

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

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

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

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

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

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

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

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

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

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

Robert Rossiter was nominated to the District of Nebraska and has the

support of both of his home State Republican Senators. The committee reported his nomination in October.

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

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

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

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

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

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

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

#### AFFORDABLE CARE ACT

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

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

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

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

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

ObamaCare is working for the American people.

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

#### RESERVATION OF LEADER TIME

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

#### MORNING BUSINESS

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

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### FAA REAUTHORIZATION BILL

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

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

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

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

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

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

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

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

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

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

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

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

I encourage all Senators to support my amendments.

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

I yield back the remainder of my time.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### AMERICA'S SMALL BUSINESS TAX RELIEF ACT OF 2015

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

The bill clerk read as follows:

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

Pending:

Thune/Nelson amendment No. 3464, in the nature of a substitute.

Thune (for Gardner) amendment No. 3460 (to amendment No. 3464), to require the FAA Administrator to consider the operational history of a person before authorizing the person to operate certain unmanned aircraft systems.

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

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

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

#### NATIONAL CRIME VICTIMS' RIGHTS WEEK

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

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

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

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

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

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