagnosed mental health condition, the third-class medical certificate exemption under subsection (a) shall not apply if—

(i) in the judgment of the individual's State-licensed medical specialist, the condition—

(I) renders the individual unable to safely perform the duties or exercise the airman privileges described in subsection (a)(8); or

(II) may reasonably be expected to make the individual unable to perform the duties or exercise the privileges described in subsection (a)(8); or

(ii) the individual's driver's license is revoked by the issuing agency as a result of a clinically diagnosed mental health condition.

(B) Subject to subparagraph (A), an individual clinically diagnosed with a mental health condition shall certify every 2 years, in conjunction with the certification under subsection (c)(10)(C), that the individual is under the care of a State-licensed medical specialist for that mental health condition.

(4) SPECIAL RULE FOR NEUROLOGICAL CONDITIONS.—

(A) In the case of an individual with a clinically diagnosed neurological condition, the third-class medical certificate exemption under subsection (a) shall not apply if—

(i) in the judgment of the individual's State-licensed medical specialist, the condition—

(I) renders the individual unable to safely perform the duties or exercise the airman privileges described in subsection (a)(8); or

(II) may reasonably be expected to make the individual unable to perform the duties or exercise the privileges described in subsection (a)(8); or

(ii) the individual's driver's license is revoked by the issuing agency as a result of a clinically diagnosed neurological condition.

(B) Subject to subparagraph (A), an individual clinically diagnosed with a neurological condition shall certify every 2 years, in conjunction with the certification under subsection (c)(10)(C), that the individual is under the care of a State-licensed medical specialist for that neurological condition.

(f) IDENTIFICATION OF ADDITIONAL MEDICAL CONDITIONS FOR THE CACI PROGRAM.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall review and identify additional medical conditions that could be added to the program known as the Conditions AMEs Can Issue (CACI) program.

(2) CONSULTATIONS.—In carrying out paragraph (1), the Administrator shall consult with aviation, medical, and union stakeholders.

(3) REPORT REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report listing the medical conditions that have been added to the CACI program under paragraph (1).

(g) EXPEDITED AUTHORIZATION FOR SPECIAL ISSUANCE OF A MEDICAL CERTIFICATE.—

(1) IN GENERAL.—The Administrator shall implement procedures to expedite the process for obtaining an Authorization for Special Issuance of a Medical Certificate under section 67.401 of title 14, Code of Federal Regulations.

(2) CONSULTATIONS.—In carrying out paragraph (1), the Administrator shall consult with aviation, medical, and union stakeholders.

(3) REPORT REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing how the procedures implemented under paragraph (1) will streamline the process for obtaining an Authorization for Special Issuance of a Medical Certificate and reduce the amount of time needed to review and decide special issuance cases.

(h) REPORT REQUIRED.—Not later than 5 years after the date of enactment of this Act, the Administrator, in coordination with the National Transportation Safety Board,

shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the effect of the regulations issued or revised under subsection (a) and includes statistics with respect to changes in small aircraft activity and safety incidents.

(i) PROHIBITION ON ENFORCEMENT ACTIONS.—Beginning on the date that is 1 year after the date of enactment of this Act, the Administrator may not take an enforcement action for not holding a valid third-class medical certificate against a pilot of a covered aircraft for a flight, through a good faith effort, if the pilot and the flight meet the applicable requirements under subsection (a), except paragraph (5) of that subsection, unless the Administrator has published final regulations in the Federal Register under that subsection.

(j) COVERED AIRCRAFT DEFINED.—In this section, the term ''covered aircraft'' means an aircraft that—

(1) is authorized under Federal law to carry not more than 6 occupants; and

(2) has a maximum certificated takeoff weight of not more than 6,000 pounds.

(k) OPERATIONS COVERED.—The provisions and requirements covered in this section do not apply to pilots who elect to operate under the medical requirements under subsection (b) or subsection (c) of section 61.23 of title 14, Code of Federal Regulations.

(l) AUTHORITY TO REQUIRE ADDITIONAL INFORMATION.—

(1) IN GENERAL.—If the Administrator receives credible or urgent information, including from the National Driver Register or the Administrator's Safety Hotline, that reflects on an individual's ability to safely operate a covered aircraft under the third-class medical certificate exemption in subsection (a), the Administrator may require the individual to provide additional information or history so that the Administrator may determine whether the individual is safe to continue operating a covered aircraft.

(2) USE OF INFORMATION.—The Administrator may use credible or urgent information received under paragraph (1) to request an individual to provide additional information or to take actions under section 44709(b) of title 49, United States Code.

SEC. 2603. EXPANSION OF PILOT'S BILL OF RIGHTS.

(a) APPEALS OF SUSPENDED AND REVOKED AIRMAN CERTIFICATES.—Section 2(d)(1) of the Pilot's Bill of Rights (Public Law 112–153; 126 Stat. 1159; 49 U.S.C. 44703 note) is amended by striking ''or imposing a punitive civil action or an emergency order of revocation under subsections (d) and (e) of section 44709 of such title'' and inserting ''suspending or revoking an airman certificate under section 44709(d) of such title, or imposing an emergency order of revocation under subsections (d) and (e) of section 44709 of such title''.

(b) DE NOVO REVIEW BY DISTRICT COURT; BURDEN OF PROOF.—Section 2(e) of the Pilot's Bill of Rights (Public Law 112–153; 126 Stat. 1159; 49 U.S.C. 44703 note) is amended—

(1) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—In an appeal filed under subsection (d) in a United States district court with respect to a denial, suspension, or revocation of an airman certificate by the Administrator—

''(A) the district court shall review the denial, suspension, or revocation de novo, including by—

''(i) conducting a full independent review of the complete administrative record of the denial, suspension, or revocation;

''(ii) permitting additional discovery and the taking of additional evidence; and

''(iii) making the findings of fact and conclusions of law required by Rule 52 of the Federal Rules of Civil Procedure without being bound to any findings of fact of the Administrator or the National Transportation Safety Board.'';

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

''(2) BURDEN OF PROOF.—In an appeal filed under subsection (d) in a United States district court after an exhaustion of administrative remedies, the burden of proof shall be as follows:

''(A) In an appeal of the denial of an application for the issuance or renewal of an airman certificate under section 44703 of title 49, United States Code, the burden of proof shall be upon the applicant denied an airman certificate by the Administrator.

''(B) In an appeal of an order issued by the Administrator under section 44709 of title 49, United States Code, the burden of proof shall be upon the Administrator.''; and

(4) by adding at the end the following:

''(4) APPLICABILITY OF ADMINISTRATIVE PROCEDURE ACT.—Notwithstanding paragraph (1)(A) of this subsection or subsection (a)(1) of section 554 of title 5, United States Code, section 554 of such title shall apply to adjudications of the Administrator and the National Transportation Safety Board to the same extent as that section applied to such adjudications before the date of enactment of the Pilot's Bill of Rights 2.''.

(c) NOTIFICATION OF INVESTIGATION.—Subsection (b) of section 2 of the Pilot's Bill of Rights (Public Law 112–153; 126 Stat. 1159; 49 U.S.C. 44703 note) is amended—

(1) in paragraph (2)(A), by inserting ''and the specific activity on which the investigation is based'' after ''nature of the investigation'';

(2) in paragraph (3), by striking ''timely''; and

(3) in paragraph (5), by striking ''section 44709(c)(2)'' and inserting ''section 44709(e)(2)''.

(d) RELEASE OF INVESTIGATIVE REPORTS.—Section 2 of the Pilot's Bill of Rights (Public Law 112–153; 126 Stat. 1159; 49 U.S.C. 44703 note) is further amended by inserting after subsection (e) the following:

''(f) RELEASE OF INVESTIGATIVE REPORTS.—

''(1) IN GENERAL.—

''(A) EMERGENCY ORDERS.—In any proceeding conducted under part 821 of title 49, Code of Federal Regulations, relating to the amendment, modification, suspension, or revocation of an airman certificate, in which the Administrator issues an emergency order under subsections (d) and (e) of section 44709, section 44710, or section 46105(c) of title 49, United States Code, or another order that takes effect immediately, the Administrator shall provide to the individual holding the airman certificate the releasable portion of the investigative report at the time the Administrator issues the order. If the complete Report of Investigation is not available at the time the Emergency Order is issued, the Administrator shall issue all portions of the report that are available at the time and shall provide the full report within 5 days of its completion.

''(B) OTHER ORDERS.—In any non-emergency proceeding conducted under part 821 of title 49, Code of Federal Regulations, relating to the amendment, modification, suspension, or revocation of an airman certificate, in which the Administrator notifies the certificate holder of a proposed certificate action under subsections (b) and (c) of section 44709 or section 44710 of title 49, United States Code, the Administrator shall, upon the written request of the covered certificate holder and at any time after that notification, provide to the covered certificate holder the releasable portion of the investigative report.

''(2) MOTION FOR DISMISSAL.—If the Administrator does not provide the releasable portions of the investigative report to the individual holding the airman certificate subject to the proceeding referred to in paragraph (1) by the time required by that paragraph, the individual may move to dismiss the complaint of the Administrator or for other relief and, unless the Administrator establishes good cause for the failure to provide the investigative report or for a lack of timeliness, the administrative law judge shall order such relief as the judge considers appropriate.

''(3) RELEASABLE PORTION OF INVESTIGATIVE REPORT.—For purposes of paragraph (1), the releasable portion of an investigative report is all information in the report, except for the following:

''(A) Information that is privileged.

''(B) Information that constitutes work product or reflects internal deliberative process.

''(C) Information that would disclose the identity of a confidential source.

''(D) Information the disclosure of which is prohibited by any other provision of law.

''(E) Information that is not relevant to the subject matter of the proceeding.

''(F) Information the Administrator can demonstrate is withheld for good cause.

''(G) Sensitive security information, as defined in section 15.5 of title 49, Code of Federal Regulations (or any corresponding similar ruling or regulation).

''(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to prevent the Administrator from releasing to an individual subject to an investigation described in subsection (b)(1)—

''(A) information in addition to the information included in the releasable portion of the investigative report; or

''(B) a copy of the investigative report before the Administrator issues a complaint.''.

SEC. 2604. LIMITATIONS ON REEXAMINATION OF CERTIFICATE HOLDERS.

(a) IN GENERAL.—Section 44709(a) is amended—

(1) by striking ''The Administrator'' and inserting the following:

''(1) IN GENERAL.—The Administrator'';

(2) by striking ''reexamine'' and inserting '', except as provided in paragraph (2), reexamine''; and

(3) by adding at the end the following:

''(2) LIMITATION ON THE REEXAMINATION OF AIRMAN CERTIFICATES.—

''(A) IN GENERAL.—The Administrator may not reexamine an airman holding a student, sport, recreational, or private pilot certificate issued under section 44703 of this title if the reexamination is ordered as a result of an event involving the fault of the Federal Aviation Administration or its designee, unless the Administrator has reasonable grounds—

''(i) to establish that the airman may not be qualified to exercise the privileges of a particular certificate or rating, based upon an act or omission committed by the airman while exercising those privileges, after the certificate or rating was issued by the Federal Aviation Administration or its designee; or

''(ii) to demonstrate that the airman obtained the certificate or the rating through fraudulent means or through an examination that was substantially and demonstrably inadequate to establish the airman's qualifications.

''(B) NOTIFICATION REQUIREMENTS.—Before taking any action to reexamine an airman under subparagraph (A), the Administrator shall provide to the airman—

''(i) a reasonable basis, described in detail, for requesting the reexamination; and

''(ii) any information gathered by the Federal Aviation Administration, that the Administrator determines is appropriate to provide, such as the scope and nature of the requested reexamination, that formed the basis for that justification.''.

(b) AMENDMENT, MODIFICATION, SUSPENSION, OR REVOCATION OF AIRMAN CERTIFICATES AFTER REEXAMINATION.—Section 44709(b) is amended—

(1) in paragraph (1), by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(3) in the matter preceding subparagraph (A), as redesignated, by striking ''The Administrator'' and inserting the following:

''(1) IN GENERAL.—Except as provided in paragraph (2), the Administrator''; and

(4) by adding at the end the following:

''(2) AMENDMENTS, MODIFICATIONS, SUSPENSIONS, AND REVOCATIONS OF AIRMAN CERTIFICATES AFTER REEXAMINATION.—

''(A) IN GENERAL.—The Administrator may not issue an order to amend, modify, suspend, or revoke an airman certificate held by a student, sport, recreational, or private pilot and issued under section 44703 of this title after a reexamination of the airman holding the certificate unless the Administrator determines that the airman—

''(i) lacks the technical skills and competency, or care, judgment, and responsibility, necessary to hold and safely exercise the privileges of the certificate; or

''(ii) materially contributed to the issuance of the certificate by fraudulent means.

''(B) STANDARD OF REVIEW.—Any order of the Administrator under this paragraph shall be subject to the standard of review provided for under section 2 of the Pilot's Bill of Rights (49 U.S.C. 44703 note).''.

(c) CONFORMING AMENDMENTS.—Section 44709(d)(1) is amended—

(1) in subparagraph (A), by striking ''subsection (b)(1)(A)'' and inserting ''subsection (b)(1)(A)(i)''; and

(2) in subparagraph (B), by striking ''subsection (b)(1)(B)'' and inserting ''subsection (b)(1)(A)(ii)''.

SEC. 2605. EXPEDITING UPDATES TO NOTAM PROGRAM.

(a) IN GENERAL.—

(1) Beginning on the date that is 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration may not take any enforcement action against any individual for a violation of a NOTAM (as defined in section 3 of the Pilot's Bill of Rights (49 U.S.C. 44701 note)) until the Administrator certifies to the appropriate congressional committees that the Administrator has complied with the requirements of section 3 of the Pilot's Bill of Rights, as amended by this section.

(2) In this subsection, the term ''appropriate congressional committees'' means—

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

(B) the Committee on Transportation and Infrastructure of the House of Representatives.

(b) AMENDMENTS.—Section 3 of the Pilot's Bill of Rights (Public Law 112–153; 126 Stat. 1162; 49 U.S.C. 44701 note) is amended—

(1) in subsection (a)(2)—

(A) in the matter preceding subparagraph (A)—

(i) by striking ''this Act'' and inserting ''the Pilot's Bill of Rights 2''; and

(ii) by striking ''begin'' and inserting ''complete the implementation of'';

(B) by amending subparagraph (B) to read as follows:

''(B) to continue developing and modernizing the NOTAM repository, in a public central location, to maintain and archive all NOTAMs, including the original content and form of the notices, the original date of publication, and any amendments to such notices with the date of each amendment, in a manner that is Internet-accessible, machine-readable, and searchable;'';

(C) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(D) to specify the times during which temporary flight restrictions are in effect and the duration of a designation of special use airspace in a specific area.''; and

(2) by amending subsection (d) to read as follows:

''(d) DESIGNATION OF REPOSITORY AS SOLE SOURCE FOR NOTAMS.—

''(1) IN GENERAL.—The Administrator—

''(A) shall consider the repository for NOTAMs under subsection (a)(2)(B) to be the sole location for airmen to check for NOTAMs; and

''(B) may not consider a NOTAM to be announced or published until the NOTAM is included in the repository for NOTAMs under subsection (a)(2)(B).

''(2) PROHIBITION ON TAKING ACTION FOR VIOLATIONS OF NOTAMS NOT IN REPOSITORY.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), beginning on the date that the repository under subsection (a)(2)(B) is final and published, the Administrator may not take any enforcement action against an airman for a violation of a NOTAM during a flight if—

''(i) that NOTAM is not available through the repository before the commencement of the flight; and

''(ii) that NOTAM is not reasonably accessible and identifiable to the airman.

''(B) EXCEPTION FOR NATIONAL SECURITY.—Subparagraph (A) shall not apply in the case of an enforcement action for a violation of a NOTAM that directly relates to national security.''.

SEC. 2606. ACCESSIBILITY OF CERTAIN FLIGHT DATA.

(a) IN GENERAL.—Subchapter I of chapter 471 is amended by inserting after section 47124 the following:

''§ 47124a. Accessibility of certain flight data

''(a) DEFINITIONS.—In this section:

''(1) ADMINISTRATION.—The term 'Administration' means the Federal Aviation Administration.

''(2) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Federal Aviation Administration.

''(3) APPLICABLE INDIVIDUAL.—The term 'applicable individual' means an individual who is the subject of an investigation initiated by the Administrator related to a covered flight record.

''(4) CONTRACT TOWER.—The term 'contract tower' means an air traffic control tower providing air traffic control services pursuant to a contract with the Administration under the contract air traffic control tower program under section 47124(b)(3).

''(5) COVERED FLIGHT RECORD.—The term 'covered flight record' means any air traffic data (as defined in section 2(b)(4)(B) of the Pilot's Bill of Rights (49 U.S.C. 44703 note)), created, maintained, or controlled by any program of the Administration, including any program of the Administration carried out by employees or contractors of the Administration, such as contract towers, flight service stations, and controller training programs.

''(b) PROVISION OF COVERED FLIGHT RECORD TO ADMINISTRATION.—

''(1) REQUESTS.—Whenever the Administration receives a written request for a covered flight record from an applicable individual and the covered flight record is not in the possession of the Administration, the Administrator shall request the covered flight record from the contract tower or other contractor of the Administration in possession of the covered flight record.

''(2) PROVISION OF RECORDS.—Any covered flight record created, maintained, or controlled by a contract tower or another contractor of the Administration that maintains covered flight records shall be provided to the Administration if the Administration requests the record pursuant to paragraph (1).

''(3) NOTICE OF PROPOSED CERTIFICATE ACTION.—If the Administrator has issued, or subsequently issues, a Notice of Proposed Certificate Action relying on evidence contained in the covered flight record and the individual who is the subject of an investigation has requested the record, the Administrator shall promptly produce the record and extend the time the individual has to respond to the Notice of Proposed Certificate Action until the covered flight record is provided.

''(c) IMPLEMENTATION.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Pilot's Bill of Rights 2, the Administrator shall promulgate regulations or guidance to ensure compliance with this section.

''(2) COMPLIANCE BY CONTRACTORS.—

''(A) Compliance with this section by a contract tower or other contractor of the Administration that maintains covered flight records shall be included as a material term in any contract between the Administration and the contract tower or contractor entered into or renewed on or after the date of enactment of the Pilot's Bill of Rights 2.

''(B) Subparagraph (A) shall not apply to any contract or agreement in effect on the date of enactment of the Pilot's Bill of Rights 2 unless the contract or agreement is renegotiated, renewed, or modified after that date.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents for chapter 471 is amended by inserting after the item relating to section 47124 the following:

''47124a. Accessibility of certain flight data.''.

SEC. 2607. AUTHORITY FOR LEGAL COUNSEL TO ISSUE CERTAIN NOTICES.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall revise section 13.11 of title 14, Code of Federal Regulations, to authorize legal counsel of the Federal Aviation Administration to close enforcement actions covered by that section with a warning notice, letter of correction, or other administrative action.

TITLE III—AIR SERVICE IMPROVEMENTS

SEC. 3001. DEFINITIONS.

In this title:

(1) COVERED AIR CARRIER.—The term ''covered air carrier'' means an air carrier or a foreign air carrier as those terms are defined in section 40102 of title 49, United States Code.

(2) ONLINE SERVICE.—The term ''online service'' means any service available over the Internet, or that connects to the Internet or a wide-area network.

(3) TICKET AGENT.—The term ''ticket agent'' has the meaning given the term in section 40102 of title 49, United States Code.

Subtitle A—Passenger Air Service Improvements

SEC. 3101. CAUSES OF AIRLINE DELAYS OR CANCELLATIONS.

(a) REVIEW.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall review the categorization of delays and cancellations with respect to air carriers that are required to report such data.

(2) CONSIDERATIONS.—In conducting the review under paragraph (1), the Secretary shall consider, at a minimum—

(A) whether delays and cancellations attributed by an air carrier to weather were unavoidable due to an operational or air traffic control issue, or due to the air carrier's preference in determining which flights to delay or cancel during a weather event;

(B) whether and to what extent delays and cancellations attributed by an air carrier to weather disproportionately impact service to smaller airports and communities; and

(C) whether it is an unfair or deceptive practice in violation of section 41712 of title 49, United States Code, for an air carrier to inform a passenger that a flight is delayed or cancelled due to weather, without any other context or explanation for the delay or cancellation, when the air carrier has discretion as to which flights to delay or cancel.

(3) 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 (49 U.S.C. 42301 prec. note), to assist in conducting the review and providing recommendations.

(b) REPORT.—Not later than 90 days after the date 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.

(c) SAVINGS PROVISION.—Nothing in this section shall be construed as affecting the decision of an air carrier to maximize its system capacity during weather-related events to accommodate the greatest number of passengers.

SEC. 3102. INVOLUNTARY CHANGES TO ITINERARIES.

(a) REVIEW.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall review whether it is an unfair or deceptive practice in violation of section 41712 of title 49, United States Code, for an air carrier to change the itinerary of a passenger, more than 24 hours before departure, if the new itinerary involves additional stops or departs 3 hours earlier or later and compensation or other more suitable air transportation is not offered.

(2) 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 (49 U.S.C. 42301 prec. note), to assist in conducting the review and providing recommendations.

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

SEC. 3103. ADDITIONAL CONSUMER PROTECTIONS.

Not later than 180 days after the date that the reviews under sections 3101 and 3102 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.

SEC. 3104. ADDRESSING THE NEEDS OF FAMILIES OF PASSENGERS INVOLVED IN AIRCRAFT ACCIDENTS.

(a) AIR CARRIERS HOLDING CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY.—Section 41113 is amended—

(1) in subsection (a), by striking ''a major'' and inserting ''any'';

(2) in subsection (b)—

(A) in paragraph (9), by striking ''(and any other victim of the accident)'' and inserting ''(and any other victim of the accident, including any victim on the ground)'';

(B) in paragraph (16), by striking ''major'' and inserting ''any''; and

(C) in paragraph (17)(A), by striking ''significant'' and inserting ''any''; and

(3) by amending subsection (e) to read as follows:

''(e) DEFINITIONS.—In this section:

''(1) 'Aircraft accident' means any aviation disaster, regardless of its cause or suspected cause, for which the National Transportation Safety Board is the lead investigative agency.

''(2) 'Passenger' has the meaning given the term in section 1136.''.

(b) FOREIGN AIR CARRIERS PROVIDING FOREIGN AIR TRANSPORTATION.—Section 41313 is amended—

(1) in subsection (b), by striking ''a major'' and inserting ''any''; and

(2) in subsection (c)—

(A) in paragraph (1), by striking ''a significant'' and inserting ''any'';

(B) in paragraph (2), by striking ''a significant'' and inserting ''any'';

(C) in paragraph (16), by striking ''major'' and inserting ''any''; and

(D) in paragraph (17)(A), by striking ''significant'' and inserting ''any''.

(c) NATIONAL TRANSPORTATION SAFETY BOARD.—Section 1136(a) is amended by striking ''aircraft accident within the United States involving an air carrier or foreign air carrier and resulting in a major loss of life'' and inserting ''aircraft accident involving an air carrier or foreign air carrier, resulting in any loss of life, and for which the National Transportation Safety Board will serve as the lead investigative agency''.

SEC. 3105. EMERGENCY MEDICAL KITS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall evaluate and revise, as appropriate, the regulations under part 121 of title 14, Code of Federal Regulations, regarding the emergency medical equipment requirements, including the contents of the first-aid kit, applicable to all certificate holders operating passenger-carrying airplanes under that part.

(b) CONSIDERATIONS.—In carrying out subsection (a), the Administrator shall consider whether the minimum contents of approved emergency medical kits, including approved first-aid kits, include appropriate medications and equipment to meet the emergency medical needs of children, including consideration of an epinephrine auto-injector, as appropriate.

SEC. 3106. TRAVELERS WITH DISABILITIES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a study of airport accessibility best practices for individuals with disabilities; and

(2) submit to the appropriate committees of Congress a report on the study, including the Comptroller General's findings, conclusions, and recommendations.

(b) CONTENTS.—The study under subsection (a) shall include accessibility best practices beyond those recommended under the Architectural Barriers Act of 1968 (42 U.S.C. 4151 et seq.), Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), Air Carrier Access Act of 1986 (100 Stat. 1080; Public Law 99–435), or Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), that improve infrastructure and communications, such as with regard to wayfinding, amenities, and passenger care.

SEC. 3107. EXTENSION OF ADVISORY COMMITTEE FOR AVIATION CONSUMER PROTECTION.

(a) TERMINATION.—Section 411(h) of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 42301 prec. note) is amended by striking ''July 15, 2016'' and inserting ''September 30, 2017''.

(b) FINANCIAL DISCLOSURE.—Section 411 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 42301 prec. note) is further amended—

(1) by redesignating subsection (h) as subsection (i); and

(2) by inserting before subsection (i), the following:

''(h) CONFLICT OF INTEREST DISCLOSURE.—Beginning on the date of enactment of the Federal Aviation Administration Reauthorization Act of 2016, each member of the advisory committee who is not a government employee shall disclose, on an annual basis, any potential conflicts of interest, including financial conflicts of interest, to the Secretary in such form and manner as prescribed by the Secretary.''.

(c) RECOMMENDATIONS.—Section 411(g) of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 42301 prec. note) is amended—

(1) by striking ''of the first 2 calendar years beginning after the date of enactment of this Act'' and inserting ''calendar year''; and

(2) by inserting ''and post on the Department of Transportation Web site'' after ''Congress''.

SEC. 3108. EXTENSION OF COMPETITIVE ACCESS REPORTS.

Section 47107(r)(3) is amended by striking ''July 16, 2016'' and inserting ''October 1, 2017''.

SEC. 3109. REFUNDS FOR DELAYED BAGGAGE.

(a) 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 to a passenger in the amount of any applicable ancillary fees paid if the covered air carrier has charged the passenger an ancillary fee for checked baggage but the covered air carrier 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.

(b) EXCEPTION.—If as part of the rulemaking the Secretary makes a determination on the record that a requirement under subsection (a) is unfeasible and will negatively affect consumers in certain cases, the Secretary may modify 1 or both of the deadlines in that subsection for such cases, except that—

(1) the deadline relating to a domestic flight may not exceed 12 hours after the arrival of the domestic flight; and

(2) the deadline relating to an international flight may not exceed 24 hours after the arrival of the international flight.

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

Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall promulgate regulations that require each covered air carrier to promptly provide an automatic refund to a passenger of any ancillary fees paid for services that the passenger does not receive, including on the passenger's scheduled flight, on a subsequent replacement itinerary if there has been a rescheduling, or for a flight not taken by the passenger.

SEC. 3111. DISCLOSURE OF FEES TO CONSUMERS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall issue final regulations requiring—

(1) each covered air carrier to disclose to a consumer 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 prior to the point of purchase; and

(B) set forth the fees described in subsection (a)(1) in clear and plain language and a font of easily readable size; and

(2) if ticketing is done on the telephone, be expressly stated to the consumer during the telephone call and prior to the point of purchase.

SEC. 3112. SEAT ASSIGNMENTS.

(a) IN GENERAL.—Not later than 15 months after the date of enactment of this Act, the Secretary of Transportation shall complete such actions as may be necessary to require each covered air carrier and ticket agent to disclose to a consumer that seat selection for which a fee is charged is an optional service, and that if a consumer does not pay for a seat assignment, a seat will be assigned to the consumer from available inventory at the time the consumer checks in for the flight or prior to departure.

(b) REQUIREMENTS.—The disclosure under subsection (a) shall—

(1) if ticketing is done on an Internet Web site or other online service, be prominently displayed to the consumer on that Internet Web site or online service during the selection of seating or prior to the point of purchase; and

(2) if ticketing is done on the telephone, be expressly stated to the consumer during the telephone call and prior to the point of purchase.

SEC. 3113. CHILD SEATING.

(a) IN GENERAL.—Not later than 15 months after the date of enactment of this Act, the Secretary of Transportation shall complete such actions as may be necessary to require each covered air carrier and ticket agent to disclose to a consumer that if a reservation includes a child under the age of 13 traveling with an accompanying passenger who is age 13 or older—

(1) whether adjoining seats are available at no additional cost at the time of purchase; and

(2) if not, what the covered air carrier's policy is for accommodating adjoining seat requests at the time the consumer checks in for the flight or prior to departure.

(b) REQUIREMENTS.—The disclosure under subsection (a) shall—

(1) if ticketing is done on an Internet Web site or other online service, be prominently displayed to the consumer on that Internet Web site or online service during the selection of seating or prior to the point of purchase; and

(2) if ticketing is done on the telephone, be expressly stated to the consumer during the telephone call and prior to the point of purchase.

SEC. 3114. CONSUMER COMPLAINT PROCESS IMPROVEMENT.

(a) IN GENERAL.—Section 42302 is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively;

(2) by inserting after subsection (a), the following:

''(b) POINT OF SALE.—Each air carrier, foreign air carrier, and ticket agent shall inform each consumer of a carrier service, at the point of sale, that the consumer can file a complaint about that service with the carrier and with the Aviation Consumer Protection Division of the Department of Transportation.'';

(3) by amending subsection (c), as redesignated, to read as follows:

''(c) INTERNET WEB SITE OR OTHER ONLINE SERVICE NOTICE.—Each air carrier and foreign air carrier shall include on its Internet Web site, any related mobile device application, and online service—

''(1) the hotline telephone number established under subsection (a) or for the Aviation Consumer Protection Division of the Department of Transportation;

''(2) an active link and the email address, telephone number, and mailing address of the air carrier or foreign air carrier, as applicable, for a consumer to submit a complaint to the carrier about the quality of service;

''(3) notice that the consumer can file a complaint with the Aviation Consumer Protection Division of the Department of Transportation;

''(4) an active link to the Internet Web site of the Aviation Consumer Protection Division of the Department of Transportation for a consumer to file a complaint; and

''(5) the active link described in paragraph (2) on the same Internet Web site page as the active link described in paragraph (4).''; and

(4) in subsection (d), as redesignated—

(A) in the matter preceding paragraph (1), by striking ''An air carrier or foreign air carrier providing scheduled air transportation using any aircraft that as originally designed has a passenger capacity of 30 or more passenger seats'' and inserting ''Each air carrier and foreign air carrier'';

(B) in paragraph (1), by striking ''air carrier'' and inserting ''carrier''; and

(C) in paragraph (2), by striking ''air carrier'' and inserting ''carrier''.

(b) RULEMAKING.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall promulgate regulations to implement the requirements of section 42302 of title 49, United States Code, as amended.

SEC. 3115. ONLINE ACCESS TO AVIATION CONSUMER PROTECTION INFORMATION.

(a) INTERNET WEB SITE.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall—

(1) complete an evaluation of the aviation consumer protection portion of the Department of Transportation's public Internet Web site to identify any changes to the user interface that will improve usability, accessibility, consumer satisfaction, and Web site performance;

(2) in completing the evaluation under paragraph (1)—

(A) consider the best practices of other Federal agencies with effective Web sites; and

(B) consult with the Federal Web Managers Council;

(3) develop a plan, including an implementation timeline, for—

(A) making the changes identified under paragraph (1); and

(B) making any necessary changes to that portion of the Web site that will enable a consumer—

(i) to access information regarding each complaint filed with the Aviation Consumer Protection Division of the Department of Transportation;

(ii) to search the complaints described in clause (i) by the name of the air carrier, the dates of departure and arrival, the airports of origin and departure, and the type of complaint; and

(iii) to determine the date a complaint was filed and the date a complaint was resolved; and

(4) submit the evaluation and plan to appropriate committees of Congress.

(b) MOBILE APPLICATION SOFTWARE.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall—

(1) implement a program to develop application software for wireless devices that will enable a user to access information and perform activities related to aviation consumer protection, such as—

(A) information regarding airline passenger protections, including protections related to lost baggage and baggage fees, disclosure of additional fees, bumping, cancelled or delayed flights, damaged or lost baggage, and tarmac delays; and

(B) file an aviation consumer complaint, including a safety and security, airline service, disability and discrimination, or privacy complaint, with the Aviation Consumer Protection Division of the Department of Transportation; and

(2) make the application software available to the public at no cost.

SEC. 3116. STUDY ON IN CABIN WHEELCHAIR RESTRAINT SYSTEMS.

Not later than 2 years after the date of enactment of this Act, the Architectural and Transportation Barriers Compliance Board, in consultation with the Secretary of Transportation, shall conduct a study to determine the ways in which particular individuals with significant disabilities who use wheelchairs, including power wheelchairs, can be accommodated through in cabin wheelchair restraint systems.

SEC. 3117. TRAINING POLICIES REGARDING ASSISTANCE FOR PERSONS WITH DISABILITIES.

(a) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report describing—

(1) each air carrier's training policy for its personnel and contractors regarding assistance for persons with disabilities, as required by Department of Transportation regulations;

(2) any variations among the air carriers in the policies described in paragraph (1);

(3) how the training policies are implemented to meet the Department of Transportation regulations;

(4) how frequently an air carrier must train new employees and contractors due to turnover in positions that require such training;

(5) how frequently, in the prior 10 years, the Department of Transportation has requested, after reviewing a training policy,

that an air carrier take corrective action; and

(6) the action taken by an air carrier under paragraph (5).

(b) BEST PRACTICES.—After the date the report is submitted under subsection (a), the Secretary of Transportation, based on the findings of the report, shall develop and disseminate to air carriers such best practices as the Secretary considers necessary to improve the training policies.

SEC. 3118. ADVISORY COMMITTEE ON THE AIR TRAVEL NEEDS OF PASSENGERS WITH DISABILITIES.

(a) ESTABLISHMENT.—The Secretary of Transportation shall establish an advisory committee for the air travel needs of passengers with disabilities (referred to in this section as the ''Advisory Committee'').

(b) DUTIES.—The Advisory Committee shall advise the Secretary with regard to the implementation of the Air Carrier Access Act of 1986 (Public Law 99–435; 100 Stat. 1080), including—

(1) assessing the disability-related access barriers encountered by passengers with disabilities;

(2) determining the extent to which the programs and activities of the Department of Transportation are addressing the barriers described in paragraph (1);

(3) recommending improvements to the air travel experience of passengers with disabilities; and

(4) such activities as the Secretary considers necessary to carry out this section.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The Advisory Committee shall be comprised of at least 1 representative of each of the following groups:

(A) Passengers with disabilities.

(B) National disability organizations.

(C) Air carriers.

(D) Airport operators.

(E) Contractor service providers.

(2) APPOINTMENT.—The Secretary of Transportation shall appoint each member of the Advisory Committee.

(3) VACANCIES.—A vacancy in the Advisory Committee shall be filled in the manner in which the original appointment was made.

(d) CHAIRPERSON.—The Secretary of Transportation shall designate, from among the members appointed under subsection (c), an individual to serve as chairperson of the Advisory Committee.

(e) TRAVEL EXPENSES.—Members of the advisory committee shall serve without pay, but shall receive travel expenses, including per diem in lieu of subsistence, in accordance with subchapter I of chapter 57 of title 5, United States Code.

(f) REPORTS.—

(1) IN GENERAL.—Not later than February 1 of each year, the Advisory Committee shall submit to the Secretary of Transportation a report on the needs of passengers with disabilities in air travel, including—

(A) an assessment of disability-related access barriers, both those that were evident in the preceding year and those that will likely be an issue in the next 5 years;

(B) an evaluation of the extent to which the Department of Transportation's programs and activities are eliminating disability-related access barriers;

(C) a description of the Advisory Committee's actions during the prior calendar year;

(D) a description of activities that the Advisory Committee proposed to undertake in the succeeding calendar year; and

(E) any recommendations for legislation, administrative action, or other action that the Advisory Committee considers appropriate.

(2) REPORT TO CONGRESS.—Not later than 60 days after the date the Secretary receives the report under subparagraph (A), the Secretary shall submit to Congress a copy of the report, including any additional findings or recommendations that the Secretary considers appropriate.

(g) TERMINATION.—The Advisory Committee shall terminate 2 years after the date of enactment of this Act.

SEC. 3119. REPORT ON COVERED AIR CARRIER CHANGE, CANCELLATION, AND BAGGAGE FEES.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study of existing airline industry change, cancellation, and bag fees and the current industry practice for handling changes to or cancellation of ticketed travel on covered air carriers.

(b) CONSIDERATIONS.—In conducting the study, the Comptroller General shall consider, at a minimum—

(1) whether and how each covered air carrier calculates its change fees, cancellation fees, and bag fees; and

(2) the relationship between the cost of the ticket and the date of change or cancellation as compared to the date of travel.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the study, including the Comptroller General's findings, conclusions, and recommendations.

SEC. 3120. ENFORCEMENT OF AVIATION CONSUMER PROTECTION RULES.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study to consider and evaluate Department of Transportation enforcement of aviation consumer protection rules.

(b) CONTENTS.—The study under subsection (a) shall include an evaluation of—

(1) available enforcement mechanisms;

(2) any obstacles to enforcement; and

(3) trends in Department of Transportation enforcement actions.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the study, including the Comptroller General's findings, conclusions, and recommendations.

SEC. 3121. DIMENSIONS FOR PASSENGER SEATS.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary of Transportation shall initiate a proceeding to study the minimum seat pitch for passenger seats on aircraft operated by air carriers (as defined in section 40102 of title 49, United States Code).

(b) CONSIDERATIONS.—In reviewing any minimum seat pitch under subsection (a), the Secretary shall consider the safety of passengers, including passengers with disabilities.

SEC. 3122. CELL PHONE VOICE COMMUNICATIONS.

(a) IN GENERAL.—Subchapter I of chapter 417, as amended by section 2307 of this Act, is further amended by adding at the end the following:

''§ 41726. Cell phone voice communications

''(a) PROHIBITION AUTHORITY.—The Secretary of Transportation may issue regulations—

''(1) to prohibit an individual on an aircraft from engaging in voice communications using a mobile communications device during a flight of that aircraft in scheduled passenger interstate or intrastate air transportation; and

''(2) that exempt from the prohibition described in paragraph (1)—

''(A) any member of the flight crew on duty on an aircraft;

''(B) any flight attendant on duty on an aircraft; and

''(C) any Federal law enforcement officer acting in an official capacity.

''(b) DEFINITIONS.—In this section:

''(1) FLIGHT.—The term 'flight' means, with respect to an aircraft, the period beginning when the aircraft takes off and ending when the aircraft lands.

''(2) MOBILE COMMUNICATIONS DEVICE.—

''(A) IN GENERAL.—The term 'mobile communications device' means any portable wireless telecommunications equipment utilized for the transmission or reception of voice data.

''(B) LIMITATION.—The term 'mobile communications device' does not include a phone installed on an aircraft.''.

(b) TABLE OF CONTENTS.—The table of contents at the beginning of chapter 417, as amended by section 2307 of this Act, is further amended by inserting after the item relating to section 41725 the following:

''41726. Cell phone voice communications.''.

SEC. 3123. AVAILABILITY OF SLOTS FOR NEW ENTRANT AIR CARRIERS AT NEWARK LIBERTY INTERNATIONAL AIRPORT.

(a) DEFINITIONS.—The terms ''new entrant air carrier'' and ''slot'' have the meanings given those terms in section 41714(h) of title 49, United States Code.

(b) SLOTS FOR NEW ENTRANT AIR CARRIERS.—The Secretary shall, annually, by granting exemptions from the requirements under part 93 of title 14, Code of Federal Regulations, or by other means, make not less than 8 slots at Newark Liberty International Airport available to enable new entrant air carriers to provide air transportation.

(c) APPLICABILITY.—Subsection (a) shall not apply in any year—

(1) new entrant air carriers operate 5 percent or more of the total number of slots at Newark Liberty International Airport; or

(2) the Secretary makes a determination that making slots available to enable new entrant air carriers to provide air transportation at that airport is not in the public interest and doing so would significantly increase operational delays.

(d) REPORT TO CONGRESS.—The Secretary shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives not later than 14 calendar days after the date a determination is made under subsection (c)(2), including the reasons for that determination.

Subtitle B—Essential Air Service

SEC. 3201. ESSENTIAL AIR SERVICE.

(a) AUTHORIZATION EXTENSION.—Section 41742(a) is amended—

(1) in paragraph (2), by striking ''$150,000,000'' and all that follows though ''July 15, 2016'' and inserting ''$155,000,000 for each of fiscal years 2016 through 2017''; and

(2) by striking paragraph (3).

(b) DEFINITIONS.—Section 41731(a)(1)(A) is amended by striking clause (ii) and inserting the following:

''(ii) was determined, on or after October 1, 1988, and before December 1, 2012, under this subchapter by the Secretary of Transportation to be eligible to receive subsidized small community air service under section 41736(a);''.

(c) SEASONAL SERVICE.—The Secretary of Transportation may consider the flexibility of current operational dates and airport accessibility to meet local community needs when issuing requests for proposal of essential air service at seasonal airports.

SEC. 3202. SMALL COMMUNITY AIR SERVICE DEVELOPMENT PROGRAM.

(a) EXTENSION OF AUTHORIZATION.—Section 41743(e)(2) is amended to read as follows:

''(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the

Secretary $10,000,000 for each of fiscal years 2016 through 2017 to carry out this section. Such sums shall remain available until expended.''.

(b) ELIGIBILITY.—Section 41743(c)(1) is amended to read as follows:

''(1) SIZE.—On the date of the most recent notice of order soliciting community proposals issued by the Secretary under this section, the airport serving the community or consortium—

''(A) was not larger than a small hub airport, as determined using the Department of Transportation's most recent published classification; and

''(B)(i) had insufficient air carrier service; or

''(ii) had unreasonably high air fares.''.

SEC. 3203. SMALL COMMUNITY PROGRAM AMENDMENTS.

(a) IN GENERAL.—Section 41743(c)(4) is amended—

(1) by inserting ''(B) SAME PROJECTS.—'' before the second sentence and indenting appropriately;

(2) by inserting ''(A) IN GENERAL.—'' before the first sentence and indenting appropriately;

(3) in subparagraph (B), as designated by this subsection, by striking ''No community'' and inserting ''Except as provided in subparagraph (C)''; and

(4) by adding at the end the following:

''(C) EXCEPTION.—The Secretary may waive the limitation under subparagraph (B) related to projects that are the same if the Secretary determines that the community or consortium spent little or no money on its previous project or encountered industry or environmental challenges, due to circumstances that were reasonably beyond the control of the community or consortium.''.

(b) AUTHORITY TO MAKE AGREEMENTS.—Section 41743(e)(1) is amended by adding at the end the following: ''The Secretary may amend the scope of a grant agreement at the request of the community or consortium and any participating air carrier, and may limit the scope of a grant agreement to only the elements using grant assistance or to only the elements achieved, if the Secretary determines that the amendment is reasonably consistent with the original purpose of the project.''.

SEC. 3204. WAIVERS.

Section 41732 is amended by adding at the end the following:

''(c) WAIVERS.—Notwithstanding section 41733(e), upon request by an eligible place, the Secretary may waive, in whole or in part, subsections (a) and (b) of this section or subsections (a) through (c) of section 41734. A waiver issued under this subsection shall remain in effect for a limited period of time, as determined by the Secretary.''.

SEC. 3205. WORKING GROUP ON IMPROVING AIR SERVICE TO SMALL COMMUNITIES.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary of Transportation and the Administrator of the Federal Aviation Administration shall establish a working group—

(1) to identify obstacles to attracting and maintaining air transportation service to and from small communities; and

(2) to develop recommendations for maintaining and improving air transportation service to and from small communities.

(b) OUTREACH.—In carrying out the requirements under paragraphs (1) and (2) of subsection (a), the working group shall consult with—

(1) interested Governors;

(2) representatives of State and local agencies, and other officials and groups, representing rural States and other rural areas;

(3) other representatives of relevant State and local agencies; and

(4) members of the public with experience in aviation safety, pilot training, economic development, and related issues.

(c) CONSIDERATIONS.—In carrying out the requirements under paragraphs (1) and (2) of subsection (a), the working group shall—

(1) consider whether funding for, and terms of, current or potential new programs is sufficient to help ensure continuation of or improvement to air transportation service to small communities, including the Essential Air Service Program and the Small Community Air Service Development Program;

(2) identify initiatives to help support pilot training to provide air transportation service to small communities;

(3) consider whether Federal funding for airports serving small communities, including airports that have lost air transportation services or had decreased enplanements in recent years, is adequate to ensure that small communities have access to quality, affordable air transportation service;

(4) consider potential improvements in pilot training and any constraints affecting pilot career pathways that, if addressed, would increase both aviation safety and pilot supply;

(5) identify innovative State or local efforts that have established public-private partnerships that are successful in attracting and retaining air transportation service in small communities; and

(6) consider such other issues as the Secretary and Administrator consider appropriate.

(d) COMPOSITION.—

(1) IN GENERAL.—The working group shall be facilitated through the Administrator or the Administrator's designee.

(2) MEMBERSHIP.—Members of the working group shall be appointed by the Administrator and shall include representatives of—

(A) State and local government, including State and local aviation officials;

(B) State Governors;

(C) aviation safety experts;

(D) economic development officials; and

(E) the traveling public from small communities.

(e) REPORT AND RECOMMENDATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary and the Administrator shall submit to the appropriate committees of Congress a report, including—

(1) a summary of the views expressed by the participants in the outreach under subsection (b);

(2) a description of the working group's findings, including the identification of any areas of general consensus among the non-Federal participants in the outreach under subsection (b); and

(3) any recommendations for legislative or regulatory action that would assist in maintaining and improving air transportation service to and from small communities.

TITLE IV—NEXTGEN AND FAA ORGANIZATION

SEC. 4001. DEFINITIONS.

In this title:

(1) ADMINISTRATION.—The term ''Administration'' means the Federal Aviation Administration.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Federal Aviation Administration.

(3) ADS–B.—The term ''ADS–B'' means automatic dependent surveillance-broadcast.

(4) ADS–B OUT.—The term ''ADS–B Out'' means automatic dependent surveillance-broadcast with the ability to transmit information from the aircraft to ground stations and to other equipped aircraft.

(5) NEXTGEN.—The term ''NextGen'' means the Next Generation Air Transportation System.

Subtitle A—Next Generation Air Transportation System

SEC. 4101. RETURN ON INVESTMENT ASSESSMENT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the Administrator's assessment of each NextGen program.

(b) CONTENTS.—The report under subsection (a) shall include—

(1) an estimate of the date that each NextGen program will have a positive return on investment;

(2) an assessment of the impacts of each such program for—

(A) the Federal Government; and

(B) the users of the national airspace system;

(3) a description of how each such program directly contributes to a more safe and efficient air traffic control system; and

(4) the status of NextGen programs and of the projected return on investment for each such program.

(c) NEXTGEN PRIORITY LIST.—Based on the assessment under subsection (a) the Administrator shall—

(1) develop, in coordination with the NextGen Advisory Committee and considering the need for a balance between long-term and near-term user benefits, a prioritization of each NextGen program;

(2) include the priority list in the report under subsection (b); and

(3) prepare budget submissions to reflect the current status of NextGen programs and projected returns on investment for each program.

(d) DEFINITIONS.—In this section:

(1) KEY MILESTONES.—The term ''key milestones'' includes cost and deployment schedule, and benefits anticipated in the most recent baseline.

(2) RETURN ON INVESTMENT.—The term ''return on investment'' means the cost associated with technologies that are required by law or policy as compared to the benefits derived from such technologies by a government or a user of airspace.

(e) REPEAL OF NEXTGEN PRIORITIES.—Section 202 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note) and the item relating to that section in the table of contents under section 1(b) of that Act are repealed.

SEC. 4102. ENSURING FAA READINESS TO USE NEW TECHNOLOGY.

(a) IN GENERAL.—Not later than December 31, 2017, the Administrator shall—

(1) ensure the capability of the Administration to receive space-based ADS-B data; and

(2) use the data described under paragraph (1) to provide positive air traffic control, including separation of aircraft over the oceans and other specific regions not covered by radar.

(b) REPORT.—Not later than 6 months after the date of enactment of this Act, and biannually thereafter until the date that the Administrator certifies that the Administration has the capability to receive space-based ADS–B data, the Administrator shall submit to the appropriate committees of Congress a report that—

(1) details the actions the Administrator has taken to ensure 2018 readiness and usage;

(2) details the actions that remain to be taken to implement such capability;

(3) includes a schedule for expected completion of each outstanding action described in paragraph (2); and

(4) includes a detailed description of the investment decisions and requests for funding made by the Administrator that are consistent with the terrestrial ADS–B implementation to ensure a sustained program beyond 2018.

SEC. 4103. NEXTGEN ANNUAL PERFORMANCE GOALS.

(a) ANNUAL PERFORMANCE GOALS.—Section 214 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

''(d) ANNUAL PERFORMANCE GOALS.—The Administrator shall establish annual NextGen performance goals for each of the performance metrics set forth in subsection (a) to meet the performance metric baselines identified under subsection (b). Such goals shall be consistent with the annual performance objectives established by the senior policy committee (commonly known as the 'NextGen Advisory Committee') established under section 710 of the Vision 100—Century of Aviation Reauthorization Act (Public Law 108–176; 49 U.S.C. 40101 note).''.

(b) NEXTGEN METRICS REPORT.—Section 710(e)(2) of the Vision 100—Century of Aviation Reauthorization Act (Public Law 108–176; 49 U.S.C. 40101 note) is amended—

(1) in subparagraph (D), by striking ''; and'' and inserting a semicolon;

(2) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(F) a description of the progress made in meeting the annual NextGen performance goals relative to the performance metrics established under section 214 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note).''.

(c) CHIEF NEXTGEN OFFICER.—Section 106(s)(3) is amended—

(1) in paragraph (2)(B), by adding at the end the following: ''In evaluating the performance of the Chief NextGen Officer for the purpose of awarding a bonus under this subparagraph, the Administrator shall consider the progress toward meeting the NextGen performance goals established pursuant to section 214(d) of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note).''; and

(2) in paragraph (3), by adding at the end the following: ''The annual performance goals set forth in the agreement shall include quantifiable NextGen airspace performance objectives regarding efficiency, productivity, capacity, and safety, which shall be established by the senior policy committee (commonly known as the 'NextGen Advisory Committee') established under section 710 of the Vision 100—Century of Aviation Reauthorization Act (Public Law 108–176; 49 U.S.C. 40101 note).''.

SEC. 4104. FACILITY OUTAGE CONTINGENCY PLANS.

(a) FINDINGS.—Congress makes the following findings:

(1) On September 26, 2014, an Administration contract employee deliberately started a fire that destroyed critical equipment at the Administration's Chicago Air Route Traffic Control Center (referred to in this section as the ''Chicago Center'') in Aurora, Illinois.

(2) As a result of the damage, Chicago Center was unable to control air traffic for more than 2 weeks, thousands of flights were delayed or cancelled into and out of O'Hare International Airport and Midway Airport in Chicago, and aviation stakeholders and airlines reportedly lost over $350,000,000.

(3) According to the Office of the Inspector General of the Department of Transportation, the fire at Chicago Center demonstrated that the Administration's contingency plans for the Chicago Center and the airspace it controls do not ensure redundancy and resiliency for sustained operations.

(4) Further, the Inspector General found that Chicago Center incident highlighted the limited flexibility and lack of resiliency in critical elements of the Administration's current air traffic control infrastructure, including limited communication capacity and the inability to easily transfer control of airspace and flight plans.

(b) COMPREHENSIVE CONTINGENCY PLAN.—Not later than 180 days after the date of enactment of this Act, the Administrator shall update the Administration's comprehensive contingency plan to address potential air traffic facility outages that could have a major impact on operation of the national airspace system.

(c) REPORT.—Not later than 60 days after the date the plan is updated under subsection (b), the Administrator shall submit to the appropriate committees of Congress a report on the update, including any recommendations for ensuring air traffic facility outages do not have a major impact on operation of the national airspace system.

SEC. 4105. ADS–B MANDATE ASSESSMENT.

(a) FINDINGS.—Congress makes the following findings:

(1) The Administration's ADS–B program is expected to be the centerpiece of the NextGen effort at the Administration, but the satellite-based system faces uncertainty and controversy.

(2) In May 2010, the Administration published a final rule that mandated airspace users be equipped with ADS–B Out avionics by January 1, 2020.

(3) Subsequently, in April 2015, the Administration announced completion of the ADS–B ground-based radio infrastructure. However, the ADS–B program faces considerable uncertainty and unanswered questions about whether or not the 2020 mandate is still meaningful.

(4) In 2014, the Office of the Inspector General found that while ADS–B is providing benefits where radar is limited or nonexistent in places such as the Gulf of Mexico, the system is providing only limited initial services to pilots and air traffic controllers in domestic airspace.

(5) The Office of the Inspector General also found, in 2014, that all elements of the system, such as avionics, the ground infrastructure, and controller automation systems, had not yet been tested in combination to determine if the overall system can be used in congested airspace and perform as well as existing radar, much less allow aircraft to fly closer together. This is referred to as ''end-to-end testing.''

(6) When this report was issued, commercial and general aviation stakeholders voiced serious concerns that equipping with new avionics for the 2020 mandate will be difficult due to the cost and limited availability of avionics, and capacity of certified repair stations to install avionics.

(b) ASSESSMENT.—Not later than 1 year after the date of enactment of this Act, the Inspector General of the Department of Transportation shall assess—

(1) Administration and industry readiness to meet the ADS–B mandate by 2020;

(2) changes to ADS–B program since May 2010; and

(3) additional options to comply with the mandate and consequences, both for individual system users and for the overall safety and efficiency of the national airspace system, for noncompliance.

(c) REPORT.—Not later than 60 days after the date the assessment under subsection (b) is complete, the Inspector General of the Department of Transportation shall submit to the appropriate committees of Congress a report on the progress made toward meeting the ADS–B mandate by 2020, including any recommendations of the Inspector General to carry out such mandate.

SEC. 4106. NEXTGEN INTEROPERABILITY.

(a) IN GENERAL.—To implement a more effective international strategy for achieving NextGen interoperability with foreign countries, the Administrator shall take the following actions:

(1) Conduct a gap analysis to identify potential risks to NextGen interoperability with other Air Navigation Service Providers and establish a schedule for periodically reevaluating such risks.

(2) Develop a plan that identifies and documents actions the Administrator will undertake to mitigate such risks, using information from the gap analysis as a basis for making management decisions about how to allocate resources for such actions.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the analysis conducted under paragraph (1) of subsection (a) and on the actions the Administrator has taken under paragraph (2) of such subsection.

SEC. 4107. NEXTGEN TRANSITION MANAGEMENT.

(a) IN GENERAL.—The Administrator shall—

(1) identify and analyze technical and operational maturity gaps in NextGen transition and implementation plans; and

(2) develop a plan to mitigate the gaps identified in paragraph (1).

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the actions taken to carry out the plan required by subsection (a)(2).

SEC. 4108. IMPLEMENTATION OF NEXTGEN OPERATIONAL IMPROVEMENTS.

(a) IN GENERAL.—To help ensure that NextGen operational improvements are fully implemented in the midterm, the Administrator shall—

(1) work with airlines and other users of the national airspace system (referred to in this section as ''NAS'') to develop and implement a system to systematically track the use of existing performance based navigation (referred to in this section as ''PBN'') procedures;

(2) require consideration of other key operational improvements in planning for NextGen improvements, including identifying additional metroplexes for PBN projects, non-metroplex PBN procedures, as well as the identification of unused flight routes for decommissioning;

(3) develop and implement guidelines for ensuring timely inclusion of appropriate stakeholders, including airport representatives, in the planning and implementation of NextGen improvement efforts; and

(4) assure that NextGen planning documents provide stakeholders information on how and when operational improvements are expected to achieve NextGen goals and targets.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the progress made toward implementing the requirements of subsection (a), and on the schedule and process that will be used to implement PBN at additional airports, including information on how the Administration will partner and coordinate with private industry to ensure expeditious implementation of performance based navigation.

SEC. 4109. CYBERSECURITY.

(a) IN GENERAL.—The Administrator shall—

(1) identify and implement ways to better incorporate cybersecurity measures as a systems characteristic at all levels and phases of the architecture and design of air traffic control programs, including NextGen programs;

(2) develop a threat model that will identify vulnerabilities to better focus resources to mitigate cybersecurity risks;

(3) develop an appropriate plan to mitigate cybersecurity risk, to respond to an attack, intrusion, or otherwise unauthorized access and to adapt to evolving cybersecurity threats; and

(4) foster a cybersecurity culture throughout the Administration, including air traffic control programs and relevant contractors.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the progress made toward implementing the requirements under subsection (a).

SEC. 4110. DEFINING NEXTGEN.

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

(1) assess how the line items included in the Administration's NextGen budget request relate to the goals and expected outcomes of NextGen, including how NextGen programs directly contribute to a measurably safer and more efficient air traffic control system; and

(2) submit to the appropriate committees of Congress a report on the results of the assessment under paragraph (1), including any recommendations for the removal of line items that do not pertain to the overall vision for NextGen.

SEC. 4111. HUMAN FACTORS.

(a) IN GENERAL.—In order to avoid having to subsequently modify products and services developed as a part of NextGen, the Administrator shall—

(1) recognize and incorporate, in early design phases of all relevant NextGen programs, the human factors and procedural and airspace implications of stated goals and associated technical changes; and

(2) ensure that a human factors specialist, separate from the research and certification groups, is directly involved with the NextGen approval process.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the progress made toward implementing the requirements under subsection (a).

SEC. 4112. MAJOR ACQUISITION REPORTS.

(a) IN GENERAL.—The Administrator shall evaluate the current acquisition practices of the Administration to ensure that such practices—

(1) identify the current estimated costs for each acquisition system, including all segments;

(2) separately identify cumulative amounts for acquisition costs, technical refresh, and other enhancements in order to identify the total baselined and re-baselined costs for each system; and

(3) account for the way funds are being used when reporting to managers, Congress, and other stakeholders.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the progress made toward implementing the requirements under subsection (a).

SEC. 4113. EQUIPAGE MANDATES.

(a) IN GENERAL.—Before NextGen-related equipage mandates are imposed on users of the national airspace system, the Administrator, in collaboration with all relevant stakeholders, shall—

(1) provide a statement of estimated cost and benefits that is based upon mature and stable technical specifications; and

(2) create a schedule for Administration deliverables and investments by both users and the Administration, including for procedure and airspace design, infrastructure deployment, and training.

SEC. 4114. WORKFORCE.

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

(1) identify and assess barriers to attracting, developing, training, and retaining a talented workforce in the areas of systems engineering, architecture, systems integration, digital communications, and cybersecurity;

(2) develop a comprehensive plan to attract, develop, train, and retain talented individuals; and

(3) identify the resources needed to attract, develop, and retain this talent.

(b) REPORT.—The Administrator shall submit to the appropriate committees of Congress a report on the progress made toward implementing the requirements under subsection (a).

SEC. 4115. ARCHITECTURAL LEADERSHIP.

(a) IN GENERAL.—In order to provide an adequate technical foundation for steering NextGen's technical governance and managing inevitable changes in technology and operations, the Administrator shall—

(1) develop a plan that—

(A) uses an architecture leadership community and an effective governance approach to assure a proper balance between documents and artifacts and to provide high-level guidance;

(B) enables effective management and communication of dependencies;

(C) provides flexibility and the ability to evolve to ensure accommodation of future needs; and

(D) communicates changing circumstances in order to align agency and airspace user expectations;

(2) determine the feasibility of conducting a small number of experiments among the Administration's system integration partners to prototype candidate solutions for establishing and managing a vibrant architectural community; and

(3) develop a method to initiate, grow, and engage a capable architecture community, from both within and outside of the Administration, who will expand the breadth and depth of expertise that is steering architectural changes.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the progress made toward implementing the requirements under subsection (a).

SEC. 4116. PROGRAMMATIC RISK MANAGEMENT.

(a) IN GENERAL.—To better inform the Administration's decisions regarding the prioritization of efforts and allocation of resources for NextGen, the Administrator shall—

(1) solicit input from specialists in probability and statistics to identify and prioritize the programmatic and implementation risks to NextGen; and

(2) develop a method to manage and mitigate the risks identified in paragraph (1).

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the progress made toward implementing the requirements under subsection (a).

SEC. 4117. NEXTGEN PRIORITIZATION.

The Administrator shall consider expediting NextGen modernization implementation projects at public use airports that share airspace with active military training ranges and do not have radar coverage where such implementation would improve the safety of aviation operations.

Subtitle B—Administration Organization and Employees

SEC. 4201. COST-SAVING INITIATIVES.

(a) IN GENERAL.—To ensure that Administration initiatives are being implemented in a timely and fiscally responsible manner, the Administrator shall—

(1) identify and implement agencywide cost-saving initiatives; and

(2) develop appropriate schedules and metrics to measure whether the initiatives are successful in reducing costs.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the progress made toward implementing the requirements under subsection (a).

SEC. 4202. TREATMENT OF ESSENTIAL EMPLOYEES DURING FURLOUGHS.

(a) DEFINITION OF ESSENTIAL EMPLOYEE.—In this section, the term ''essential employee'' means an employee of the Administration who performs work involving the safety of human life or the protection of property, as determined by the Administrator.

(b) IN GENERAL.—In implementing spending reductions under Federal law, the Administrator may furlough 1 or more employees of the Administration, except an essential employee, if the Administrator determines the furlough is necessary to achieve the required spending reductions.

(c) TRANSFER OF BUDGETARY RESOURCES.—The Administrator may transfer budgetary resources within the Administration to carry out subsection (b), except that the transfer may only be made to maintain essential employees.

SEC. 4203. CONTROLLER CANDIDATE INTERVIEWS.

(a) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Administrator shall require that an in-person interview be conducted with each individual applying for an air traffic control specialist position before that individual may be hired to fill that position.

(b) GUIDANCE.—Not later than 30 days after the date of enactment of this Act, the Administrator shall establish guidelines regarding the in-person interview process described in subsection (a).

SEC. 4204. HIRING OF AIR TRAFFIC CONTROLLERS.

(a) IN GENERAL.—Section 44506 is amended by adding at the end the following:

''(f) HIRING OF CERTAIN AIR TRAFFIC CONTROL SPECIALISTS.—

''(1) CONSIDERATION OF APPLICANTS.—

''(A) ENSURING SELECTION OF MOST QUALIFIED APPLICANTS.—In appointing individuals to the position of air traffic controllers, the Administrator shall give preferential consideration to qualified individuals maintaining 52 consecutive weeks of air traffic control experience involving the full-time active separation of air traffic after receipt of an air traffic certification or air traffic control facility rating within 5 years of application while serving at—

''(i) a Federal Aviation Administration air traffic control facility;

''(ii) a civilian or military air traffic control facility of the Department of Defense; or

''(iii) a tower operating under contract with the Federal Aviation Administration under section 47124 of this title.

''(B) CONSIDERATION OF ADDITIONAL APPLICANTS.—The Administrator shall consider additional applicants for the position of air traffic controller by referring an approximately equal number of employees for appointment among the 2 applicant pools. The

number of employees referred for consideration from each group shall not differ by more than 10 percent.

''(i) POOL ONE.—Applicants who:

''(I) have successfully completed air traffic controller training and graduated from an institution participating in the Collegiate Training Initiative program maintained under subsection (c)(1) who have received from the institution—

''(aa) an appropriate recommendation; or

''(bb) an endorsement certifying that the individual would have met the requirements in effect as of December 31, 2013, for an appropriate recommendation;

''(II) are eligible for a veterans recruitment appointment pursuant to section 4214 of title 38, United States Code, and provide a Certificate of Release or Discharge from Active Duty within 120 days of the announcement closing;

''(III) are eligible veterans (as defined in section 4211 of title 38, United States Code) maintaining aviation experience obtained in the course of the individual's military experience; or

''(IV) are preference eligible veterans (as defined in section 2108 of title 5, United States Code).

''(ii) POOL TWO.—Applicants who apply under a vacancy announcement recruiting from all United States citizens.

''(2) USE OF BIOGRAPHICAL ASSESSMENTS.—

''(A) BIOGRAPHICAL ASSESSMENTS.—The Administration shall not use any biographical assessment when hiring under subparagraph (A) or subparagraph (B)(i) of paragraph (1).

''(B) RECONSIDERATION OF APPLICANTS DISQUALIFIED ON THE BASIS OF BIOGRAPHICAL ASSESSMENTS.—

''(i) IN GENERAL.—If an individual described in subparagraph (A) or subparagraph (B)(i) of paragraph (1) who applied for the position of air traffic controller with the Administration in response to Vacancy Announcement FAA–AMC–14–ALLSRCE–33537 (issued on February 10, 2014) and was disqualified from the position as the result of a biographical assessment, the Administrator shall provide the applicant an opportunity to reapply as soon as practicable for the position under the revised hiring practices.

''(ii) WAIVER OF AGE RESTRICTION.—The Administrator shall waive any maximum age restriction for the position of air traffic controller with the Administration that would otherwise disqualify an individual from the position if the individual—

''(I) is reapplying for the position pursuant to clause (i) on or before December 31, 2017; and

''(II) met the maximum age requirement on the date of the individual's previous application for the position during the interim hiring process.

''(3) MAXIMUM ENTRY AGE FOR EXPERIENCED CONTROLLERS.—Notwithstanding section 3307 of title 5, United States Code, the maximum limit of age for an original appointment to a position as an air traffic controller shall be 35 years of age for those maintaining 52 weeks of air traffic control experience involving the full-time active separation of air traffic after receipt of an air traffic certification or air traffic control facility rating in a civilian or military air traffic control facility.''.

(b) NOTIFICATION OF VACANCIES.—The Administrator shall consider directly notifying secondary schools and institutes of higher learning, including Historically Black Colleges and Universities, Hispanic-serving institutions, Minority Institutions, and Tribal Colleges and Universities, of the vacancy announcement under section 44506(f)(1)(B)(ii) of title 49, United States Code.

SEC. 4205. COMPUTATION OF BASIC ANNUITY FOR CERTAIN AIR TRAFFIC CONTROLLERS.

(a) IN GENERAL.—Section 8415(f) of title 5, United States Code, is amended to read as follows:

''(f) The annuity of an air traffic controller or former air traffic controller retiring under section 8412(a) is computed under subsection (a), except that if the individual has at least 5 years of service in any combination as:

''(1) an air traffic controller as defined by section 2109(1)(A)(i);

''(2) a first level supervisor of an air traffic controller as defined by section 2109(1)(A)(i); or

''(3) a second level supervisor of an air traffic controller as defined by section 2109(1)(A)(i);

so much of the annuity as is computed with respect to such type of service shall be computed by multiplying 1 7/10 percent of the individual's average pay by the years of such service.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall be deemed to be effective on December 12, 2003.

(c) PROCEDURES REQUIRED.—The Director of the Office of Personnel Management shall establish such procedures as are necessary to provide for—

(1) notification to each annuitant affected by the amendments made by this section;

(2) recalculation of the benefits of affected annuitants;

(3) an adjustment to applicable monthly benefit amounts pursuant to such recalculation, to begin as soon as is practicable; and

(4) a lump sum payment to each affected annuitant equal to the additional total benefit amount that such annuitant would have received had the amendment made by subsection (a) been in effect on December 12, 2003.

SEC. 4206. AIR TRAFFIC SERVICES AT AVIATION EVENTS.

(a) REQUIREMENT TO PROVIDE SERVICES AND RELATED SUPPORT.—The Administrator of the Federal Aviation Administration shall provide air traffic services and aviation safety support for aviation events, including airshows and fly-ins, without the imposition or collection of any fee, tax, or other charge for that purpose. Amounts for the provision of such services and support shall be derived from amounts appropriated or otherwise available for the Federal Aviation Administration.

(b) DETERMINATION OF SERVICES AND SUPPORT TO BE PROVIDED.—In determining the services and support to be provided for an aviation event for purposes of subsection (a), the Administrator shall take into account the following:

(1) The services and support required to meet levels of activity at prior events, if any, similar to the event.

(2) The anticipated need for services and support at the event.

SEC. 4207. FULL ANNUITY SUPPLEMENT FOR CERTAIN AIR TRAFFIC CONTROLLERS.

Section 8421a of title 5, United States Code, is amended—

(1) in subsection (a), by striking ''The amount'' and inserting ''Except as provided in subsection (c), the amount'';

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following:

''(c) This section shall not apply to an individual described in section 8412(e) during any period in which the individual, after separating from the service as described in that section, is employed full-time as an air traffic control instructor under contract with the Federal Aviation Administration, including an instructor working at an on-site facility (such as an airport).''.

SEC. 4208. INCLUSION OF DISABLED VETERAN LEAVE IN FEDERAL AVIATION ADMINISTRATION PERSONNEL MANAGEMENT SYSTEM.

(a) IN GENERAL.—Section 40122(g)(2) is amended—

(1) in subparagraph (H), by striking ''; and'' and inserting a semicolon;

(2) in subparagraph (I)(iii), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(J) subject to paragraph (4), section 6329, relating to disabled veteran leave.''.

(b) CERTIFICATION OF LEAVE.—Section 40122(g) is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following:

''(4) CERTIFICATION OF DISABLED VETERAN LEAVE.—In order to verify that leave credited to an employee pursuant to paragraph (2)(J) is used for treating a service-connected disability, that employee shall, notwithstanding section 6329(c) of title 5, submit to the Assistant Administrator for Human Resource Management of the Federal Aviation Administration certification, in such form and manner as the Administrator of the Federal Aviation Administration may prescribe, that the employee used that leave for purposes of being furnished treatment for that disability by a health care provider.''.

(c) APPLICATION.—The amendments made by this section shall apply with respect to any employee of the Federal Aviation 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 shall prescribe policies and procedures to carry out the amendments made by this section that are comparable, to the maximum extent practicable, to the regulations prescribed by the Office of Personnel Management under section 6329 of title 5, United States Code.

(e) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this Act and not less frequently than once each year thereafter until the date that is 5 years after the date of enactment of this Act, the Administrator shall publish on a publicly accessible Internet Web site a report on—

(1) the effect carrying out this section and the amendments made by this section has had on the workforce; and

(2) the number of veterans benefitting from carrying out this section and the amendments made by this section.

TITLE V—MISCELLANEOUS

SEC. 5001. NATIONAL TRANSPORTATION SAFETY BOARD INVESTIGATIVE OFFICERS.

Section 1113 is amended by striking subsection (h).

SEC. 5002. PERFORMANCE-BASED NAVIGATION.

Section 213(c) of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note) is amended by adding at the end the following:

''(3) NOTIFICATIONS AND CONSULTATIONS.—Not later than 90 days before applying a categorical exclusion under this subsection to a new procedure at an OEP airport, the Administrator shall—

''(A) notify and consult with the operator of the airport at which the procedure would be implemented; and

''(B) consider consultations or other engagement with the community in the which the airport is located to inform the public of the procedure.

''(4) REVIEW OF CERTAIN CATEGORICAL EXCLUSIONS.—

''(A) IN GENERAL.—The Administrator shall review any decision of the Administrator made on or after February 14, 2012, and before the date of enactment of this paragraph to grant a categorical exclusion under this subsection with respect to a procedure to be implemented at an OEP airport that was a material change from procedures previously in effect at the airport to determine if the implementation of the procedure had a significant effect on the human environment in the community in which the airport is located if the operator of that airport—

''(i) requests such a review; and

''(ii) demonstrates that there is good cause to believe that the implementation of the procedure had such an effect.

''(B) CONTENT OF REVIEW.—If, in conducting a review under subparagraph (A) with respect to a procedure implemented at an OEP airport, the Administrator, in consultation with the operator of the airport, determines that implementing the procedure had a significant effect on the human environment in the community in which the airport is located, the Administrator shall—

''(i) consult with the operator of the airport to identify measures to mitigate the effect of the procedure on the human environment; and

''(ii) in conducting such consultations, consider the use of alternative flight paths that do not substantially degrade the efficiencies achieved by the implementation of the procedure being reviewed.

''(C) HUMAN ENVIRONMENT DEFINED.—In this paragraph, the term 'human environment' has the meaning given such term in section 1508.14 of title 40, Code of Federal Regulations (as in effect on the day before the date of enactment of this paragraph).''.

SEC. 5003. OVERFLIGHTS OF NATIONAL PARKS.

Section 40128 is amended—

(1) in subsection (a)(3), by striking ''the'' before ''title 14''; and

(2) by amending subsection (f) to read as follows:

''(f) TRANSPORTATION ROUTES.—

''(1) IN GENERAL.—This section shall not apply to any air tour operator while flying over or near any Federal land managed by the Director of the National Park Service, including Lake Mead National Recreation Area, solely as a transportation route, to conduct an air tour over the Grand Canyon National Park.

''(2) EN ROUTE.—For purposes of this subsection, an air tour operator flying over the Hoover Dam in the Lake Mead National Recreation Area en route to the Grand Canyon National Park shall be deemed to be flying solely as a transportation route.''.

SEC. 5004. NAVIGABLE AIRSPACE ANALYSIS FOR COMMERCIAL SPACE LAUNCH SITE RUNWAYS.

(a) IN GENERAL.—Section 44718(b)(1) is amended–

(1) by striking ''air navigation facilities and equipment'' and inserting ''air or space navigation facilities and equipment'';

(2) in subparagraph (D), by striking ''; and'' and inserting a semicolon;

(3) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(F) the impact on launch and reentry for launch and reentry vehicles arriving or departing from a launch site or reentry site licensed by the Secretary.''.

(b) RULEMAKING.—Not later than 18 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a rulemaking to implement the amendments made by subsection (a).

SEC. 5005. SURVEY AND REPORT ON SPACEPORT DEVELOPMENT.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report on the existing system of spaceports licensed by the Federal Aviation Administration that includes recommendations regarding—

(1) the extent to which, and the manner in which, the Federal Government could participate in the construction, improvement, development, or maintenance of such spaceports; and

(2) potential funding sources.

SEC. 5006. AVIATION FUEL.

(a) USE OF UNLEADED AVIATION GASOLINE.—The Administrator of the Federal Aviation Administration shall allow the use of an unleaded aviation gasoline in an aircraft as a replacement for a leaded gasoline if the Administrator—

(1) determines that the unleaded aviation gasoline qualifies as a replacement for an approved leaded gasoline;

(2) identifies the aircraft and engines that are eligible to use the qualified replacement unleaded gasoline; and

(3) adopts a process (other than the traditional means of certification) to allow eligible aircraft and engines to operate using qualified replacement unleaded gasoline in a manner that ensures safety.

(b) TIMING.—The Administrator shall adopt the process described in subsection (a)(3) not later than 180 days after the later of—

(1) the date on which the Administration completes the Piston Aviation Fuels Initiative; or

(2) the date on which the American Society for Testing and Materials publishes a production specification for an unleaded aviation gasoline.

SEC. 5007. COMPREHENSIVE AVIATION PREPAREDNESS PLAN.

(a) IN GENERAL.—No later than 1 year after the date of enactment of this Act, the Secretary of Transportation and the Secretary of Health and Human Services, in coordination with the Secretary of Homeland Security, the Secretary of Labor, the Secretary of State, the Secretary of Defense, and representatives of other Federal departments and agencies, as necessary, shall develop a comprehensive national aviation communicable disease preparedness plan.

(b) MINIMUM COMPONENTS.—The plan developed under subsection (a) shall—

(1) be developed in consultation with other relevant stakeholders, including State, local, tribal, and territorial governments, air carriers, first responders, and the general public;

(2) provide for the development of a communications system or protocols for providing comprehensive, appropriate, and up-to-date information regarding communicable disease threats and preparedness between all relevant stakeholders;

(3) document the roles and responsibilities of relevant Federal department and agencies, including coordination requirements;

(4) provide guidance to air carriers, airports, and other appropriate aviation stakeholders on how to develop comprehensive communicable disease preparedness plans for their respective organizations, in accordance with the plan to be developed under subsection (a);

(5) be scalable and adaptable so that the plan can be used to address the full range of communicable disease threats and incidents;

(6) provide information on communicable threats and response training resources for all relevant stakeholders, including Federal, State, local, tribal, and territorial government employees, airport officials, aviation industry employees and contractors, first responders, and health officials;

(7) develop protocols for the dissemination of comprehensive, up-to-date, and appropriate information to the traveling public concerning communicable disease threats and preparedness;

(8) be updated periodically to incorporate lessons learned with supplemental information; and

(9) be provided in writing, electronically, and accessible via the Internet.

(c) INTERAGENCY FRAMEWORK.—The plan developed under subsection (a) shall—

(1) be conducted under the existing interagency framework for national level all hazards emergency preparedness planning or another appropriate framework; and

(2) be consistent with the obligations of the United States under international agreements.

SEC. 5008. ADVANCED MATERIALS CENTER OF EXCELLENCE.

(a) IN GENERAL.—Chapter 445 is amended by adding at the end the following:

''§ 44518. Advanced Materials Center of Excellence

''(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall continue operation of the Advanced Materials Center of Excellence (referred to in this section as the 'Center') under its structure as in effect on March 1, 2016, which shall focus on applied research and training on the durability and maintainability of advanced materials in transport airframe structures.

''(b) RESPONSIBILITIES.—The Center shall—

''(1) promote and facilitate collaboration among academia, the Transportation Division of the Federal Aviation Administration, and the commercial aircraft industry, including manufacturers, commercial air carriers, and suppliers; and

''(2) establish goals set to advance technology, improve engineering practices, and facilitate continuing education in relevant areas of study.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator $500,000 for each of the fiscal years 2016 and 2017 to carry out this section.''.

(b) TABLE OF CONTENTS.—The table of contents for chapter 445 is amended by adding at the end the following:

''44518. Advanced Materials Center of Excellence.''.

SEC. 5009. INTERFERENCE WITH AIRLINE EMPLOYEES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) complete a study of crimes of violence (as defined in section 16 of title 18, United States Code) committed against airline customer service representatives while they are performing their duties and on airport property; and

(2) submit the findings of the study, including any recommendations, to Congress.

(b) GAP ANALYSIS.—The study shall include a gap analysis to determine if State and local laws and resources are adequate to deter or otherwise address the crimes of violence described in subsection (a) and recommendations on how to address any identified gaps.

SEC. 5010. SECONDARY COCKPIT BARRIERS.

(a) THREAT ASSESSMENT.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Transportation Security Administration, in collaboration with the Administrator of the Federal Aviation Administration, shall complete a detailed risk assessment of the need for physical secondary barriers on aircraft flown by air carriers operating under part 121 of title 14,

Code of Federal Regulations, for passenger operations.

(b) DETERMINATION AND RULEMAKING.—If the Administrator of the Transportation Security Administration determines that there is a threat based on the threat assessment under subsection (a), then not later than 18 months after the date of that determination, the Administrator of the Federal Aviation Administration may promulgate regulations for the risk-based equipage of air carriers operating under part 121 of title 14, Code of Federal Regulations, for passenger operations, as appropriate.

SEC. 5011. GAO EVALUATION AND AUDIT.

Section 15(a)(1) of the Railway Labor Act (45 U.S.C. 165(a)(1)) is amended by striking ''2 years'' and inserting ''4 years''.

SEC. 5012. FEDERAL AVIATION ADMINISTRATION PERFORMANCE MEASURES AND TARGETS.

(a) PERFORMANCE MEASURES.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall establish performance measures relating to the administration of the Federal Aviation Administration, which shall, at a minimum, include measures to assess—

(1) the reduction of delays in the completion of projects; and

(2) the effectiveness of the Administration in achieving the goals described in section 47171 of title 49, United States Code.

(b) PERFORMANCE TARGETS.—Not later than 180 days after the date on which the Secretary establishes performance measures in accordance with subsection (a), the Secretary shall establish performance targets relating to each of the measures described in that subsection.

(c) REPORT.—Not later than 2 years after the date of enactment of this Act, the Inspector General of the Department of Transportation shall submit to Congress a report describing the progress of the Secretary in meeting the performance targets established under subsection (b).

SEC. 5013. STAFFING OF CERTAIN AIR TRAFFIC CONTROL TOWERS.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall ensure appropriate staffing at the Core 30 air traffic control towers and associated terminal radar approach control facilities and air route traffic control centers and ensure, as appropriate, staffing levels at those control towers, facilities, and centers are not below the average number of air traffic controllers between the ''high'' and ''low'' staffing ranges, as specified in the document of the Federal Aviation Administration entitled, ''A Plan for the Future: 10-Year Strategy for Air Traffic Control Workforce 2015–2024''.

(b) RETENTION.—The Administrator shall review strategies to improve retention of experienced certified professional controllers at the control towers, facilities, and centers described in subsection (a)(1).

SEC. 5014. CRITICAL AIRFIELD MARKINGS.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a request for proposal for a study that includes—

(1) an independent, third-party study to assess the durability of Type III and Type I glass beads applied to critical markings over a 12-month period at no fewer than 2 primary airports in varying weather conditions to measure the retroflectivity levels of such markings on a quarterly basis; and

(2) a study at 2 other airports carried out by applying Type III beads on one half of the centerline and Type I beads to the other half and providing for assessments from pilots through surveys administered by a third party as to the visibility and performance of the Type III glass beads as compared to the Type I glass beads over a 6-month period.

SEC. 5015. RESEARCH AND DEPLOYMENT OF CERTAIN AIRFIELD PAVEMENT TECHNOLOGIES.

Using amounts made available under section 48102(a) of title 49, United States Code, the Administrator of the Federal Aviation Administration shall carry out a program for the research and deployment of aircraft pavement technologies under which the Administrator makes grants to, and enters into cooperative agreements with, institutions of higher education and nonprofit organizations that—

(1) research concrete and asphalt airfield pavement technologies that extend the life of airfield pavements;

(2) develop and conduct training;

(3) provide for demonstration projects; and

(4) promote the latest airfield pavement technologies to aid in the development of safer, more cost effective, and more durable airfield pavements.

SEC. 5016. REPORT ON GENERAL AVIATION FLIGHT SHARING.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall submit to the appropriate committees of Congress a report assessing the feasibility of flight sharing for general aviation. The report shall include an assessment of any regulations that may need to be updated to allow for safe and efficient flight sharing, including regulations imposing limitations on the forms of communication persons who hold private pilot certificates may use.

SEC. 5017. INCREASE IN DURATION OF GENERAL AVIATION AIRCRAFT REGISTRATION.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a rulemaking to increase the duration of aircraft registrations for noncommercial general aviation aircraft to 5 years.

SEC. 5018. MODIFICATION OF LIMITATION OF LIABILITY RELATING TO AIRCRAFT.

Section 44112(b) is amended—

(1) by striking ''on land or water''; and

(2) by inserting ''operational'' before ''control''.

SEC. 5019. GOVERNMENT ACCOUNTABILITY OFFICE STUDY OF ILLEGAL DRUGS SEIZED AT INTERNATIONAL AIRPORTS IN THE UNITED STATES.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study of illegal drugs, including heroin, fentanyl, and cocaine, seized by Federal authorities at international airports in the United States.

(b) ELEMENTS.—In conducting the study required by subsection (a), the Comptroller General shall address, at a minimum—

(1) the types and quantities of drugs seized;

(2) the origin of the drugs seized;

(3) the airport at which the drugs were seized;

(4) the manner in which the drugs were seized; and

(5) the manner in which the drugs were transported.

(c) USE OF DATA; RECOMMENDATIONS FOR ADDITIONAL DATA COLLECTION.—In conducting the study required by subsection (a), the Comptroller General shall use all available data. If the Comptroller General determines that additional data is needed to fully understand the extent to which illegal drugs enter the United States through international airports in the United States, the Comptroller General shall develop recommendations for the collection of that data.

(d) SUBMISSION TO CONGRESS.—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall submit to Congress a report on the study conducted under subsection (a) that includes any recommendations developed under subsection (c).

SEC. 5020. SENSE OF CONGRESS ON PREVENTING THE TRANSPORTATION OF DISEASE-CARRYING MOSQUITOES AND OTHER INSECTS ON COMMERCIAL AIRCRAFT.

It is the sense of Congress that the Secretary of Transportation and the Secretary of Agriculture should, in coordination and consultation with the World Health Organization, develop a framework and guidance for the use of safe, effective, and nontoxic means of preventing the transportation of disease-carrying mosquitoes and other insects on commercial aircraft.

SEC. 5021. WORK PLAN FOR THE NEW YORK/NEW JERSEY/PHILADELPHIA METROPLEX PROGRAM.

Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall develop and publish in the Federal Register a work plan for the New York/New Jersey/Philadelphia metroplex program.

SEC. 5022. REPORT ON PLANS FOR AIR TRAFFIC CONTROL FACILITIES IN THE NEW YORK CITY AND NEWARK REGION.

Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall submit to the appropriate committees of Congress a report on the Federal Aviation Administration's staffing and scheduling plans for air traffic control facilities in the New York City and Newark region for the 1-year period beginning on such date of enactment.

SEC. 5023. GAO STUDY OF INTERNATIONAL AIRLINE ALLIANCES.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study of certain cooperative agreements between United States air carriers and non-United States air carriers (referred to in this section as ''alliances''), which—

(1) have been created pursuant to section 41309 of title 49, United States Code; and

(2) have been exempted from antitrust laws (as defined in the first section of the Clayton Act (15 U.S.C. 12)) pursuant to section 41308 of title 49, United States Code.

(b) SCOPE.—The study conducted under subsection (a) shall assess—

(1) the consequences of alliances, including reduced competition, stifling new entrants into markets, increasing prices in markets, and other adverse consequences;

(2) the representations made by air carriers to the Secretary of Transportation for the necessity of an antitrust exemption;

(3) the Department of Transportation's expectations of public benefits resulting from alliances, including whether such expected benefits were actually achieved;

(4) the adequacy of the Department of Transportation's efforts in the approval and monitoring of alliances, including possessing relevant experience and expertise in the fields of antitrust and consumer protection;

(5) whether there has been sufficient transparency in the approval of alliances, including opportunities for public review and feedback;

(6) the role of the Department of Justice in the oversight of alliances;

(7) whether there are alternatives to antitrust immunity that could be conferred that would also produce public benefits;

(8) whether alliances should be required to expire;

(9) the level of competition between air carriers who are members of the same alliance;

(10) the level of competition between alliances;

(11) whether the Department of Transportation should amend, modify, or revoke any exemption from the antitrust laws granted by the Secretary of Transportation in connection with an alliance; and

(12) the effect of alliances on the number and quality of jobs for United States air carrier flight crew employees, including the share of alliance flying done by such employees.

(c) RECOMMENDATIONS.—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall submit to Congress the results of the study conducted under subsection (a), which shall include recommendations on the reforms needed to improve competition and enhance choices for consumers, including—

(1) whether oversight of alliances should be exercised by the Department of Justice rather than by the Department of Transportation; and

(2) whether antitrust immunity for alliances should expire.

SEC. 5024. TREATMENT OF MULTI-YEAR LESSEES OF LARGE AND TURBINE-POWERED MULTIENGINE AIRCRAFT.

The Secretary of Transportation shall revise such regulations as may be necessary to ensure that multi-year lessees and owners of large and turbine-powered multiengine aircraft are treated equally for purposes of joint ownership policies of the Federal Aviation Administration.

SEC. 5025. EVALUATION OF EMERGING TECHNOLOGIES.

(a) STUDY.—The Administrator of the Federal Aviation Administration, in consultation with representatives of the aviation community and institutions of higher education (as defined in section 101(a) of the Higher Education Act of 1964 (20 U.S.C. 1001(a))), shall conduct a study to evaluate the potential impact of emerging technologies, such as electric propulsion and autonomous control, on the current state of aircraft design, operations, maintenance, and licensing.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit a report to the appropriate committees of Congress that summarizes the results of the study conducted under subsection (a).

SEC. 5026. STUDENT OUTREACH REPORT.

Not later than 6 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall submit a report to the appropriate committees of Congress that describes the Administration's existing outreach efforts, such as the STEM Aviation and Space Education Outreach Program, to elementary and secondary students who are interested in careers in science, technology, engineering, art, and mathematics—

(1) to prepare and inspire such students for aeronautical careers; and

(2) to mitigate an anticipated shortage of pilots and other aviation professionals.

SEC. 5027. RIGHT TO PRIVACY WHEN USING AIR TRAFFIC CONTROL SYSTEM.

Notwithstanding any other provision of law, the Federal Aviation Administration, as appropriate, shall upon request of a private aircraft owner or operator, block the registration number of the aircraft of the owner or operator from any public dissemination or display, except in data made available to a Government agency, for the noncommercial flights of the owner or operator.

SEC. 5028. CONDUCT OF SECURITY SCREENING BY THE TRANSPORTATION SECURITY ADMINISTRATION AT CERTAIN AIRPORTS.

(a) IN GENERAL.—The Administrator of the Transportation Security Administration shall provide for security screening to be conducted by the Transportation Security Administration at, and provide all necessary staff and equipment to, any airport—

(1) that lost commercial air service on or after January 1, 2013; and

(2) the operator of which, following the loss described in paragraph (1), submits to the Administrator—

(A) a request for security screening to be conducted at the airport by the Transportation Security Administration; and

(B) written confirmation of a commitment from a commercial air carrier—

(i) that the air carrier wants to provide commercial air service at the airport; and

(ii) that such service will commence not later than 1 year after the date of the submission of the request under subparagraph (A).

(b) DEADLINE.—The Administrator of the Transportation Security Administration shall ensure that the process of implementing security screening by the Transportation Security Administration at an airport described in subsection (a) is complete not later than the later of—

(1) the date that is 90 days after the date on which the operator of the airport submits to the Administrator a request for such screening under paragraph (2)(A) of that subsection; or

(2) the date on which the air carrier intends to provide commercial air service at the airport.

(c) EFFECT ON OTHER AIRPORTS.—The Administrator of the Transportation Security Administration shall carry out this section in a manner that does not negatively affect operations at airports that are provided security screening by the Transportation Security Administration.

SEC. 5029. AVIATION CYBERSECURITY.

(a) COMPREHENSIVE AVIATION FRAMEWORK.—

(1) IN GENERAL.—Not later than 240 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall facilitate and support the development of a comprehensive framework of principles and policies to reduce cybersecurity risks to the national airspace system, civil aviation, and agency information systems.

(2) SCOPE.—As part of the principles and policies under paragraph (1), the Administrator shall—

(A) clarify cybersecurity roles and responsibilities of offices and employees, including governance structures of any advisory committees addressing cybersecurity at the Federal Aviation Administration;

(B) recognize the interactions of different components of the national airspace system and the interdependent and interconnected nature of aircraft and air traffic control systems;

(C) identify and implement objectives and actions to reduce cybersecurity risks to the air traffic control information systems, including actions to improve implementation of information security standards and best practices of the National Institute of Standards and Technology, and policies and guidance issued by the Office of Management and Budget for agency systems;

(D) support voluntary efforts by industry, RTCA, Inc., or standards-setting organizations to develop and identify consensus standards, best practices, and guidance on aviation systems information security protection, consistent with the activities described in section 2(e) of the National Institute of Standards and Technology Act (15 U.S.C. 272(e)); and

(E) establish guidelines for the voluntary sharing of information between and among aviation stakeholders pertaining to aviation-related cybersecurity incidents, threats, and vulnerabilities.

(3) LIMITATIONS.—In carrying out the activities under this section, the Administrator shall—

(A) coordinate with aviation stakeholders, including industry, airlines, manufacturers, airports, RTCA, Inc., and unions;

(B) consult with the Secretary of Defense, Secretary of Homeland Security, Director of National Institute of Standards and Technology, the heads of other relevant agencies, and international regulatory authorities; and

(C) evaluate on a periodic basis, but not less than once every 2 years, the effectiveness of the principles established under this subsection.

(b) THREAT MODEL.—The Secretary of Transportation, in coordination with the Administrator of the Federal Aviation Administration, shall implement the open recommendation issued in 2015 by the Government Accountability Office to assess the potential cost and timetable of developing and maintaining an agency-wide threat model to strengthen cybersecurity across the Federal Aviation Administration.

(c) SECURE ACCESS TO FACILITIES AND SYSTEMS.—

(1) IDENTITY MANAGEMENT REQUIREMENTS.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall implement open recommendations issued in 2014 by the Inspector General of the Department of Transportation—

(A) to work with the Federal Aviation Administration to revise its plan to effectively transition remaining users to require personal identity verification, including create a plan of actions and milestones with a planned completion date to monitor and track progress; and

(B) to work with the Director of the Office of Security of the Department of Transportation to develop or revise plans to effectively transition remaining facilities to require personal identity verification cards at the Federal Aviation Administration.

(2) IDENTITY MANAGEMENT ASSESSMENT.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall prepare a plan to implement the use of identity management, including personal identity verification, at the Federal Aviation Administration, consistent with section 504 of the Cybersecurity Enhancement Act of 2014 (Public Law 113–274; 15 U.S.C. 7464) and section 225 of title II of division N of the Cybersecurity Act of 2015 (Public Law 114–113; 129 Stat. 2242).

(B) CONTENTS.—The plan shall include—

(i) an assessment of the current implementation and use of identity management, including personal identity verification, at the Federal Aviation Administration for secure access to government facilities and information systems, including a breakdown of requirements for use and identification of which systems and facilities are enabled to use personal identity verification; and

(ii) the actions to be taken, including specified deadlines, by the Chief Information Officers of the Department of Transportation and the Federal Aviation Administration to increase the implementation and use of such measures, with the goal of 100 percent implementation across the agency.

(3) REPORT.—The Secretary shall submit the plan to the appropriate committees of Congress.

(4) CLASSIFIED INFORMATION.—The report submitted under paragraph (3) shall be in unclassified form, but may include a classified annex.

(d) AIRCRAFT SECURITY.—

(1) IN GENERAL.—The Aircraft Systems Information Security Protection Working Group shall periodically review rulemaking, policy, and guidance for certification of avionics software and hardware (including any system on board an aircraft) and continued airworthiness in order to reduce cybersecurity risks to aircraft systems.

(2) REQUIREMENTS.—In conducting the reviews, the working group—

(A) shall assess the cybersecurity risks to aircraft systems, including recognizing the interactions of different components of the national airspace system and the interdependent and interconnected nature of aircraft and air traffic control systems;

(B) shall assess the extent to which existing rulemaking, policy, and guidance to promote safety also promote aircraft systems information security protection; and

(C) based on the results of subparagraphs (A) and (B), may make recommendations to the Administrator of the Federal Aviation Administration if separate or additional rulemaking, policy, or guidance is needed to address aircraft systems information security protection.

(3) RECOMMENDATIONS.—In any recommendation under paragraph (2)(C), the working group shall identify a cost-effective and technology-neutral approach and incorporate voluntary consensus standards and best practices and international practices to the fullest extent possible.

(4) REPORT.—

(A) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, and periodically thereafter, the working group shall provide a report to the Administrator of the Federal Aviation Administration on the findings of the review and any recommendations.

(B) CONGRESS.—The Administrator shall submit to the appropriate committees of Congress a copy of each report provided by the working group.

(5) CLASSIFIED INFORMATION.—Each report submitted under this subsection shall be in unclassified form, but may include a classified annex.

(e) CYBERSECURITY IMPLEMENTATION PROGRESS.—The Administrator of the Federal Aviation Administration shall—

(1) not later than 90 days after the date of enactment of this Act, and periodically thereafter until the completion date, provide to the appropriate committees of Congress a briefing on the actions the Administrator has taken to improve information security management, including the steps taken to implement subsections (a), (b) and (c) and all of the issues and open recommendations identified in cybersecurity audit reports issued in 2014 and 2015 by the Inspector General of the Department of Transportation and the Government Accountability Office; and

(2) not later than 1 year after the date of enactment of this Act, issue a final report to the appropriate committees of Congress on the steps taken to improve information security management, including implementation of subsections (a), (b) and (c) and all of the issues and open recommendations identified in the cybersecurity audit reports issued in 2014 and 2015 by the Inspector General of the Department of Transportation and the Government Accountability Office.

SEC. 5030. PROHIBITIONS AGAINST SMOKING ON PASSENGER FLIGHTS.

Section 41706 is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

''(d) ELECTRONIC CIGARETTES.—

''(1) INCLUSION.—The use of an electronic cigarette shall be treated as smoking for purposes of this section.

''(2) ELECTRONIC CIGARETTE DEFINED.—In this section, the term 'electronic cigarette' means a device that delivers nicotine or other substances to a user of the device in the form of a vapor that is inhaled to simulate the experience of smoking.''.

SEC. 5031. TECHNICAL AND CONFORMING AMENDMENTS.

(a) AIRPORT CAPACITY ENHANCEMENT PROJECTS AT CONGESTED AIRPORTS.—Section 40104(c) is amended by striking ''47176'' and inserting ''47175''.

(b) CONSULTATION ON CARRIER RESPONSE NOT COVERED BY PLAN.—Section 41313(c)(16), as amended by section 3104 of this Act, is further amended by striking ''the foreign air carrier will consult'' and inserting ''will consult''.

(c) WEIGHING MAIL.—Section 41907 is amended by striking ''and –administrative'' and inserting ''and administrative''.

(d) FLIGHT ATTENDANT CERTIFICATION.—Section 44728 is amended—

(1) in subsection (c), by striking ''chapter'' and inserting ''title''; and

(2) in subsection (d)(3), by striking ''is'' and inserting ''be''.

(e) SCHEDULE OF FEES.—Section 45301(a)(1) is amended by striking ''United States government'' and inserting ''United States Government''.

(f) CLASSIFIED EVIDENCE.—Section 46111(g)(2)(A) is amended by striking ''(18 U.S.C. App.)'' and inserting ''(18 U.S.C. App.))''.

(g) ALLOWABLE COST STANDARDS.—Section 47110(b)(2) is amended—

(1) in subparagraph (B), by striking ''compatability'' and inserting ''compatibility''; and

(2) in subparagraph (D)(i), by striking ''climactic'' and inserting ''climatic''.

(h) DEFINITION OF QUALIFIED HUBZONE SMALL BUSINESS CONCERN.—Section 47113(a)(3) is amended by striking ''(15 U.S.C. 632(o))'' and inserting ''(15 U.S.C. 632(p))''.

(i) DISCRETIONARY FUND.—Section 47115, as amended by section 1006 of this Act, is further amended—

(1) by striking subsection (i); and

(2) by redesignating subsection (j) as subsection (i).

(j) SPECIAL APPORTIONMENT CATEGORIES.—Section 47117(e)(1)(B) is amended by striking ''at least'' and inserting ''At least''.

(k) SOLICITATION AND CONSIDERATION OF COMMENTS.—Section 47171(l) is amended by striking ''4371'' and inserting ''4321''.

(l) OPERATIONS AND MAINTENANCE.—Section 48104 is amended by striking ''(a) AUTHORIZATION OF APPROPRIATIONS.—the'' and inserting ''The''.

(m) EXPENDITURES FROM AIRPORT AND AIRWAY TRUST FUND.—Section 9502(d)(2) of the Internal Revenue Code of 1986 is amended by striking ''farms'' and inserting ''farms)''.

SA 3465. Mr. GARDNER 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. ____. RAILROAD PURPOSE.

Section 24202 of title 49, United States Code, is amended by adding at the end the following:

''(c) SCOPE.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, any activity, including a commercial activity, undertaken or conducted by a railroad company, or undertaken or conducted by another entity and authorized by a railroad company using a railroad right-of-way shall be expressly deemed to derive from or further a railroad purpose within the scope of the right-of-way grant, regardless of whether such activity is necessary, primarily intended, or originated for the operation, maintenance, or construction of a railroad, if such activity—

''(A) contributes to any aspect of a railroad company's business, subject to paragraph (2); and

''(B) does not interfere with the operation of the railroad.

''(2) NONAPPLICABILITY.—Paragraph (1) shall not apply to an activity using a railroad right-of-way if such activity does not have any benefit to the railroad company other than payment for the use of the railroad right-of-way.

''(3) AUTHORIZATION REQUIRED.—Except as otherwise provided by the Act, no activity using a railroad right-of-way by an entity other than the railroad company granted the railroad right-of-way shall be permitted without authorization from the railroad company if the railroad right-of-way has not been abandoned by the railroad company.

''(4) SAVINGS CLAUSE.—Nothing in this subsection may be construed to affect the rights to—

''(A) the mineral estate underlying a railroad right-of-way;

''(B) a railroad right-of-way that has been abandoned; or

''(C) the airspace of a railroad right-of-way.

''(5) DEFINITIONS.—In this subsection—

''(A) the term 'the Act' means the Act of March 3, 1875 (18 Stat. 482; chapter 152; 43 U.S.C. 934 et seq.), which granted rights-of-way to railroads; and

''(B) the term 'railroad right-of-way' means the subsurface and surface of a right-of-way granted under the Act.''.

SA 3466. Mr. GARDNER (for himself 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 end of title V, add the following:

SEC. 5032. PROHIBITION ON USE OF UNITED STATES AIRSPACE FOR TRANSFER OF DETAINEES FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO THE UNITED STATES.

(a) IN GENERAL.—Notwithstanding any other provision of law, no flight may be operated in United States airspace if the flight is operated to transfer an individual detained at Guantanamo to a State, territory, or possession of the United States.

(b) INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.—In this section, the term ''individual detained at Guantanamo'' means any individual who—

(1) is in detention, on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba;

(2) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(3) is—

(A) in the custody or under the control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SA 3467. Mr. MARKEY (for himself, Mr. BLUMENTHAL, and Ms. KLOBUCHAR) 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. _____. REGULATIONS PROHIBITING THE IMPOSITION OF FEES THAT ARE NOT REASONABLE AND PROPORTIONAL TO THE COSTS INCURRED.

(a) DEFINITIONS.—In this section:

(1) AIR CARRIER.—The term ''air carrier'' means any air carrier that holds an air carrier certificate under section 41101 of title 49, United States Code.

(2) INTERSTATE AIR TRANSPORTATION.—The term ''interstate air transportation'' has the meaning given that term in section 40102 of title 49, United States Code.

(b) REGULATIONS REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Transportation shall prescribe regulations—

(1) prohibiting an air carrier from imposing fees described in subsection (c) that are unreasonable or disproportional to the costs incurred by the air carrier; and

(2) establishing standards for assessing whether such fees are reasonable and proportional to the costs incurred by the air carrier.

(c) FEES DESCRIBED.—The fees described in this subsection are—

(1) any fee for a change or cancellation of a reservation for a flight in interstate air transportation;

(2) any fee relating to checked baggage to be transported on a flight in interstate air transportation; and

(3) any other fee imposed by an air carrier relating to a flight in interstate air transportation.

(d) CONSIDERATIONS.—In establishing the standards required by subsection (b)(2), the Secretary shall consider—

(1) with respect to a fee described in subsection (c)(1) imposed by an air carrier for a change or cancellation of a flight reservation—

(A) any net benefit or cost to the air carrier from the change or cancellation, taking into consideration—

(i) the ability of the air carrier to anticipate the expected average number of cancellations and changes and make reservations accordingly;

(ii) the ability of the air carrier to fill a seat made available by a change or cancellation;

(iii) any difference in the fare likely to be paid for a ticket sold to another passenger for a seat made available by the change or cancellation, as compared to the fare paid by the passenger who changed or canceled the passenger's reservation; and

(iv) the likelihood that the passenger changing or cancelling the passenger's reservation will fill a seat on another flight by the same air carrier;

(B) the costs of processing the change or cancellation electronically; and

(C) any related labor costs;

(2) with respect to a fee described in subsection (c)(2) imposed by an air carrier relating to checked baggage—

(A) the costs of processing checked baggage electronically; and

(B) any related labor costs; and

(3) any other considerations the Secretary considers appropriate.

(e) UPDATED REGULATIONS.—The Secretary shall update the standards required by subsection (b)(2) not less frequently than once every 3 years.

SA 3468. Mr. MARKEY 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 356, between lines 12 and 13, insert the following:

(f) DISCLOSURE OF CYBERATTACKS BY THE AVIATION INDUSTRY.—

(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Transportation shall prescribe regulations requiring covered air carriers and covered manufacturers to disclose to the Federal Aviation Administration any attempted or successful cyberattack on any system on board an aircraft, whether or not the system is critical to the safe and secure operation of the aircraft, or any maintenance or ground support system for aircraft, operated by the air carrier or produced by the manufacturer, as the case may be.

(2) USE OF DISCLOSURES BY THE FEDERAL AVIATION ADMINISTRATION.—The Administrator of the Federal Aviation Administration shall use the information obtained through disclosures made under paragraph (1) to improve the regulations of the Federal Aviation Administration and to notify air carriers, aircraft manufacturers, and other Federal agencies of cybersecurity vulnerabilities in systems on board an aircraft or maintenance or ground support systems for aircraft.

(g) ANNUAL REPORT ON CYBERATTACKS ON AIRCRAFT SYSTEMS AND MAINTENANCE AND GROUND SUPPORT SYSTEMS.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Administrator of the Federal Aviation Administration shall submit to the appropriate committees of Congress a report on attempted and successful cyberattacks on any system on board an aircraft, whether or not the system is critical to the safe and secure operation of the aircraft, and on maintenance or ground support systems for aircraft, that includes—

(1) the number of such cyberattacks during the year preceding the submission of the report;

(2) with respect to each such cyberattack—

(A) an identification of the system that was targeted;

(B) a description of the effect on the safety of the aircraft as a result of the cyberattack; and

(C) a description of the measures taken to counter or mitigate the cyberattack;

(3) recommendations for preventing a future cyberattack;

(4) an analysis of potential vulnerabilities to cyberattacks in systems on board an aircraft and in maintenance or ground support systems for aircraft; and

(5) recommendations for improving the regulatory oversight of aircraft cybersecurity.

(h) DEFINITIONS.—In subsections (f) and (g):

(1) COVERED AIR CARRIER.—The term ''covered air carrier'' means an air carrier or a foreign air carrier (as those terms are defined in section 40102 of title 49, United States Code).

(2) COVERED MANUFACTURER.—The term ''covered manufacturer'' means an entity that—

(A) manufactures or otherwise produces aircraft and holds a production certificate under section 44704(c) of title 49, United States Code; or

(B) manufactures or otherwise produces electronic control, communications, maintenance, or ground support systems for aircraft.

(3) CYBERATTACK.—The term ''cyberattack'' means the unauthorized access to aircraft electronic control or communications systems or maintenance or ground support systems for aircraft, either wirelessly or through a wired connection.

SA 3469. Mr. MARKEY 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 353, between lines 15 and 16, insert the following:

(d) INCORPORATION OF CYBERSECURITY INTO REQUIREMENTS FOR AIR CARRIER OPERATING CERTIFICATES AND PRODUCTION CERTIFICATES.—

(1) REGULATIONS.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Transportation, in consultation with the Secretary of Defense, the Secretary of Homeland Security, the Attorney General, the Federal Communications Commission, and the Director of National Intelligence, shall prescribe regulations to incorporate requirements relating to cybersecurity into the requirements for obtaining an air carrier operating certificate or a production certificate under chapter 447 of title 49, United States Code.

(2) REQUIREMENTS.—In prescribing the regulations required by paragraph (1), the Secretary shall—

(A) require all entry points to the electronic systems of each aircraft operating in United States airspace and maintenance or ground support systems for such aircraft to be equipped with reasonable measures to protect against cyberattacks, including the use of isolation measures to separate critical software systems from noncritical software systems;

(B) require the periodic evaluation of the measures described in subparagraph (A) for security vulnerabilities using best security practices, including the appropriate application of techniques such as penetration testing, in consultation with the Secretary of Defense, the Secretary of Homeland Security, the Attorney General, the Federal Communications Commission, and the Director of National Intelligence; and

(C) require the measures described in subparagraph (A) to be periodically updated based on the results of the evaluations conducted under subparagraph (B).

(3) DEFINITIONS.—In this subsection:

(A) CYBERATTACK.—The term ''cyberattack'' means the unauthorized access to aircraft electronic control or communications systems or maintenance or ground support systems for aircraft, either wirelessly or through a wired connection.

(B) CRITICAL SOFTWARE SYSTEMS.—The term ''critical software systems'' means software systems that can affect control over the operation of an aircraft.

(C) ENTRY POINT.—The term ''entry point'' means the means by which signals to control a system on board an aircraft or a maintenance or ground support system for aircraft may be sent or received.

SA 3470. Mr. MARKEY 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 356, between lines 12 and 13, insert the following:

(f) MANAGING CYBERSECURITY RISKS OF CONSUMER COMMUNICATIONS EQUIPMENT.—

(1) IN GENERAL.—The Commercial Aviation Communications Safety and Security Leadership Group established by the memorandum of understanding between the Department of Transportation and the Federal Communications Commission entitled ''Framework for DOT-FCC Coordination of Commercial Aviation Communications Safety and Security Issues'' and dated January 29, 2016 (in this section known as the ''Leadership Group'') shall be responsible for evaluating the cybersecurity vulnerabilities of broadband wireless communications equipment designed for consumer use on board aircraft operated by covered air carriers that is installed before, on, or after, or is proposed to be installed on or after, the date of the enactment of this Act.

(2) RESPONSIBILITIES.—To address cybersecurity risks arising from malicious use of communications technologies on board aircraft operated by covered air carriers, the Leadership Group shall—

(A) ensure the development of effective methods for preventing foreseeable cyberattacks that exploit broadband wireless communications equipment designed for consumer use on board such aircraft; and

(B) require the implementation by covered air carriers, covered manufacturers, and communications service providers of all technical and operational security measures that are deemed necessary and sufficient by the Leadership Group to prevent cyberattacks described in subparagraph (A).

(3) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Leadership Group shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on—

(A) the technical and operational security measures developed to prevent foreseeable cyberattacks that exploit broadband wireless communications equipment designed for consumer use on board aircraft operated by covered air carriers; and

(B) the steps taken by covered air carriers, covered manufacturers, and communications service providers to implement the measures described in subparagraph (A).

(4) DEFINITIONS.—In this subsection:

(A) COVERED AIR CARRIER.—The term ''covered air carrier'' means an air carrier or a foreign air carrier (as those terms are defined in section 40102 of title 49, United States Code).

(B) COVERED MANUFACTURER.—The term ''covered manufacturer'' means an entity that—

(i) manufactures or otherwise produces aircraft and holds a production certificate under section 44704(c) of title 49, United States Code; or

(ii) manufactures or otherwise produces electronic control, communications, maintenance, or ground support systems for aircraft.

(C) CYBERATTACK.—The term ''cyberattack'' means the unauthorized access to aircraft electronic control or communications systems or maintenance or ground support systems for aircraft, either wirelessly or through a wired connection.

SA 3471. Mr. MARKEY 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 62, line 17, insert ''and commercial'' after ''public''.

SA 3472. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 2152, add the following:

(d) NO PREEMPTION OF PRIVACY LAWS.—Nothing in this subtitle may be construed to preempt any State or political subdivision of a State from enacting or enforcing privacy laws pertaining to the use of an unmanned aircraft system.

SA 3473. Mr. MARKEY 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 60, lines 10 through 13, strike '', to the extent practicable and consistent with applicable law and without compromising national security, homeland defense, or law enforcement,''.

On page 60, line 18, insert ''This subsection shall not apply to situations involving immediate danger of death or serious physical injury to any person or activities threatening the national security interest.'' after the period at the end.

SA 3474. 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.

The Administrator of the Federal Aviation Administration shall revise Federal Aviation Administration regulations regarding aircraft-airworthiness certification to include assurance that cybersecurity for avionics systems, including software components, is addressed and require that aircraft avionics systems used for flight guidance or aircraft control be isolated and separate from other networking platforms such as by using an air gap or such other means as the Administrator determines appropriate, except firewall, to protect the avionics systems from unauthorized external and internal access.

SA 3475. Mr. CASSIDY (for himself and Mr. BENNET) 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. _____. LIQUEFIED NATURAL GAS EQUIVALENT FOR PURPOSES OF INLAND WATERWAYS TRUST FUND FINANCING RATE.

(a) IN GENERAL.—Section 4042(b)(2)(A) of the Internal Revenue Code of 1986 is amended to read as follows:

''(A) The Inland Waterways Trust Fund financing rate is 29 cents per gallon (per energy equivalent of a gallon of diesel, in the case of liquefied natural gas).''.

(b) ENERGY EQUIVALENT OF A GALLON OF DIESEL.—Section 4042(b) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''(5) ENERGY EQUIVALENT OF A GALLON OF DIESEL WITH RESPECT TO LIQUEFIED NATURAL GAS.—For purposes of paragraph (2)(A), the term 'energy equivalent of a gallon of diesel' means 6.06 pounds of liquefied natural gas.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to any sale or use of fuel after December 31, 2016.

SA 3476. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the end of 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 revise part 91 of title 14, Code of Federal Regulations (as in effect on the day before such date of enactment) to permit the operator of a Stage 2 airplane to operate that airplane in revenue or nonrevenue service into a medium hub airport or nonhub airport if—

(1) the airport—

(A) is certified under part 139 of such title;

(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).

SA 3477. Ms. HEITKAMP (for herself and Mr. INHOFE) submitted an amendment intended to be proposed by her 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 91, between lines 6 and 7, insert the following:

''(b) ASSISTANCE BY FEDERAL UNMANNED AIRCRAFT SYSTEMS.—The Secretary shall include, in the guidance regarding the operation of public unmanned aircraft systems required by subsection (a), guidance with respect to allowing unmanned aircraft systems owned or operated by a Federal agency to assist Federal, State, local, or tribal law enforcement organizations in conducting law enforcement activities in the national airspace system in situations in which a certificate of authorization does not apply.

SA 3478. Ms. HEITKAMP submitted an amendment intended to be proposed by her 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 86, line 19, insert after ''unmanned aircraft'' the following: '', including in circumstances in which the associated unmanned aircraft has been deemed air worthy by the government of a country with which the United States maintains a bilateral airworthiness agreement''.

SA 3479. Ms. HEITKAMP submitted an amendment intended to be proposed by her 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 69, between lines 6 and 7, insert the following:

''(G) dedicated frequency spectrum for commercial uses of unmanned aircraft systems;

SA 3480. Mr. ISAKSON 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. _____. EXTENSION OF CREDIT FOR PRODUCTION FROM ADVANCED NUCLEAR POWER FACILITIES.

(a) IN GENERAL.—Subparagraph (B) of section 45J(d)(1) of the Internal Revenue Code of 1986 is amended by striking ''January 1, 2021'' and inserting ''January 1, 2026''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2020.

SA 3481. Mr. BLUNT (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON DISCRIMINATORY TAXATION OF AIRPORT BUSINESSES.

Section 40116(d)(2)(A) of title 49, United States Code, is amended by adding at the end the following new clause:

''(v) except as otherwise provided under section 47133(a) of this title, levy or collect a tax, fee, or charge first taking effect after the date of enactment of this clause, upon any business located at a commercial service airport or operating as a permittee of such an airport that is not generally imposed on sales or services by that State, political subdivision of a State, or authority acting for a State or political subdivision unless wholly utilized for airport or aeronautical purposes.''.

SA 3482. Mr. HEINRICH (for himself, Mr. MANCHIN, Mr. SCHUMER, Mr. NELSON, Ms. KLOBUCHAR, Ms. CANTWELL, Mr. CARPER, Ms. BALDWIN, Mr. DURBIN, Mr. BENNET, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, insert the following:

SEC. 5032. VISIBLE DETERRENT.

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

(1) in subsection (a)—

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

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

(C) by adding at the end the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SA 3483. Mr. SCHUMER (for himself, Mr. BLUMENTHAL, Mr. MARKEY, Mr. MENENDEZ, Mrs. GILLIBRAND, Mrs. FEINSTEIN, Mrs. BOXER, Mr. BOOKER, Mr. SCHATZ, and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

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

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

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

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

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

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

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

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

SA 3484. Mr. BENNET (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CARBON DIOXIDE CAPTURE FACILITIES.

(a) SHORT TITLE.—This section may be cited as the ''Carbon Capture Improvement Act of 2016''.

(b) FINDINGS.—Congress finds the following:

(1) Capture and long-term storage of carbon dioxide from coal, natural gas, and biomass-fired power plants, as well as from industrial sectors such as oil refining and production of fertilizer, cement, and ethanol, can help protect the environment while improving the economy and national security of the United States.

(2) The United States is a world leader in the field of carbon dioxide capture and long-term storage, as well as the beneficial use of carbon dioxide in enhanced oil recovery operations, with many manufacturers and

licensors of carbon dioxide capture technology based in the United States.

(3) While the prospects for large-scale carbon capture in the United States are promising, costs remain relatively high. Lowering the financing costs for carbon dioxide capture projects would accelerate the deployment of this technology, and if the captured carbon dioxide is subsequently sold for industrial use, such as for use in enhanced oil recovery operations, the economic prospects are further improved.

(4) Since 1968, tax-exempt private activity bonds have been used to provide access to lower-cost financing for private businesses that are purchasing new capital equipment for certain specified environmental facilities, including facilities that reduce, recycle, or dispose of waste, pollutants, and hazardous substances.

(5) Allowing tax-exempt financing for the purchase of capital equipment that is used to capture carbon dioxide will reduce the costs of developing carbon dioxide capture projects, accelerate their deployment, and, in conjunction with carbon dioxide utilization and long-term storage, help the United States meet critical environmental, economic, and national security goals.

(c) CARBON DIOXIDE CAPTURE FACILITIES.—

(1) IN GENERAL.—Section 142 of the Internal Revenue Code of 1986 is amended—

(A) in subsection (a)—

(i) in paragraph (14), by striking ''or'' at the end,

(ii) in paragraph (15), by striking the period at the end and inserting '', or'', and

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

''(16) qualified carbon dioxide capture facilities.'', and

(B) by adding at the end the following new subsection:

''(n) QUALIFIED CARBON DIOXIDE CAPTURE FACILITY.—

''(1) IN GENERAL.—For purposes of subsection (a)(16), the term 'qualified carbon dioxide capture facility' means the eligible components of an industrial carbon dioxide facility.

''(2) DEFINITIONS.—In this subsection:

''(A) ELIGIBLE COMPONENT.—

''(i) IN GENERAL.—The term 'eligible component' means any equipment installed in an industrial carbon dioxide facility that satisfies the requirements under paragraph (3) and is—

''(I) used for the purpose of capture, treatment and purification, compression, transportation, or on-site storage of carbon dioxide produced by the industrial carbon dioxide facility, or

''(II) integral or functionally related and subordinate to a process described in section 48B(c)(2), determined by substituting 'carbon dioxide' for 'carbon monoxide' in such section.

''(B) INDUSTRIAL CARBON DIOXIDE FACILITY.—

''(i) IN GENERAL.—Except as provided in clause (ii), the term 'industrial carbon dioxide facility' means a facility that emits carbon dioxide (including from any fugitive emissions source) that is created as a result of any of the following processes:

''(I) Fuel combustion.

''(II) Gasification.

''(III) Bioindustrial.

''(IV) Fermentation.

''(V) Any manufacturing industry described in section 48B(c)(7).

''(ii) EXCEPTIONS.—For purposes of clause (i), an industrial carbon dioxide facility shall not include—

''(I) any geological gas facility (as defined in clause (iii)), or

''(II) any air separation unit that—

''(aa) does not qualify as gasification equipment, or

''(bb) is not a necessary component of an oxy-fuel combustion process.

''(iii) GEOLOGICAL GAS FACILITY.—The term 'geological gas facility' means a facility that—

''(I) produces a raw product consisting of gas or mixed gas and liquid from a geological formation,

''(II) transports or removes impurities from such product, or

''(III) separates such product into its constituent parts.

''(3) CAPTURE AND STORAGE REQUIREMENT.—

''(A) IN GENERAL.—Subject to subparagraph (B), the eligible components of an industrial carbon dioxide facility shall have a capture and storage percentage (as determined under subparagraph (C)) that is equal to or greater than 65 percent.

''(B) EXCEPTION.—In the case of an industrial carbon dioxide facility with a capture and storage percentage that is less than 65 percent, the percentage of the cost of the eligible components installed in such facility that may be financed with tax-exempt bonds may not be greater than the capture and storage percentage.

''(C) CAPTURE AND STORAGE PERCENTAGE.—

''(i) IN GENERAL.—Subject to clause (ii), the capture and storage percentage shall be an amount, expressed as a percentage, equal to the quotient of—

''(I) the total metric tons of carbon dioxide annually captured, transported, and injected into—

''(aa) a facility for geologic storage, or

''(bb) an enhanced oil or gas recovery well followed by geologic storage, divided by

''(II) the total metric tons of carbon dioxide which would otherwise be released into the atmosphere each year as industrial emission of greenhouse gas if the eligible components were not installed in the industrial carbon dioxide facility.

''(ii) LIMITED APPLICATION OF ELIGIBLE COMPONENTS.—In the case of eligible components that are designed to capture carbon dioxide solely from specific sources of emissions or portions thereof within an industrial carbon dioxide facility, the capture and storage percentage under this subparagraph shall be determined based only on such specific sources of emissions or portions thereof.''.

(2) VOLUME CAP.—Section 146(g)(4) of such Code is amended by striking ''paragraph (11) of section 142(a) (relating to high-speed intercity rail facilities)'' and inserting ''paragraph (11) or (16) of section 142(a)''.

(3) CLARIFICATION OF PRIVATE BUSINESS USE.—Section 141(b)(6) of such Code is amended by adding at the end the following new subparagraph:

''(C) CLARIFICATION RELATING TO QUALIFIED CARBON DIOXIDE CAPTURE FACILITIES.—For purposes of this subsection, the sale of carbon dioxide produced by a qualified carbon dioxide capture facility (as defined in section 142(n)) which is owned by a governmental unit shall not constitute private business use.''.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall apply to obligations issued after December 31, 2015.

SA 3485. Mr. BOOKER (for himself 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 end of subtitle C of title I, add the following:

SEC. 1305. PARTICIPATION OF DISADVANTAGED BUSINESS ENTERPRISES IN CONTRACTS, SUBCONTRACTS, AND BUSINESS OPPORTUNITIES FUNDED USING PASSENGER FACILITY REVENUES AND IN AIRPORT CONCESSIONS.

Section 40117, as amended by sections 1302 and 1303, is further amended by adding at the end the following:

''(p) PARTICIPATION BY DISADVANTAGED BUSINESS ENTERPRISES.—

''(1) APPLICABILITY OF REQUIREMENTS.—Except to the extent otherwise provided by the Secretary, requirements relating to disadvantaged business enterprises, as set forth in parts 23 and 26 of title 49, Code of Federal Regulations (or a successor regulation), shall apply to an airport collecting passenger facility revenue.

''(2) REGULATIONS.—The Secretary shall issue any regulations necessary to implement this subsection, including—

''(A) goal setting requirements for an eligible agency to ensure that contracts, subcontracts, and business opportunities funded using passenger facility revenues, and airport concessions, are awarded consistent with the levels of participation of disadvantaged business enterprises and airport concessions disadvantaged business enterprises that would be expected in the absence of discrimination;

''(B) provision for an assurance that requires that an eligible agency will not discriminate on the basis of race, color, national origin, or sex in the award and performance of any contract funded using passenger facility revenues; and

''(C) a requirement that an eligible agency will take all necessary and reasonable steps to ensure nondiscrimination in the award and administration of contracts funded using passenger facility revenues.

''(3) EFFECTIVE DATE.—Paragraph (1) shall take effect on the day following the date on which the Secretary issues final regulations under paragraph (2).

''(4) DEFINITIONS.—In this subsection:

''(A) AIRPORT CONCESSIONS DISADVANTAGED BUSINESS ENTERPRISE.—The term 'airport concessions disadvantaged business enterprise' has the meaning given that term in section 23.3 of title 49, Code of Federal Regulations (or a successor regulation).

''(B) DISADVANTAGED BUSINESS ENTERPRISE.—The term 'disadvantaged business enterprise' has the meaning given that term in section 26.5 of title 49, Code of Federal Regulations (or a successor regulation).''.

SA 3486. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2506. RECOMMENDATIONS FOR APPROPRIATE NUMBER OF SECURITY SCREENERS AT PRIMARY AIRPORTS.

Not later than one year after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall develop and submit to Congress recommendations for the appropriate number of individuals to conduct security screening at primary airports (as defined in section 47102 of title 49, United States Code).

SA 3487. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill H.R. 636, to amend the

Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle 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' has the same meaning given that term in section 3 of the Small Business Act (15 U.S.C. 632);''.

SA 3488. Ms. CANTWELL (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her 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. ___. VISA WAIVER PROGRAM REQUIREMENTS.

(a) INFORMATION SHARING PROCESS.—The Director of National Intelligence shall—

(1) develop a process to share information derived from the Terrorist Identities Datamart Environment (TIDE) database and the Terrorist Screening Database (TSDB), including biometric and biographic information, with countries participating in the visa waiver program established under section 217(a) of the Immigration and Nationality Act (8 U.S.C. 1187(a)); and

(2) not later than 1 year after the date of the enactment of this Act, certify to Congress that such process may be utilized by such countries.

(b) CONTINUING QUALIFICATION AND DESIGNATION TERMINATIONS.—Paragraph (2) of section 217(c) of the Immigration and Nationality Act (8 U.S.C. 1187(c)) is amended by adding at the end the following:

''(H) BORDER SECURITY.—The government of the country utilizes the process developed by the Director of National Intelligence under section ___(a) of the Federal Aviation Administration Reauthorization Act of 2016 to utilize information derived from the Terrorist Identities Datamart Environment (TIDE) database and the Terrorist Screening Database (TSDB) for border security and immigration purposes, including the screening of aliens seeking asylum or refugee status in that country.''.

SEC. ___. DEPARTMENT OF HOMELAND SECURITY FOREIGN EQUIPMENT TRANSFER AUTHORITY.

Section 879 of the Homeland Security Act of 2002 (6 U.S.C. 459) is amended by adding at the end the following new subsection:

''(c) EQUIPMENT TRANSFER.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3), the Secretary, in consultation with the Secretary of State, is authorized to transfer, with or without reimbursement, excess nonlethal equipment and supplies to a foreign government.

''(2) DETERMINATION.—The Secretary is authorized to transfer equipment and supplies pursuant to paragraph (1) if the Secretary determines that such transfer would—

''(A) further the homeland security interests of the United States; or

''(B) enhance the recipient government's capacity to—

''(i) mitigate the risk or threat of terrorism, infectious disease, or natural disaster;

''(ii) protect and expedite lawful trade and travel; or

''(iii) enforce intellectual property rights.

''(3) LIMITATION ON TRANSFER.—The Secretary may not—

''(A) transfer any equipment or supplies that are designated as a munitions item or controlled on the United States Munitions List pursuant to section 38(a)(1) of the Foreign Military Sales Act (22 U.S.C. 2778(a)(1)); or

''(B) transfer any vessel or aircraft.

''(4) RELATED TRAINING.—In conjunction with a transfer of equipment pursuant to paragraph (1), the Secretary may provide such equipment-related training and assistance as the Secretary determines to be necessary.

''(5) MAINTENANCE OF TRANSFERRED EQUIPMENT.—The Secretary may provide for the maintenance of transferred equipment through service contracts or other means, with or without reimbursement, as the Secretary considers appropriate.

''(6) REIMBURSEMENT OF EXPENSES.—The Secretary is authorized to collect payment from the receiving entity for the provision of training, shipping costs, supporting materials, maintenance, supplies, or other assistance in support of transferred equipment.

''(7) RECEIPTS CREDITED AS OFFSETTING COLLECTIONS.—Notwithstanding section 3302 of title 31, any amount collected under this section—

''(A) shall be credited as offsetting collections to the account that finances the activities and services for which the payment is received; and

''(B) shall remain available until expended for the purpose of providing for the security interests of the homeland.

''(8) CONSTRUCTION.—This subsection shall not be construed to affect, augment, or diminish the authority of the Secretary of State.

''(9) EXCESS NONLETHAL EQUIPMENT AND SUPPLIES DEFINED.—In this section, the term 'excess nonlethal equipment and supplies' means equipment and supplies the Secretary has determined are either not required for United States domestic operations, or would be more effective to homeland security if deployed for use outside of the United States.''.

SA 3489. Mrs. BOXER (for herself, Ms. KLOBUCHAR, Ms. CANTWELL, Mr. BLUMENTHAL, Mr. MARKEY, Mrs. SHAHEEN, and Mr. FRANKEN) submitted an amendment intended to be proposed by her to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. MODIFICATION OF FINAL RULE RELATING TO FLIGHTCREW MEMBER DUTY AND REST REQUIREMENTS FOR PASSENGER OPERATIONS TO APPLY TO ALL-CARGO OPERATIONS.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Transportation shall modify the final rule specified in subsection (b) so that the flightcrew member duty and rest requirements under that rule apply to flightcrew members in all-cargo operations conducted by air carriers in the same manner as those requirements apply to flightcrew members in passenger operations conducted by air carriers.

(b) FINAL RULE SPECIFIED.—The final rule specified in this subsection is the final rule of the Federal Aviation Administration—

(1) published in the Federal Register on January 4, 2012 (77 Fed. Reg. 330); and

(2) relating to flightcrew member duty and rest requirements.

(c) APPLICABILITY OF RULEMAKING REQUIREMENTS.—The requirements of section 553 of title 5, United States Code, shall not apply to the modification required by subsection (a).

SA 3490. Ms. CANTWELL submitted an amendment intended to be proposed by her 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 5009 and insert the following:

SEC. 5009. INTERFERENCE WITH AIR CARRIER EMPLOYEES.

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

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

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

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

SA 3491. Mr. ALEXANDER (for himself, Mr. MARKEY, Mrs. CAPITO, and Mrs. FEINSTEIN) 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 285, line 18, strike ''may'' and insert ''shall''.

SA 3492. Mr. INHOFE (for himself, Mr. BOOKER, Ms. HEITKAMP, and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 10 and 11, insert the following:

''(f) OPERATION BY OWNERS AND OPERATORS OF CRITICAL INFRASTRUCTURE.—

''(1) IN GENERAL.—Not later than 90 days after the date of the enactment of the Federal Aviation Administration Reauthorization Act of 2016, the Secretary of Transportation shall establish a process under the authority of this section, or a process under this subsection, pursuant to which a covered person may 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) without any restriction on the time of the operation.

''(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.

''(C) Activities not described in subparagraph (A) or (B) if the covered person notifies the local Flight Standards District Office before the operation of the unmanned aircraft system for such activities.

''(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.''.

SA 3493. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the end of 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 and the nonprofit organizations those pilots fly for are not.

(E) Such nonprofit organizations are not able to purchase liability insurance for aircraft they do not own to provide liability protection at a reasonable cost, and therefore face a highly detrimental liability risk.

(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 and the nonprofit organizations those pilots fly for;

(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 AND STAFF OF NONPROFIT ORGANIZATIONS 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)'';

(3) by inserting after subsection (a) the following:

''(b) LIABILITY PROTECTION FOR PILOTS AND STAFF OF NONPROFIT ORGANIZATIONS 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.''.

(4) in subsection (d), as redesignated by paragraph (1)—

(A) by striking ''Nothing in this section'' and inserting the following:

''(1) IN GENERAL.—Except as provided in paragraph (2), nothing in this section''; and

(B) by adding at the end the following:

''(2) EXCEPTION.—A volunteer pilot nonprofit organization that arranges flights for public benefit, the staff, mission coordinators, officers, and directors (whether volunteer or otherwise) of that nonprofit organization, and a referring agency of that nonprofit organization, shall not be liable for harm caused to any person by an act or omission of a volunteer on behalf of the organization if, at the time of the act or omission, the volunteer —

''(A) is 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;

''(B) is properly licensed for the operation of the aircraft; and

''(C) has certified to the nonprofit organization that the volunteer—

''(i) has insurance covering the volunteer's operation of the aircraft; and

''(ii) is in compliance with all requirements of the Federal Aviation Administration for recent flight experience.''.

SA 3494. Mr. WHITEHOUSE (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title 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 intentionally or recklessly operates an unmanned aircraft in a manner that 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.—The punishment for an offense under subsection (a) during which the offender attempts to cause, or intentionally or recklessly causes, serious bodily injury or death shall be a fine under this title, imprisonment 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 air traffic control facility at the airport or is the result of a malfunction or another cause 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.''.

SA 3495. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

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

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

SA 3496. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. POLICIES TO ADDRESS SECURITY THREATS AFTER A TERRORIST ATTACK IN A FOREIGN COUNTRY.

(a) REQUIREMENT FOR POLICIES.—Not later than 60 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration, in coordination with the Secretary of Homeland Security and the Secretary of State, shall develop policies with respect to inter-agency communication in the event of a terrorist attack in a foreign country, which shall include—

(1) communication with the relevant United States embassy and the heads of the appropriate agencies concerned regarding the existing threat; and

(2) communication regarding the impact of such threat on the security efforts of the Federal Aviation Administration and the Department of Homeland Security, including U.S. Customs and Border Protection and the Transportation Security Administration.

(b) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall submit to Congress a report on the policies developed under subsection (a).

SA 3497. Mr. MANCHIN (for himself and Mrs. CAPITO) 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. _____. INCLUSION OF CERTAIN RETIREES IN THE MULTIEMPLOYER HEALTH BENEFIT PLAN.

Section 402 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232) is amended—

(1) in subsection (h)(2)(C)—

(A) by striking ''A transfer'' and inserting the following:

''(i) TRANSFER TO THE PLAN.—A transfer'';

(B) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively, and moving such subclauses 2 ems to the right; and

(C) by striking the matter following such subclause (II) (as so redesignated) and inserting the following:

''(ii) CALCULATION OF EXCESS.—The excess determined under clause (i) shall be calculated by taking into account only—

''(I) those beneficiaries actually enrolled in the Plan as of the date of the enactment of the Federal Aviation Administration Reauthorization Act of 2016, who are eligible to receive health benefits under the Plan on the first day of the calendar year for which the transfer is made; and

''(II) those beneficiaries whose health benefits, defined as those benefits payable directly following death or retirement or upon a finding of disability by an employer in the bituminous coal industry under a coal wage agreement (defined in section 9701(b)(1) of the Internal Revenue Code of 1986), would be denied or reduced as a result of a bankruptcy proceeding commenced in 2012 or 2015.

''(iii) ELIGIBILITY OF CERTAIN RETIREES.—Individuals referred to in clause (ii)(II) shall be treated as eligible to receive health benefits under the Plan.

''(iv) REQUIREMENTS FOR TRANSFER.—The amount of the transfer otherwise determined under this subparagraph for a fiscal year shall be reduced by any amount transferred for the fiscal year to the Plan, to pay benefits required under the Plan, from a voluntary employees' beneficiary association established as a result of the bankruptcy proceeding described in clause (ii).

''(v) VEBA TRANSFER.—The administrator of such voluntary employees' beneficiary association shall transfer to the Plan any amounts received as a result of such bankruptcy proceeding, reduced by an amount for administrative costs of such association.''; and

(2) in subsection (i)—

(A) by redesignating paragraph (4) as paragraph (5); and

(B) by inserting after paragraph (3) the following:

''(4) ADDITIONAL AMOUNTS.—

''(A) CALCULATION.—If the dollar limitation specified in paragraph (3)(A) exceeds the aggregate amount required to be transferred under paragraphs (1) and (2) for a fiscal year, the Secretary of the Treasury shall transfer an additional amount equal to the difference between such dollar limitation and such aggregate amount to the trustees of the 1974 UMWA Pension Plan to pay benefits required under that plan.

''(B) CESSATION OF TRANSFERS.—The transfers described in subparagraph (A) shall cease as of the first fiscal year beginning after the first plan year for which the funded percentage (as defined in section 432(i)(2) of the Internal Revenue Code of 1986) of the 1974 UMWA Pension Plan is at least 100 percent.

''(C) PROHIBITION ON BENEFIT INCREASES, ETC.—During a fiscal year in which the 1974 UMWA Pension Plan is receiving transfers under subparagraph (A), no amendment of such plan which increases the liabilities of the plan by reason of any increase in benefits, any change in the accrual of benefits, or any change in the rate at which benefits become nonforfeitable under the plan may be adopted unless the amendment is required as a condition of qualification under part I of subchapter D of chapter 1 of the Internal Revenue Code of 1986.

''(D) TREATMENT OF TRANSFERS FOR PURPOSES OF WITHDRAWAL LIABILITY UNDER ERISA.—The amount of any transfer made under subparagraph (A) (and any earnings attributable thereto) shall be disregarded in determining the unfunded vested benefits of the 1974 UMWA Pension Plan and the allocation of such unfunded vested benefits to an employer for purposes of determining the employer's withdrawal liability under section 4201.

''(E) REQUIREMENT TO MAINTAIN CONTRIBUTION RATE.—A transfer under subparagraph (A) shall not be made for a fiscal year unless the persons that are obligated to contribute to the 1974 UMWA Pension Plan on the date of the transfer are obligated to make the contributions at rates that are no less than those in effect on the date which is 30 days before the date of enactment of the Federal Aviation Administration Reauthorization Act of 2016.

''(F) ENHANCED ANNUAL REPORTING.—

''(i) IN GENERAL.—Not later than the 90th day of each plan year beginning after the date of enactment of the Federal Aviation Administration Reauthorization Act of 2016, the trustees of the 1974 UMWA Pension Plan shall file with the Pension Benefit Guaranty Corporation a report (including appropriate documentation and actuarial certifications from the plan actuary, as required by the Secretary of Labor) that contains—

''(I) whether the plan is in endangered or critical status under section 305 of the Employee Retirement Income Security Act of 1974 and section 432 of the Internal Revenue Code of 1986 as of the first day of such plan year;

''(II) the funded percentage (as defined in section 432(i)(2) of such Code) as of the first day of such plan year, and the underlying actuarial value of assets and liabilities taken into account in determining such percentage;

''(III) the market value of the assets of the plan as of the last day of the plan year preceding such plan year;

''(IV) the total value of all contributions made during the plan year preceding such plan year;

''(V) the total value of all benefits paid during the plan year preceding such plan year;

''(VI) cash flow projections for such plan year and either the 6 or 10 succeeding plan years, at the election of the trustees, and the assumptions relied upon in making such projections;

''(VII) funding standard account projections for such plan year and the 9 succeeding plan years, and the assumptions relied upon in making such projections;

''(VIII) the total value of all investment gains or losses during the plan year preceding such plan year;

''(IX) any significant reduction in the number of active participants during the plan year preceding such plan year, and the reason for such reduction;

''(X) a list of employers that withdrew from the plan in the plan year preceding such plan year, and the resulting reduction in contributions;

''(XI) a list of employers that paid withdrawal liability to the plan during the plan year preceding such plan year and, for each employer, a total assessment of the withdrawal liability paid, the annual payment amount, and the number of years remaining in the payment schedule with respect to such withdrawal liability;

''(XII) any material changes to benefits, accrual rates, or contribution rates during the plan year preceding such plan year;

''(XIII) any scheduled benefit increase or decrease in the plan year preceding such plan year having a material effect on liabilities of the plan;

''(XIV) details regarding any funding improvement plan or rehabilitation plan and updates to such plan;

''(XV) the number of participants and beneficiaries during the plan year preceding such plan year who are active participants, the number of participants and beneficiaries in pay status, and the number of terminated vested participants and beneficiaries;

''(XVI) the information contained on the most recent annual funding notice submitted by the plan under section 101(f) of the Employee Retirement Income Security Act of 1974;

''(XVII) the information contained on the most recent Department of Labor Form 5500 of the plan; and

''(XVIII) copies of the plan document and amendments, other retirement benefit or ancillary benefit plans relating to the plan and contribution obligations under such plans, a breakdown of administrative expenses of the plan, participant census data and distribution of benefits, the most recent actuarial valuation report as of the plan year, copies of collective bargaining agreements, and financial reports, and such other information as the Secretary of Labor or the Secretary of the Treasury may require by request to such Corporation.

''(ii) ELECTRONIC SUBMISSION.—The report required under clause (i) shall be submitted electronically.

''(iii) INFORMATION SHARING.—The Pension Benefit Guaranty Corporation shall share the information in the report under clause (i) with the Secretary of the Treasury and the Secretary of Labor.

''(iv) EXCISE TAX.—If the report required under clause (i) is not filed as of the date described in such clause, there shall be a tax on the 1974 UMWA Pension Plan in the amount of $100 for each day occurring after such date and before the date on which such report is actually filed. The preceding sentence shall not apply if the Pension Benefit Guaranty Corporation determines that reasonable diligence has been exercised by the trustees of such plan in attempting to timely file such report.

''(G) 1974 UMWA PENSION PLAN DEFINED.—For purposes of this paragraph, the term '1974 UMWA Pension Plan' has the meaning given the term in section 9701(a)(3) of the Internal Revenue Code of 1986, but without regard to the limitation on participation to individuals who retired in 1976 and thereafter.''.

SA 3498. 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:

At the appropriate place, insert the following:

SEC. _____. AIR CARRIER ACCESS ACT IMPROVEMENTS.

Section 41705(c) is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (6) and (7), respectively;

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

''(3) RESOLUTION.—The Secretary shall submit a determination of facts in writing to the complainant and respondent.

''(4) REFERRAL.—If the Secretary has reasonable cause to believe that—

''(A) any person or group of persons is engaged in a pattern or practice of discrimination under this subchapter; or

''(B) any person or group of persons has been discriminated against under this subchapter and such discrimination raises an issue of general public importance,

the Secretary shall refer such matter to the Attorney General.

''(5) ENFORCEMENT BY ATTORNEY GENERAL.—

''(A) ATTORNEY GENERAL.—The Attorney General may commence a civil action in any appropriate United States district court.

''(B) AUTHORITY OF COURT.—In a civil action under subparagraph (A), the court may—

''(i) grant any equitable relief that such court considers to be appropriate;

''(ii) award such other relief as the court considers to be appropriate, including monetary damages to persons aggrieved when requested by the Attorney General; and

''(iii) assess a civil penalty against the entity.''; and

(3) in paragraph (7), as redesignated, by striking ''Not later than 180 days after the date of enactment of this subsection, the'' and inserting ''The''.

SA 3499. Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2405. HEADS-UP GUIDANCE SYSTEM TECHNOLOGIES.

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

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

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

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

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

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

SA 3500. Mr. HOEVEN (for himself, Mr. WARNER, Ms. MURKOWSKI, Mr. SCHUMER, Mr. HELLER, Mr. REID, Mr. KAINE, 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:

On page 67, line 13, strike ''2017'' and insert ''2022''.

SA 3501. Mr. REID (for himself and Mr. HELLER) submitted an amendment intended to be proposed by him to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 5032. EXPANSION OF ALLOWABLE COSTS UNDER PORT OF ENTRY PARTNERSHIP PILOT PROGRAM.

(a) IN GENERAL.—Section 559(e)(3) of the Department of Homeland Security Appropriations Act, 2014 (division F of Public Law 113–76; 6 U.S.C. 211 note) is amended—

(1) by amending subparagraph (B) to read as follows:

''(B) FOR CERTAIN COSTS.—The authority found in this subsection may only be used at U.S. Customs and Border Protection-serviced air ports of entry to enter into reimbursable fee agreements for—

''(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 employees;

''(iii) the salaries and expenses of individuals employed by U.S. Customs and Border Protection to support U.S. Customs and Border Protection officers in performing law enforcement functions at 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 individuals.''; and

(2) by striking subparagraph (D).

(b) TRANSITION RULE.—The Commissioner of U.S. Customs and Border Protection may modify a reimbursable fee agreement entered into under section 559 of the Department of Homeland Security Appropriations Act, 2014 (division F of Public Law 113–76; 6 U.S.C. 211 note), as in effect on the day before the date of the enactment of this Act, to include costs specified in subsection (e)(3)(B) of that section, as amended by subsection (a).

SA 3502. Mr. REID (for himself and Mr. HELLER) submitted an amendment intended to be proposed by him to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 5_____. TECHNICAL CORRECTION.

Section 5303(r)(2)(C) of title 49, United States Code, is amended—

(1) by inserting ''and 25 square miles of land area'' after ''145,000''; and

(2) by inserting ''and 12 square miles of land area'' after ''65,000''.

SA 3503. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her 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 D of title II, add the following:

SEC. 2405. COMPLETION OF CERTAIN PROJECTS BY STATE DEPARTMENTS OF TRANSPORTATION.

With respect to a proposed construction or alteration for which notice to the Federal Aviation Administration is required under section 77.9 of title 14, Code of Federal Regulations, upon receiving such notice, the Administrator of the Federal Aviation Administration shall allow a State department of transportation to carry out such construction or alteration, and shall not require an aeronautical study under section 77.27 of such title, if such State department of transportation—

(1) has appropriate engineering expertise to perform the construction or alteration; and

(2) complies with applicable Federal Aviation Administration standards for the construction or alteration.

SA 3504. Ms. KLOBUCHAR (for herself, Mr. MORAN, and Mr. INHOFE) submitted an amendment intended to be proposed by her 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 B of title IV, add the following:

SEC. 4209. OKLAHOMA REGISTRY OFFICE.

The Administrator of the Federal Aviation Administration shall consider the aircraft registry office in Oklahoma City, Oklahoma, as excepted during a Government shutdown or emergency (as it provides excepted services) to ensure that it remains open during any Government shutdown or emergency.

SA 3505. Mr. TESTER 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. ___. GAO STUDY OF UNIVERSAL DEPLOYMENT OF ADVANCED IMAGING TECHNOLOGIES.

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

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

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

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

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

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

(3) to maintain such equipment and assets.

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

SA 3506. Mr. TESTER 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. ___. UNIVERSAL DEPLOYMENT OF ADVANCED IMAGING TECHNOLOGIES.

(a) REQUIREMENT.—Beginning not later than September 30, 2018, all commercial airports at which security screening operations are conducted by the Transportation Security Administration or through the Screening Partnership Program shall utilize advanced imaging technologies for their security screening operations.

(b) ANNUAL REPORT.—Beginning on October 1, 2018, the Administrator of the Transportation Security Administration shall submit an annual report to the appropriate committees of Congress that—

(1) explains the reasons for the noncompliance of any of the airports described in subsection (a) with the advanced imaging technologies requirement described in that subsection; and

(2) describes the steps that are being taken by the Transportation Security Administration to fully deploy advanced imaging technologies at all such airports.

SA 3507. Mr. HELLER (for himself and Mr. REID) 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. 5_____. EXPANSION OF ALLOWABLE COSTS UNDER PORT OF ENTRY PARTNERSHIP PILOT PROGRAM.

(a) IN GENERAL.—Section 559(e)(3) of the Department of Homeland Security Appropriations Act, 2014 (division F of Public Law 113–76; 6 U.S.C. 211 note) is amended—

(1) by amending subparagraph (B) to read as follows:

''(B) FOR CERTAIN COSTS.—The authority found in this subsection may only be used at U.S. Customs and Border Protection-serviced air ports of entry to enter into reimbursable fee agreements for—

''(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 employees;

''(iii) the salaries and expenses of individuals employed by U.S. Customs and Border Protection to support U.S. Customs and Border Protection officers in performing law enforcement functions at 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 individuals.''; and

(2) by striking subparagraph (D).

(b) TRANSITION RULE.—The Commissioner of U.S. Customs and Border Protection may modify a reimbursable fee agreement entered into under section 559 of the Department of Homeland Security Appropriations Act, 2014 (division F of Public Law 113–76; 6 U.S.C. 211 note), as in effect on the day before the date of the enactment of this Act, to include costs specified in subsection (e)(3)(B) of that section, as amended by subsection (a).

SA 3508. Ms. COLLINS (for herself, Mrs. MURRAY, Mr. TILLIS, Mr. INHOFE, and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

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

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

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

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

SA 3509. Mr. SCHUMER (for himself and Mrs. GILLIBRAND) 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:

Strike section 3205.

SA 3510. Mr. SCHUMER (for himself and Mrs. GILLIBRAND) 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:

Strike section 3205 and insert the following:

SEC. 3205. WORKING GROUP ON IMPROVING AIR SERVICE TO SMALL COMMUNITIES.

(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 working group—

(1) to identify obstacles to attracting and maintaining air transportation service to and from small communities; and

(2) to develop recommendations for maintaining and improving air transportation service to and from small communities.

(b) OUTREACH.—In carrying out the requirements under paragraphs (1) and (2) of subsection (a), the working group shall consult with—

(1) interested Governors;

(2) representatives of State and local agencies, and other officials and groups, representing rural States and other rural areas;

(3) other representatives of relevant State and local agencies; and

(4) members of the public with experience in aviation safety, economic development, and related issues.

(c) CONSIDERATIONS.—In carrying out the requirements under paragraphs (1) and (2) of subsection (a), the working group shall—

(1) consider whether funding for, and terms of, current or potential new programs is sufficient to help ensure continuation of or improvement to air transportation service to small communities, including the Essential Air Service Program and the Small Community Air Service Development Program;

(2) consider whether Federal funding for airports serving small communities, including airports that have lost air transportation services or had decreased enplanements in recent years, is adequate to ensure that small communities have access to quality, affordable air transportation service;

(3) identify innovative State or local efforts that have established public-private partnerships that are successful in attracting and retaining air transportation service in small communities;

(4) identify programs and initiatives that would encourage young people to pursue careers as pilots; and

(5) consider such other issues as the Secretary and Administrator consider appropriate.

(d) COMPOSITION.—

(1) IN GENERAL.—The working group shall be facilitated through the Administrator or the Administrator's designee.

(2) MEMBERSHIP.—Members of the working group shall be appointed by the Administrator and shall include representatives of—

(A) State and local government, including State and local aviation officials;

(B) State governors;

(C) aviation safety experts;

(D) economic development officials;

(E) air carrier pilots; and

(F) the traveling public from small communities.

(e) REPORT AND RECOMMENDATIONS.—The working group shall submit to the appropriate committees of Congress a report, including—

(1) a summary of the views expressed by the participants in the outreach under subsection (b);

(2) a description of the working group's findings, including the identification of any areas of general consensus among the non-Federal participants in the outreach under subsection (b); and

(3) any recommendations for legislative or regulatory action that would assist in maintaining and improving air transportation service to and from small communities.

(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to support weakening the pilot qualification standards for first officers, as in effect on the day before the date of the enactment of this Act.

SA 3511. Mr. KIRK submitted an amendment intended to be proposed by him to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 5032. TRAINING AND DEPLOYMENT OF EXPLOSIVES DETECTION CANINE TEAMS TO CONDUCT AIRPORT SECURITY SCREENING.

(a) IN GENERAL.—The Administrator of the Transportation Security Administration shall train certified explosives detection canine teams—

(1) to assist the Transportation Security Administration to conduct the screening of passengers at airports; and

(2) to assist State and local law enforcement agencies to conduct all aspects of airport security other than screening of passengers.

(b) ASSIGNMENT OF EXPLOSIVES DETECTION CANINE TEAMS TO HIGHEST-RISK AIRPORTS.—The Administrator shall assign explosives detection canine teams trained under subsection (a) to the airports the Administrator determines to be the highest-risk airports. In determining which airports are the highest-risk airports, the Administrator shall consider, among other factors, the annual number of takeoffs and landings at each airport.

(c) REPORT REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Administrator shall submit a report on the number of explosives detection canine teams in use at airports around the United States and the number of such teams in training to—

(1) the Committee on Appropriations, the Committee on Commerce, Science, and Transportation, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Committee on Appropriations, the Committee on Transportation and Infrastructure, and the Committee on Homeland Security of the House of Representatives.

SA 3512. Mr. THUNE (for himself, Mr. NELSON, Ms. AYOTTE, and Ms. CANTWELL) proposed an amendment 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:

TITLE _____—TRANSPORTATION SECURITY AND TERRORISM PREVENTION

Subtitle A—Airport Security Enhancement and Oversight Act

SEC. __101. SHORT TITLE.

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

SEC. __102. FINDINGS.

Congress makes the following findings:

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

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

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

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

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

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

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

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

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

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

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

SEC. __103. DEFINITIONS.

In this subtitle:

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

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

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

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

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

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

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

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

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

SEC. __104. THREAT ASSESSMENT.

(a) INSIDER THREATS.—

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

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

(A) domestic intelligence;

(B) international intelligence;

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

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

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

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

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

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

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

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

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

SEC. __105. OVERSIGHT.

(a) ENHANCED REQUIREMENTS.—

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

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

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

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

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

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

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

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

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

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

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

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

SEC. __106. CREDENTIALS.

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

(b) REVIEW OF PROCEDURES.—

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

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

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

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

SEC. __107. VETTING.

(a) ELIGIBILITY REQUIREMENTS.—

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

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

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

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

(B) consider, as appropriate and practicable—

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

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

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

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

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

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

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

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

(b) RECURRENT VETTING.—

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

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

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

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

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

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

(d) ACCESS TO E-VERIFY AND SAVE PROGRAMS.—Not later than 90 days after the date

of enactment of this Act, the Secretary shall authorize each airport operator to have direct access to the E-Verify program and the Systematic Alien Verification for Entitlements (SAVE) automated system to determine the eligibility of individuals seeking unescorted access to a SIDA of an airport.

SEC. __108. METRICS.

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

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

(1) adherence to access point procedures;

(2) proper use of credentials;

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

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

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

SEC. __109. INSPECTIONS AND ASSESSMENTS.

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

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

(2) ensure integrity, accountability, and control;

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

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

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

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

(1) to verify the credentials of airport workers;

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

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

(c) SCREENING REVIEW.—

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

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

(B) comprehensive perimeter screening, including vehicles;

(C) enhanced fencing or perimeter sensors; and

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

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

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

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

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

SEC. __110. COVERT TESTING.

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

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

(c) REPORTS TO CONGRESS.—

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

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

SEC. __111. SECURITY DIRECTIVES.

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

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

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

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

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

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

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

SEC. __112. IMPLEMENTATION REPORT.

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

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

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

SEC. __113. MISCELLANEOUS AMENDMENTS.

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

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

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

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

Subtitle B—TSA PreCheck Expansion Act

SEC. __201. SHORT TITLE.

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

SEC. __202. DEFINITIONS.

In this subtitle:

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

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

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

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

SEC. __203. PRECHECK PROGRAM AUTHORIZATION.

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

SEC. __204. PRECHECK PROGRAM ENROLLMENT EXPANSION.

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

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

(1) coordinate with interested parties—

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

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

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

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

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

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

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

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

(5) ensure that any enrollment expansion using a private sector risk assessment instead of a fingerprint-based criminal history records check is determined, by the Secretary of Homeland Security, to be equivalent to a fingerprint-based criminal history records check conducted through the Federal Bureau of Investigation.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SEC. __301. SHORT TITLE.

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

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

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

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

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

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

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

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

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

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

SEC. __303. SECURITY COORDINATION ENHANCEMENT PLAN.

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

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

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

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

SEC. __304. WORKFORCE ASSESSMENT.

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

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

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

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

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

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

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

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

(5) The total dollar value of such donation.

SEC. __306. NATIONAL CARGO SECURITY PROGRAM.

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

(b) APPROVAL AND RECOGNITION.—

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

(2) EFFECT OF APPROVAL AND RECOGNITION.—If the Administrator of the Transportation Security Administration approves and officially recognizes pursuant to paragraph (1) a foreign country's air cargo security program, cargo aircraft of such foreign country shall not be required to adhere to United States air cargo security programs that would otherwise be applicable.

(c) REVOCATION AND SUSPENSION.—

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

(2) NOTIFICATION.—If the Administrator of the Transportation Security Administration revokes or suspends pursuant to paragraph (1) a foreign country's air cargo security program, the Administrator shall notify the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation

of the Senate not later than 30 days after such revocation or suspension.

Subtitle D—Miscellaneous

SEC. __401. INTERNATIONAL TRAINING AND CAPACITY DEVELOPMENT.

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

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

(1) active shooter scenarios;

(2) incident response;

(3) use of canines;

(4) mitigation of insider threats;

(5) perimeter security;

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

(7) recurrent related training and exercises.

SEC. __402. CHECKPOINTS OF THE FUTURE.

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

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

(1) the configuration of a checkpoint;

(2) technology innovation;

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

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

(5) best practices in aviation security;

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

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

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

SA 3513. Mrs. SHAHEEN submitted an amendment intended to be proposed by her 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 111, strike line 14, and insert the following:

''(d) CRIMINAL PENALTY.—A person who violates subsection (a) may be fined under title 18, imprisoned for not more than 5 years, or both.

''(e) COMPROMISE AND SETOFF.—The United States''.

SA 3514. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 5032. SENSE OF CONGRESS REGARDING WOMEN IN AVIATION.

It is the sense of Congress that the aviation industry should explore all opportunities, including pilot training, science, technology, engineering, and math education, and mentorship programs, to encourage and support female students and aviators to pursue a career in aviation.

SA 3515. Mr. MURPHY 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. LEADERSHIP WITH RESPECT TO GREENHOUSE GAS EMISSIONS BY AIRCRAFT.

The Administrator of the Federal Aviation Administration shall—

(1) exercise leadership in establishing an international approach to reducing greenhouse gas emissions attributable to aircraft; and

(2) encourage the deployment of advanced technology to further reduce such emissions.

SA 3516. Mr. CORNYN (for himself 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 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 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.—

(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.

(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

(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.

SA 3517. 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:

(e) GAO REPORT ON MOTHERS' ROOMS AT AIRPORTS.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a study of the availability and quality of lactation areas (as defined in section 47102 of title 49, United States Code, as amended by subsection (a)) at major national airports; and

(2) make recommendations for improving accessibility to and quality of such areas at such airports.

SEC. 1223. PUBLIC-PRIVATE WORKING GROUP ON IMPROVING AIR SERVICE 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 service 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 Department of Health and Human Services;

(4) the Department of Labor;

(5) other relevant agencies;

(6) nongovernmental organizations that represent women and families caring for children or older adults;

(7) consumer advocacy groups; and

(8) 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 recommendations for legislative or regulatory action that would assist in improving air service 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.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on April 6, 2016, at 2:30 p.m.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on April 6, 2016, at 10 a.m., in room SR–253 of the Russell Senate Office Building, to conduct a hearing entitled ''Transportation Security: Protecting Passengers and Freight.''

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on April 6, 2016, at 10 a.m., in room SD–406 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Oversight Hearing: The President's FY 2017 Budget Request for the Nuclear Regulatory Commission.''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the

Senate on April 6, 2016, at 2:15 p.m., to conduct a hearing entitled ''The Strategic Implications of the U.S. Debt.''

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on April 6, 2016, at 10 a.m., in room SH–216 of the Hart Senate Office Building.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on April 6, 2016, in room SD–628 of the Dirksen Senate Office Building, at 2:15 p.m.

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

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on April 6, 2016, at 2 p.m., in SR–428A of the Russell Senate Office Building, to conduct a hearing entitled ''Federal Disaster Response and SBA Implementation of the RISE Act.''

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

SUBCOMMITTEE ON RURAL DEVELOPMENT AND ENERGY

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry, Subcommittee on Rural Development and Energy, be authorized to meet during the session of the Senate on April 6, 2016, at 10 a.m. in room 328A of the Russell Senate Office Building, to conduct a hearing entitled ''USDA Rural Development Programs and their Economic Impact Across America.''

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

SUBCOMMITTEE ON SEAPOWER

Mr. THUNE. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Committee on Armed Services be authorized to meet during the session of the Senate on April 6, 2016, at 2 p.m.

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

SPECIAL COMMITTEE ON AGING

Mr. THUNE. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on April 6, 2016, at 2:30 p.m., in room SD–106 of the Dirksen Senate Office Building to conduct a hearing entitled ''Finding a Cure: Assessing Progress Toward the Goal of Ending Alzheimer's by 2025.''

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

PRIVILEGES OF THE FLOOR

Mr. BARRASSO. Mr. President, I ask unanimous consent that Christopher Loring, Federal Aviation Administration detailee on the Commerce Committee, be granted floor privileges throughout the debate on H.R. 606, the vehicle for the FAA reauthorization.

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

DEPARTMENT OF HOMELAND SECURITY HEADQUARTERS CONSOLIDATION ACCOUNTABILITY ACT OF 2015

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 387, S. 1638.

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

The senior assistant legislative clerk read as follows:

A bill (S. 1638) to direct the Secretary of Homeland Security to submit to Congress information on the Department of Homeland Security headquarters consolidation project in the National Capital Region, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with amendments, as follows:

(The part of the bill intended to be stricken is shown in boldface brackets and the part of the bill intended to be inserted is shown in italic.)

S. 1638

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Department of Homeland Security Headquarters Consolidation Accountability Act of 2015''.

SEC. 2. INFORMATION ON DEPARTMENT OF HOMELAND SECURITY HEADQUARTERS CONSOLIDATION PROJECT.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary, in coordination with the Administrator, shall submit to the appropriate committees of Congress information on the implementation of the enhanced plan for the Department headquarters consolidation project within the National Capital Region, approved by the Office of Management and Budget and included in the budget of the President for fiscal year 2016 (as submitted to Congress under section 1105(a) of title 31, United States Code), that includes the following:

(1) A proposed occupancy plan for the consolidation project that includes specific information about which Department-wide operations, component operations, and support offices will be located at the site, the aggregate number of full time equivalent employees projected to occupy the site, the seat-to-staff ratio at the site, and schedule estimates for migrating operations to the site.

(2) A comprehensive assessment of the difference between the current real property and facilities needed by the Department in the National Capital Region in order to carry out the mission of the Department and the future needs of the Department.

(3) A current plan for construction of the headquarters consolidation at the St. Elizabeths campus that includes—

(A) the estimated costs and schedule for the current plan, which shall conform to relevant Federal guidance for cost and schedule estimates, consistent with the recommendation of the Government Accountability Office in the September 2014 report entitled ''Federal Real Property: DHS and GSA Need to Strengthen the Management of DHS Headquarters Consolidation'' (GAO–14–648); and

(B) any estimated cost savings associated with reducing the scope of the consolidation project and increasing the use of existing capacity developed under the project.

(4) A current plan for the leased portfolio of the Department in the National Capital Region that includes—

(A) an end-state vision that identifies which Department-wide operations, component operations, and support offices do not migrate to the St. Elizabeths campus and continue to operate at a property in the leased portfolio;

(B) for each year until the consolidation project is completed, the number of full-time equivalent employees who are expected to operate at each property, component, or office;

(C) the anticipated total rentable square feet leased per year during the period beginning on the date of enactment of this Act and ending on the date on which the consolidation project is completed; and

(D) timing and anticipated lease terms for leased space under the plan referred to in paragraph (3).

(5) An analysis that identifies the costs and benefits of leasing and construction alternatives for the remainder of the consolidation project that includes—

(A) a comparison of the long-term cost that would result from leasing as compared to consolidating functions on Government-owned space; and

(B) the identification of any cost impacts in terms of premiums for short-term lease extensions or holdovers due to the uncertainty of funding for, or delays in, completing construction required for the consolidation.

(b) COMPTROLLER GENERAL REVIEW.—

(1) REVIEW REQUIRED.—The Comptroller General of the United States shall review the cost and schedule estimates submitted under subsection (a) to evaluate the quality and reliability of the estimates.

(2) ASSESSMENT.—Not later than 90 days after the submittal of the cost and schedule estimates under subsection (a), the Comptroller General shall report to the appropriate [congressional] committees *of Congress* on the results of the review required under paragraph (1).

(c) DEFINITIONS.—In this Act:

(1) The term ''Administrator'' means the Administrator of General Services.

(2) The term ''appropriate committees of Congress'' means the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

(3) The term ''Department'' means the Department of Homeland Security.

(4) The term ''National Capital Region'' has the meaning given the term under section 2674(f)(2) of title 10, United States Code.

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

Mr. THUNE. I ask unanimous consent that the committee-reported amendments 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 committee-reported amendments were agreed to.

The bill (S. 1638), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

CONVEYING FEDERAL PROPERTY TO THE MUNICIPALITY OF ANCHORAGE, ALASKA

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 390, S. 1492.

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

The senior assistant legislative clerk read as follows:

A bill (S. 1492) to direct the Administrator of General Services, on behalf of the Archivist of the United States, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. REAL PROPERTY CONVEYANCE.

(a) DEFINITIONS.—In this section:

(1) ARCHIVIST.—The term ''Archivist'' means the Archivist of the United States.

(2) CITY.—The term ''City'' means the Municipality of Anchorage, Alaska.

(b) CONVEYANCE.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act and after completion of the survey and appraisal described in this section, the Administrator of General Services, on behalf of the Archivist, shall offer to convey to the City by quitclaim deed for the consideration and under the conditions described in subsection (d), all right, title, and interest of the United States in and to a parcel of real property described in subsection (c).

(2) COSTS OF CONVEYANCE.—The City shall be responsible for paying—

(A) the costs of an appraisal conducted pursuant to subsection (d)(1)(B); and

(B) any other costs relating to the conveyance of the Federal property under this Act.

(c) LEGAL DESCRIPTION OF PROPERTY.—

(1) IN GENERAL.—The parcel to be conveyed under subsection (b) consists of approximately 9 acres and improvements located at 400 East Fortieth Avenue in the City that is administered by the National Archives and Records Administration.

(2) SURVEY REQUIRED.—As soon as practicable after the date of enactment of this Act, the exact acreage and legal description of the real property to be conveyed under subsection (b) shall be determined by a survey, paid for by the City, that is satisfactory to the Archivist.

(d) TERMS AND CONDITIONS.—

(1) CONSIDERATION.—

(A) IN GENERAL.—As consideration for the conveyance of the property under subsection (b), the City shall pay to the Archivist an amount not less than the fair market value of the conveyed property, to be determined as provided in subparagraph (B).

(B) APPRAISAL.—The fair market value of the property to be conveyed under subsection (b) shall be determined based on an appraisal that—

(i) is conducted by a licensed, independent appraiser that is approved by the Archivist and the City;

(ii) is based on the highest and best use of the property;

(iii) is approved by the Archivist; and

(iv) is paid for by the City.

(2) PRECONVEYANCE ENTRY.—The Archivist, on terms and conditions the Archivist determines to be appropriate, may authorize the City to enter the property at no charge for preconstruction and construction activities.

(3) ADDITIONAL TERMS AND CONDITIONS.—The Archivist may require additional terms and conditions in connection with the conveyance under subsection (b) as the Archivist considers appropriate to protect the interests of the United States.

(e) PROCEEDS.—Any net proceeds received by the Archivist as a result of the conveyance under this Act shall be deposited in the Treasury and used for deficit reduction, in such manner as the Secretary of the Treasury considers appropriate.

Mr. THUNE. Mr. President, I ask unanimous consent that the committee-reported 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 committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 1492), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

CONGRATULATING THE VILLANOVA WILDCATS FOR WINNING THE 2016 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I MEN'S BASKETBALL TOURNAMENT

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 415, submitted earlier today.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 415) congratulating the 2016 national champions, the Villanova Wildcats, for their win in the 2016 National Collegiate Athletic Association Division I Men's Basketball Tournament.

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

Mr. THUNE. 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. 415) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR THURSDAY, APRIL 7, 2016

Mr. THUNE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, April 7; 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 resume consideration of H.R. 636.

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

PROGRAM

Mr. THUNE. Mr. President, for the information of all Senators, we expect votes on pending amendments to the FAA bill during tomorrow's session of the Senate and will notify offices when they are scheduled.

ADJOURNMENT UNTIL 9:30 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 Thursday, April 7, 2016, at 9:30 a.m.

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, April 7, 2016 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

APRIL 12

10 a.m.
Committee on Energy and Natural Resources
To hold hearings to examine the status of innovative technologies in advanced manufacturing.
SD–366

Committee on Finance
To hold hearings to examine cybersecurity and protecting taxpayer information.
SD–215

Committee on Foreign Relations
To hold hearings to examine the spread of ISIS and transnational terrorism.
SD–419

Committee on Health, Education, Labor, and Pensions
To hold hearings to examine Every Student Succeeds Act implementation in states and school districts, focusing on perspectives from the Secretary of Education.
SD–430

10:30 a.m.
Committee on Appropriations
Subcommittee on Financial Services and General Government
To hold hearings to examine proposed budget estimates and justification for fiscal year 2017 for the Securities and Exchange Commission and Commodity Futures Trading Commission.
SD–138

2:30 p.m.
Committee on Armed Services
Subcommittee on Emerging Threats and Capabilities
To hold hearings to examine the strategy and implementation of the Department of Defense's technology offsets initiative in review of the Defense Authorization Request for fiscal year 2017 and the Future Years Defense Program.
SR–222

Committee on Environment and Public Works
Subcommittee on Superfund, Waste Management, and Regulatory Oversight
To hold hearings to examine American small businesses perspectives on Environmental Protection Agency regulatory actions.
SD–406

APRIL 13

9:30 a.m.
Committee on Environment and Public Works
To hold hearings to examine the role of environmental policies on access to energy and economic opportunity.
SD–406

Committee on Homeland Security and Governmental Affairs
To hold hearings to examine America's insatiable demand for drugs.
SD–342

10 a.m.
Committee on the Judiciary
To hold hearings to examine EB–5 targeted employment areas.
SD–226

10:30 a.m.
Committee on Appropriations
Subcommittee on Department of Defense
To hold hearings to examine proposed budget estimates and justification for fiscal year 2017 for the Missile Defense Agency.
SD–192

Committee on the Budget
To hold hearings to examine budgeting for outcomes to maximize taxpayer value.
SD–608

2 p.m.
Committee on Armed Services
Subcommittee on SeaPower
To hold hearings to examine Marine Corps ground modernization in review of the Defense Authorization Request for fiscal year 2017 and the Future Years Defense Program.
SR–232A

2:15 p.m.
Committee on Indian Affairs
To hold hearings to examine S. 2205, to establish a grant program to assist tribal governments in establishing tribal healing to wellness courts, S. 2421, to provide for the conveyance of certain property to the Tanana Tribal Council located in Tanana, Alaska, and to the Bristol Bay Area Health Corporation located in Dillingham, Alaska, S. 2564, to modernize prior legislation relating to Dine College, S. 2643, to improve the implementation of the settlement agreement reached between the Pueblo de Cochiti of New Mexico and the Corps of Engineers, and S. 2717, to improve the safety and address the deferred maintenance needs of Indian dams to prevent flooding on Indian reservations.
SD–628

Joint Congressional Committee on Inaugural Ceremonies—2016
Organizational business meeting to consider an original resolution authorizing expenditures for committee operations and committee's rules and procedure for the 114th Congress.
S–219

2:30 p.m.
Committee on Armed Services
Subcommittee on Strategic Forces
To hold hearings to examine ballistic missile defense policies and programs in review of the Defense Authorization Request for fiscal year 2017 and the Future Years Defense Program.
SR–222

APRIL 14

10 a.m.
Committee on Banking, Housing, and Urban Affairs
Subcommittee on Economic Policy
Subcommittee on Securities, Insurance, and Investment
To hold joint hearings to examine current trends and changes in the fixed-income markets.
SD–538

Committee on Energy and Natural Resources
To hold an oversight hearing to examine options for addressing the continuing lack of reliable emergency medical transportation for the isolated community of King Cove, Alaska.
SD–366

Committee on Homeland Security and Governmental Affairs
To hold hearings to examine the Federal perspective on the state of our nation's biodefense.
SD–342

2:30 p.m.
Committee on Energy and Natural Resources
Subcommittee on Public Lands, Forests, and Mining
To hold an oversight hearing to examine the Bureau of Land Management's proposed rule, entitled ''Waste Prevention, Production Subject to Royalties, and Resources Conservation,'' published in the *Federal Register* on February 8, 2016.
SD–366

APRIL 19

10 a.m.
Committee on Energy and Natural Resources
To hold an oversight hearing to examine challenges and opportunities for oil and gas development in different price environments.
SD–366

APRIL 20

2 p.m.
Committee on Armed Services
Subcommittee on SeaPower
To hold hearings to examine Navy and Marine Corps aviation programs in review of the Defense Authorization Request for fiscal year 2017 and the Future Years Defense Program.
SR–232A

APRIL 27

2:15 p.m.
Committee on Indian Affairs
To hold an oversight hearing to examine the Government Accountability Office

report on ''Telecommunications: Additional Coordination and Performance Measurement Needed for High-Speed Internet Access Programs on Tribal Lands.''

SD–628

MAY 9

2:30 p.m.
Committee on Armed Services
Subcommittee on Airland
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2017.

SR–232A

MAY 10

9:30 a.m.
Committee on Armed Services
Subcommittee on SeaPower
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2017.

SR–232A

11 a.m.
Committee on Armed Services
Subcommittee on Personnel
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2017.

SD–G50

2 p.m.
Committee on Armed Services
Subcommittee on Readiness and Management Support
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2017.

SD–G50

3:30 p.m.
Committee on Armed Services
Subcommittee on Emerging Threats and Capabilities
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2017.

SD–G50

5:30 p.m.
Committee on Armed Services
Subcommittee on Strategic Forces
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2017.

SR–232A

MAY 11

9:30 a.m.
Committee on Armed Services
Closed business meeting to markup the proposed National Defense Authorization Act for fiscal year 2017.

SR–222

MAY 12

9:30 a.m.
Committee on Armed Services
Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2017.

SR–222

MAY 13

9:30 a.m.
Committee on Armed Services
Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2017.

SR–222

Daily Digest

HIGHLIGHTS

See Réumé of Congressional Activity.

Senate

Chamber Action

Routine Proceedings, pages S1679–S1774

Measures Introduced: Eight bills and two resolutions were introduced, as follows: S. 2750–2757, and S. Res. 414–415. **Pages S1711–12**

Measures Reported:

S. 1336, to implement the Convention on the Conservation and Management of the High Seas Fishery Resources in the South Pacific Ocean, as adopted at Auckland on November 14, 2009. (S. Rept. No. 114–235) **Page S1711**

Measures Passed:

Department of Homeland Security Headquarters Consolidation Accountability Act: Senate passed S. 1638, to direct the Secretary of Homeland Security to submit to Congress information on the Department of Homeland Security headquarters consolidation project in the National Capital Region, after agreeing to the committee amendments. **Pages S1773–74**

Municipality of Anchorage: Senate passed S. 1492, to direct the Administrator of General Services, on behalf of the Archivist of the United States, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska, after agreeing to the committee amendment in the nature of a substitute. **Page S1774**

Congratulating the Villanova Wildcats: Senate agreed to S. Res. 415, congratulating the 2016 national champions, the Villanova Wildcats, for their win in the 2016 National Collegiate Athletic Association Division I Men's Basketball Tournament. **Page S1774**

Measures Considered:

America's Small Business Tax Relief Act—Agreement: Senate began consideration of H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, after agreeing to the motion to proceed, and taking action on the following amendments proposed thereto: **Pages S1702–03**

Pending:

Thune/Nelson Amendment No. 3464, in the nature of a substitute. **Page S1702**

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. **Page S1702**

Thune Amendment No. 3512 (to Amendment No. 3464), to enhance airport security. **Page S1703**

During consideration of this measure today, Senate also took the following action:

By a unanimous vote of 98 yeas (Vote No. 40), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to proceed to consideration of the bill. **Pages S1680–S1702**

A unanimous-consent agreement was reached providing that the next amendments in order be the following, and that it be in order to call them up and considered offered in the order listed: Heinrich Modified Amendment No. 3482; Thune Amendment No. 3462; Schumer Amendment No. 3483; Thune Amendment No. 3463; and Cantwell Amendment No. 3490. **Page S1702**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 9:30 a.m., on Thursday, April 7, 2016. **Page S1774**

Executive Communications: **Pages S1707–10**

Petitions and Memorials: **Pages S1710–11**

Additional Cosponsors: **Pages S1712–13**

Statements on Introduced Bills/Resolutions: **Pages S1713–16**

Additional Statements: **Page S1707**

Amendments Submitted: **Pages S1716–72**

Authorities for Committees to Meet: Pages S1772–73

Privileges of the Floor: Page S1773

Record Votes: One record vote was taken today. (Total—40) Page S1682

Adjournment: Senate convened at 10 a.m. and adjourned at 8:18 p.m., until 9:30 a.m. on Thursday, April 7, 2016. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S1774.)

Committee Meetings

(Committees not listed did not meet)

USDA RURAL DEVELOPMENT PROGRAMS

Committee on Agriculture, Nutrition, and Forestry: Subcommittee on Rural Development and Energy concluded a hearing to examine Department of Agriculture rural development programs and their economic impact across America, after receiving testimony from Lisa Mensah, Under Secretary of Agriculture for Rural Development; Craig Hill, Iowa Farm Bureau Federation, Milo; Monte Shaw, Iowa Renewable Fuels Association, Johnston; and Cris Somerville, Dakota Turbines, Cooperstown, North Dakota, on behalf of the Distributed Wind Energy Association.

APPROPRIATIONS: USFS

Committee on Appropriations: Subcommittee on Department of the Interior, Environment, and Related Agencies concluded a hearing to examine proposed budget estimates and justification for fiscal year 2017 for the Forest Service, after receiving testimony from Tom Tidwell, Chief, Forest Service, Department of Agriculture.

APPROPRIATIONS: NATIONAL INTELLIGENCE AND MILITARY INTELLIGENCE

Committee on Appropriations: Subcommittee on Department of Defense concluded a closed hearing to examine proposed budget estimates and justification for fiscal year 2017 for the National Intelligence and Military Intelligence programs, after receiving testimony from James Clapper, Director of National Intelligence; and Marcel Lettre, Under Secretary of Defense for Intelligence.

DHS RESEARCH AND DEVELOPMENT EFFORTS

Committee on Appropriations: Subcommittee on Department of Homeland Security concluded a hearing to examine research and development efforts at the Department of Homeland Security, after receiving testimony from Reginald Brothers, Under Secretary for Science and Technology, Kathryn H. Brinsfield, Assistant Secretary for Health Affairs and Chief Medical Officer, and Huban A. Gowadia, Director for the Domestic Nuclear Detection Office, all of the Department of Homeland Security.

DEFENSE AUTHORIZATION REQUEST AND FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Subcommittee on SeaPower concluded a hearing to examine Navy shipbuilding programs in review of the Defense Authorization Request for fiscal year 2017 and the Future Years Defense Program, after receiving testimony from Sean J. Stackley, Assistant Secretary of the Navy, Research, Development, and Acquisition, Vice Admiral Joseph P. Mulloy, USN, Deputy Chief of Naval Operations for Integration of Capabilities and Resources (N8), and Lieutenant General Robert S. Walsh, USMC, Deputy Commandant for Combat Development and Integration, Commanding General, Marine Corps Combat Development Command, all of the Department of Defense.

MILITARY JUSTICE REVIEW GROUP

Committee on Armed Services: Committee received a closed briefing on the report of the Military Justice Review Group from Andrew S. Effron, Director, Military Justice Review Group, and Dwight H. Sullivan, Senior Associate Deputy General Counsel for Military Justice Personnel Policy, both of the Department of Defense.

UNRELIABILITY OF FEDERAL FINANCIAL DATA

Committee on the Budget: Committee concluded a hearing to examine the unreliability of Federal financial data, including the need to address the government's remaining financial management challenges and long-term fiscal path, after receiving testimony from Gene L. Dodaro, Comptroller General of the United States, Government Accountability Office.

TRANSPORTATION SECURITY

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine transportation security, focusing on protecting passengers and freight, after receiving testimony from Peter Neffenger, Administrator, Transportation Security Administration, Department of Homeland Security.

NUCLEAR REGULATORY COMMISSION BUDGET

Committee on Environment and Public Works: Committee concluded an oversight hearing to examine the President's proposed budget request for fiscal year 2017 for the Nuclear Regulatory Commission,

after receiving testimony from Stephen G. Burns, Chairman, and Kristine Svinicki, William Ostendorff, and Jeffrey Baran, each a Commissioner, all of the Nuclear Regulatory Commission.

STRATEGIC IMPLICATIONS OF THE U.S. DEBT

Committee on Foreign Relations: Committee concluded a hearing to examine the strategic implications of the United States debt, after receiving testimony from Richard N. Haass, Council on Foreign Relations, New York, New York; and Neera Tanden, Center for American Progress, Washington, D.C.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the following business items:

S. 2700, to update the authorizing provisions relating to the workforces of the National Institutes of Health and the Food and Drug Administration, with an amendment in the nature of a substitute;

S. 185, to create a limited population pathway for approval of certain antibacterial drugs, with an amendment in the nature of a substitute;

S. 2713, to provide for the implementation of a Precision Medicine Initiative, with an amendment in the nature of a substitute;

S. 2745, to amend the Public Health Service Act to promote the inclusion of minorities in clinical research, with an amendment in the nature of a substitute; and

S. 2742, to amend title IV of the Public Health Service Act regarding the national research institutes, with an amendment in the nature of a substitute.

INDIAN AFFAIRS LEGISLATION

Committee on Indian Affairs: Committee concluded a hearing to examine S. 2304, to provide for tribal demonstration projects for the integration of early childhood development, education, including Native language and culture, and related services, for evaluation of those demonstration projects, S. 2468, to require the Secretary of the Interior to carry out a 5-year demonstration program to provide grants to eligible Indian tribes for the construction of tribal schools, S. 2580, to establish the Indian Education Agency to streamline the administration of Indian education, and S. 2711, to expand opportunity for Native American children through additional options in education, after receiving testimony from Lawrence S. Roberts, Acting Assistant Secretary of the Interior for Indian Affairs; Arizona State Senator Carlyle W. Begay, Phoenix; Patricia Whitefoot, National Indian Education Association, Washington, D.C.; and Sandra Boham, Salish Kootenai College, Pablo, Montana.

FEDERAL DISASTER RESPONSE

Committee on Small Business and Entrepreneurship: Committee concluded a hearing to examine Federal disaster response and Small Business Administration implementation of the RISE Act, after receiving testimony from Douglas Kramer, Deputy Administrator, Small Business Administration; and Elizabeth A. Zimmerman, Associate Administrator, Office of Response and Recovery, Federal Emergency Management Agency, Department of Homeland Security.

ALZHEIMER'S DISEASE

Special Committee on Aging: Committee concluded a hearing to examine finding a cure, focusing on assessing progress toward the goal of ending Alzheimer's by 2025, after receiving testimony from Ronald C. Petersen, Mayo Clinic Alzheimer's Disease Research Center, Rochester, Minnesota; Polly Bradley, Southern Maine Agency on Aging, Scarborough; Lisa Baron, Memory Care Home Solutions, St. Louis, Missouri; and David Hyde Pierce, New York, New York.

House of Representatives

Chamber Action

The House was not in session today. The House is scheduled to meet in Pro Forma session at 3:30 p.m. on Monday, April 11, 2016, pursuant to the provisions of S. Con. Res. 34.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, APRIL 7, 2016

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies, to hold hearings to examine proposed budget estimates and justification for fiscal year 2017 for the National Institutes of Health, 10 a.m., SD–138.

Subcommittee on Military Construction and Veterans Affairs, and Related Agencies, to hold hearings to examine proposed budget estimates and justification for fiscal year 2017 for Department of Defense military construction and family housing, 10:30 a.m., SD–124.

Committee on Armed Services: to hold hearings to examine the posture of the Department of the Army in review of the Defense Authorization Request for fiscal year 2017 and the Future Years Defense Program, 9:30 a.m., SD–G50.

Committee on Banking, Housing, and Urban Affairs: business meeting to consider the nominations of Jay Neal Lerner, of Illinois, to be Inspector General, Federal Deposit Insurance Corporation, Amias Moore Gerety, of Connecticut, to be an Assistant Secretary, and Matthew Rhett Jeppson, of Florida, to be Director of the Mint, both of the Department of the Treasury, and Lisa M. Fairfax, of Maryland, and Hester Maria Peirce, of Ohio, both to be a Member of the Securities and Exchange Commission; to be immediately followed by a hearing to examine the Consumer Financial Protection Bureau's Semi-Annual Report to Congress, 10 a.m., SD–538.

Committee on Energy and Natural Resources: to hold an oversight hearing to examine the United States Geological Survey, 10 a.m., SD–366.

Committee on Environment and Public Works: to hold hearings to examine the Federal role in keeping water and wastewater infrastructure affordable, 10 a.m., SD–406.

Committee on Foreign Relations: Subcommittee on Africa and Global Health Policy, to hold hearings to examine a progress report on the West Africa Ebola epidemic, 10 a.m., SD–419.

Committee on the Judiciary: business meeting to consider S. 247, to amend section 349 of the Immigration and Nationality Act to deem specified activities in support of terrorism as renunciation of United States nationality, S. 2390, to provide adequate protections for whistleblowers at the Federal Bureau of Investigation, S. 2613, to reauthorize certain programs established by the Adam Walsh Child Protection and Safety Act of 2006, S. 2614, 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, and the nominations of Elizabeth J. Drake, of Maryland, Jennifer Choe Groves, of Virginia, and Gary Stephen Katzmann, of Massachusetts, each to be a Judge of the United States Court of International Trade, and Clare E. Connors, to be United States District Judge for the District of Hawaii, 10 a.m., SD–226.

Select Committee on Intelligence: to receive a closed briefing on certain intelligence matters, 2 p.m., SH–219.

House

No hearings are scheduled.

Résumé of Congressional Activity

SECOND SESSION OF THE ONE HUNDRED FOURTEENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 4 through March 31, 2016

	Senate	*House*	*Total*
Days in session	40	36	..
Time in session	212 hrs., 36′	161 hrs., 53′	..
Congressional Record:			
Pages of proceedings	1,619	1,586	..
Extensions of Remarks	..	379	..
Public bills enacted into law	12	15	27
Private bills enacted into law	..	..	..
Bills in conference	..	..	..
Measures passed, total	76	137	213
Senate bills	14	14	..
House bills	12	88	..
Senate joint resolutions	..	1	..
House joint resolutions	..	..	..
Senate concurrent resolutions	4	4	..
House concurrent resolutions	4	6	..
Simple resolutions	42	24	..
Measures reported, total	* 53	* 93	146
Senate bills	36	1	..
House bills	6	72	..
Senate joint resolutions	..	..	..
House joint resolutions	..	..	..
Senate concurrent resolutions	..	..	..
House concurrent resolutions	..	4	..
Simple resolutions	11	16	..
Special reports	2	..	..
Conference reports	1	..	..
Measures pending on calendar	256	34	..
Measures introduced, total	381	698	1,079
Bills	303	577	..
Joint resolutions	3	6	..
Concurrent resolutions	8	21	..
Simple resolutions	67	94	..
Quorum calls	..	1	..
Yea-and-nay votes	38	57	..
Recorded votes	..	80	..
Bills vetoed	1	1	..
Vetoes overridden	..	..	..

*These figures include all measures reported, even if there was no accompanyingreport. A total of 34 written reports have been filed in the Senate, 93 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 4 through March 31, 2016

Civilian nominations, totaling 231 (including 181 nominations carried over from the First Session), disposed of as follows:	
Confirmed	21
Unconfirmed	202
Withdrawn	8
Other Civilian nominations, totaling 660 (including 97 nominations carried over from the First Session), disposed of as follows:	
Confirmed	320
Unconfirmed	339
Withdrawn	1
Air Force nominations, totaling 3,417 (including 181 nominations carried over from the First Session), disposed of as follows:	
Confirmed	2,901
Unconfirmed	516
Army nominations, totaling 2,462 (including 1,740 nominations carried over from the First Session), disposed of as follows:	
Confirmed	2,316
Unconfirmed	146
Navy nominations, totaling 125 (including 5 nominations carried over from the First Session), disposed of as follows:	
Confirmed	69
Unconfirmed	56
Marine Corps nominations, totaling 1,229 (including 3 nominations carried over from the First Session), disposed of as follows:	
Confirmed	753
Unconfirmed	476

Summary

Total nominations carried over from the First Session	2,207
Total nominations received this Session	5,917
Total confirmed	6,380
Total unconfirmed	1,735
Total withdrawn	9
Total returned to the White House	0

Next Meeting of the SENATE

9:30 a.m., Thursday, April 7

Senate Chamber

Program for Thursday: Senate will continue consideration of H.R. 636, America's Small Business Tax Relief Act (the legislative vehicle for the Federal Aviation Administration Reauthorization Act).

Next Meeting of the HOUSE OF REPRESENTATIVES

3:30 p.m., Monday, April 11

House Chamber

Program for Monday: The House is scheduled to meet in Pro Forma session at 3:30 p.m. on Monday, April 11, 2016, pursuant to the provisions of S. Con. Res. 34.

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