3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra.

SA 3624. Mr. SCHATZ (for himself and Mr. HEINRICH) 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 3625. Mr. KAINE 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 3626. Mr. KAINE 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 3627. 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 3628. Mrs. MURRAY (for herself and Ms. CANTWELL) 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 3629. Mrs. MURRAY (for herself and Ms. CANTWELL) 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 3630. Ms. HIRONO (for herself, Ms. MURKOWSKI, Mr. SCHATZ, and Mr. SULLIVAN) 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 3631. Mr. THUNE (for Mr. PAUL) 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 3632. Mrs. MURRAY (for herself and Ms. CANTWELL) 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 3633. Mr. NELSON (for himself and Mr. COATS) 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.

SA 3634. 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 3635. Mr. BOOZMAN (for himself, Mr. WARNER, and 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.

SA 3636. Mr. INHOFE 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 3637. Mr. DAINES 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 3638. Mr. BROWN (for himself and Mr. PORTMAN) 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 3639. Mr. KAINE (for himself and Mr. WARNER) 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 3565. Mr. CORNYN (for himself, Mr. FLAKE, Mr. HELLER, and Mr. MCCAIN) 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

per year 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 BY THE COMMISSIONER.—

(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. (i)

(6) TERMINATION BY THE SPONSOR.—Any 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, or under the provisions of this Act, may request that such agreement make provision for termination at the request of such person upon advance notice, the length and terms of which shall be negotiated between such person and U.S. Customs and Border Protection.

(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, consistent with the requirements of section 907 of the Trade Facilitation and Trade Enforcement Act of 2015 (Public Law 114–125), or pertaining to authorities and programs repealed and transitioned under section ____02 of this title or otherwise authorized by this section; 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 3566. Mr. CORNYN 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. _____. DEMONSTRATION PROGRAM FOR IMPROVEMENT OF GENERAL AVIATION AIRPORT GRANTS.

(a) IN GENERAL.—

(1) AUTHORITY.—The Secretary of Transportation is authorized to carry out a demonstration program for improved administration of general aviation airport grants, as described in this section.

(2) GUIDANCE.—

(A) REQUIREMENT FOR GUIDANCE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Transportation shall issue guidance to carry out a demonstration program authorized under paragraph (1).

(B) REPORTING AND REVIEW.—The guidance required by subparagraph (A) may include periodic reporting and review guidelines for States participating in the such demonstration program, as specified by the Secretary.

(b) AUTHORITY FOR AN ALTERNATE DISTRIBUTION OF FUNDS.—States that are selected to participate in the demonstration program shall not be subject to the allocation requirements of paragraph (3)(A) of section 47114(d) of title 49, United States Code, for funds made available under such section after the date of the enactment of this Act for use at nonprimary classified airports within such States.

(c) PERIOD OF AVAILABILITY.—Notwithstanding any other provision of law, the period of availability for an amount made available to States under the terms of the demonstration program shall be available to be obligated for grants only during the fiscal year for which such amount was apportioned and the two fiscal years immediately after that year. If such amount is not obligated under the terms of the demonstration program within that time, such amount shall be added to the discretionary fund provided for under section 47115 of title 49, United States Code.

(d) AIR SIDE NEEDS.—In selecting projects at nonprimary entitlement airports, States participating in the demonstration program shall ensure that funds apportioned to airport sponsors are only made available for construction costs of revenue producing aeronautical support facilities if such sponsor has made adequate provision for financing airside needs consistent with the terms of section 47110(h) of title 49, United States Code.

(e) STATE PARTICIPATION.—

(1) NUMBER OF STATES.—The Secretary of Transportation may select not more than 5 States to participate in the demonstration program.

(2) DURATION OF PARTICIPATION.—A State selected to participate in the demonstration program shall remain in the demonstration program until the State terminates its participation. If a State terminates participation under this paragraph, the Secretary may select another State to participate in the demonstration program.

(3) STATE ELIGIBILITY.—A State is eligible to participate in the demonstration program if the State—

(A) for not less than 3 States, as of the date of the enactment of this Act, is authorized by the Secretary to carry out a block grant program under section 47128 of title 49, United States Code; and

(B) submits an application for the participation that includes the certification described in paragraph (4) and that make adequate provision for airside needs.

(4) CERTIFICATION.—The certification described in this paragraph is a certification made by a State that includes each of the following:

(A) That the alternate distribution permitted under the demonstration program will occur in a manner that ensures all nonprimary classified airports in the State are adequately maintained in accordance with all relevant safety standards.

(B) That the State has a capital improvement planning process and priority system sufficient to carry out such alternate distribution in a manner consistent with airport safety and security needs.

(C) That the State has sufficient communication capabilities and protocols to notify and consult with local jurisdictions having control over nonprimary classified airports regarding such alternate distribution.

(D) That the State—

(i) continues to meet other application and selection requirements set out in section 47128(b) of title 48, United States Code; or

(ii) if the State is not carrying out a block grant program under section 47128 of title 49, United States Code, meets requirements that are equivalent, as determined appropriate by the Secretary.

SA 3567. Mr. COCHRAN (for himself, Mr. HOEVEN, and Mr. WICKER) 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 74, strike line 19 and insert the following: under section 44802(a) of that title, and in coordination with the Center of Excellence for Unmanned Aircraft Systems.

(c) USE OF CENTER OF EXCELLENCE FOR UNMANNED AIRCRAFT SYSTEMS.—The Administrator, in carrying out research necessary to establish the consensus safety standards and certification requirements in section 44803 of title 49, United States Code, as added by section 2124, shall, to the maximum extent practicable, leverage the research and testing capacity and capabilities of the Center of Excellence for Unmanned Aircraft Systems and the test sites (as defined in 44801 of such title, as added by section 2121).

SA 3568. Ms. COLLINS (for herself and Mr. KING) 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. ___. TRANSIT STOPS IN THE UNITED STATES BY FOREIGN AIR CARRIERS TRAVELING TO OR FROM CUBA.

(a) IN GENERAL.—Except as provided in subsection (c), the President may not regulate or prohibit, directly or indirectly, the provision of technical services otherwise permitted under an international air transportation agreement in the United States for an aircraft of a foreign air carrier that is en route to or from Cuba.

(b) EFFECT OF EXISTING REGULATIONS.—Any regulation in effect on the date of the enactment of this Act that regulates or prohibits

the services described in subsection (a) shall cease to have any force or effect with respect to such services.

(c) EXCEPTIONS.—

(1) IN GENERAL.—This section shall not apply if—

(A) the United States is at war with Cuba;

(B) armed hostilities between the United States and Cuba are in progress; or

(C) there is imminent danger to the public health or physical safety of United States citizens.

(2) CUBAN AIR CARRIERS.—This section shall not apply to foreign air carriers that are owned by the Government of Cuba or are based in Cuba.

(d) APPLICABILITY.—The provisions of this section shall apply to—

(1) actions taken by the President before the date of the enactment of this Act that are in effect on such date of enactment; and

(2) actions taken on or after such date of enactment.

(e) INAPPLICABILITY.—The provisions of this section shall apply notwithstanding section 102(h) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6032(h)) and section 910(b) of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7209(b)).

SA 3569. Ms. COLLINS (for herself and Mr. CASEY) 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. _____. MODIFICATIONS IN CREDIT FOR COMBINED HEAT AND POWER SYSTEM PROPERTY.

(a) INCREASED ENERGY PERCENTAGE.—Clause (i) of section 48(a)(2)(A) of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of subclause (III), by redesignating subclause (IV) as subclause (V), and by inserting after subclause (III) the following new subclause:

''(IV) energy property described in paragraph (3)(A)(v), and''.

(b) MODIFICATION OF CERTAIN CAPACITY LIMITATIONS.—Section 48(c)(3)(B) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''15 megawatts'' in clause (ii) and inserting ''25 megawatts'',

(2) by striking ''20,000 horsepower'' in clause (ii) and inserting ''34,000 horsepower'', and

(3) by striking clause (iii).

(c) EXTENSION OF CREDIT FOR COMBINED HEAT AND POWER SYSTEM PROPERTY.—Section 48(c)(3)(A)(iv) of the Internal Revenue Code of 1986 is amended by striking ''January 1, 2017'' and inserting ''January 1, 2022''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to periods after the date of the enactment of this Act, under rules similar to the rules of section 48(m) of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990).

(2) EXTENSION OF CREDIT.—The amendment made by subsection (c) shall apply to property placed in service after December 31, 2016.

SEC. _____. ENERGY CREDIT FOR WASTE HEAT TO POWER PROPERTY.

(a) IN GENERAL.—Subparagraph (A) of section 48(a)(3) of the Internal Revenue Code of 1986 is amended by striking ''or'' at the end of clause (vi), by inserting ''or'' at the end of clause (vii), and by adding at the end the following new clause:

''(viii) waste heat to power property,''.

(b) WASTE HEAT TO POWER PROPERTY.—Subsection (c) of section 48 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(5) WASTE HEAT TO POWER PROPERTY.—

''(A) WASTE HEAT TO POWER PROPERTY.—The term 'waste heat to power property' means property comprising a system which generates electricity through the recovery of a qualified waste heat resource.

''(B) QUALIFIED WASTE HEAT RESOURCE DEFINED.—The term 'qualified waste heat resource' means—

''(i) exhaust heat or flared gas from any industrial process,

''(ii) waste gas or industrial tail gas that would otherwise be flared, incinerated, or vented,

''(iii) a pressure drop in any gas for an industrial or commercial process, or

''(iv) such other forms of waste heat resources as the Secretary may determine.

''(C) EXCEPTION.—The term 'qualified waste heat resource' does not include any heat resource from a process whose primary purpose is the generation of electricity utilizing a fossil fuel or nuclear energy.

''(D) TERMINATION.—The term 'waste heat to power property' shall not include any property placed in service after December 31, 2021.''.

(c) INCREASED ENERGY PERCENTAGE.—Clause (i) of section 48(a)(2)(A) of the Internal Revenue Code of 1986, as amended by this Act, is further amended by striking ''and'' at the end of subclause (IV) and inserting after the new subclause (V) the following new subclause:

''(VI) energy property described in paragraph (3)(A)(viii), and''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to periods after the date of the enactment of this Act, under rules similar to the rules of section 48(m) of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990).

SA 3570. Ms. HEITKAMP (for herself 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 end of title V, add the following:

SEC. 5032. REPORT ON EFFECTS ON AIRPORTS OF COLLEGIATE AVIATION FLIGHT TRAINING OPERATIONS.

(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 submit to Congress a report assessing the importance of collegiate aviation flight training operations and the effect of such operations on the economy and infrastructure of airports in the National Plan of Integrated Airport Systems.

(b) ELEMENTS.—In the report required by subsection (a), the Administrator shall include the following:

(1) An assessment of the total capacity of collegiate aviation flight training programs in the United States to meet the needs of the United States to train commercial pilots.

(2) An assessment of the footprint of collegiate aviation flight training operations at the airports in the United States.

(3) An assessment of whether infrastructure beyond that necessary for operations of commercial air carriers is needed at airports at which collegiate aviation flight training operations are conducted.

(4) If such infrastructure is needed, an estimate of the cost of such infrastructure.

(5) An identification of funding sources, available before the date of the enactment of this Act or that may become available after such date of enactment, that may be used to construct such infrastructure.

(6) Recommendations for improving technical and financial assistance to airports to construct such infrastructure.

SA 3571. Mr. BLUMENTHAL 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 197, between lines 8 and 9, insert the following:

(c) JOINT TASK FORCE.—

(1) ESTABLISHMENT.—Not later than 30 days after the date of the enactment of this Act, the Administrator, in coordination with the Attorney General, the Secretary of Homeland Security, the head of the Federal agency authorized to regulate the use of laser pointers, and any other appropriate Federal stakeholders, shall establish a joint task force (referred to in this section as the ''Laser Pointer Safety Task Force'') to address dangers from laser pointers by establishing a coordinated response to mitigate the threat of laser pointers aimed at aircraft.

(2) REPRESENTATION.—The Administrator shall appoint a representative of the Federal Aviation Administration to lead the Laser Pointer Safety Task Force, which shall also includes representatives of the Department of Justice, the Department of Homeland Security, the Federal agency authorized to regulate the use of laser pointers, and any other appropriate Federal stakeholder.

(3) PUBLIC EDUCATION CAMPAIGN.—The Laser Pointer Safety Task Force shall develop a public education campaign to inform the public of the dangers of pointing a laser at aircraft.

(4) INCIDENT DETECTION AND REPORTING.—The Laser Pointer Safety Task Force shall develop methods for—

(A) encouraging the reporting of incidents of laser pointers aimed at an aircraft; and

(B) assess what technology could be used to enhance the detection of such incidents and to protect pilots from such incidents.

(5) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Laser Pointer Safety Task Force shall submit a report to Congress that describes its efforts under this subsection and includes recommendations for further measures needed to prevent or respond to the use of laser pointers against aircraft.

(6) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for the Laser Pointer Safety Task Force to carry out the objectives set forth in this subsection.

SA 3572. Mr. BLUMENTHAL 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 188, beginning on line 14, strike ''first- or second-class airman'' and insert ''first-, second-, or third-class airman''.

SA 3573. Mr. BLUMENTHAL 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:

Strike subtitle F of title II and insert the following:

Subtitle F—Exemption From Medical Certification Requirements

SEC. 2601. REPORTING BY PILOTS EXEMPT FROM MEDICAL CERTIFICATION REQUIREMENTS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Transportation shall require any pilot who is exempt from medical certification requirements to submit, not less frequently than once every 180 days, a report to the Department of Transportation that—

(1) identifies the pilot's status as an active pilot; and

(2) includes a summary of the pilot's recent flight hours.

SEC. 2602. GOVERNMENT ACCOUNTABILITY OFFICE REPORT ASSESSING EFFECT ON PUBLIC SAFETY OF EXEMPTION FOR SPORT PILOTS FROM REQUIREMENT FOR A MEDICAL CERTIFICATE.

Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that assesses the effect of section 61.23(c)(ii) of title 14, Code of Federal Regulations (permitting a person to exercise the privileges of a sport pilot certificate without holding a medical certificate), on public safety since 2004.

SA 3574. Mr. BLUMENTHAL 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 244, between lines 7 and 8, insert the following:

(m) RULEMAKING ESTABLISHING MINIMUM LIABILITY INSURANCE LEVELS FOR PILOTS.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a rulemaking to establish minimum levels of liability insurance for any pilot covered under this section.

SA 3575. 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:

On page 57, line 12, strike ''A violation'' and insert the following:

(a) PRIVATE RIGHT OF ACTION AGAINST UNFAIR AND DECEPTIVE PRACTICES.—Section 41712 is amended by adding at the end the following:

''(d) PRIVATE RIGHT OF ACTION.—

''(1) IN GENERAL.—Any person aggrieved by an action prohibited under this section may file a civil action for damages and injunctive relief in any Federal district court or State court located in the State in which—

''(A) the unlawful action is alleged to have been committed; or

''(B) the aggrieved person resides.

''(2) ENFORCEMENT BY A STATE.—The attorney general of any State, as parens patriae, may bring a civil action to enforce the provisions of this section in—

''(A) any district court of the United States in that State; or

''(B) any State court that is located in that State and has jurisdiction over the defendant.''.

(b) VIOLATION OF A PRIVACY POLICY.—A violation

SA 3576. Mr. BLUMENTHAL 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 264, line 16, strike ''Not later than'' and insert the following:

(a) NO PREEMPTION OF CONSUMER PROTECTION CLAIMS.—Section 41713(b)(4) is amended by adding at the end the following:

''(D) NO PREEMPTION OF CONSUMER PROTECTION CLAIMS.—Nothing in subparagraphs (A) through (C) may be construed—

''(i) to preempt, displace, or supplant any action for civil damages or injunctive relief based on a State consumer protection statute; or

''(ii) to restrict the authority of any government entity, including a State attorney general, from bringing a legal claim on behalf of the citizens of such State.''.

(b) SUPPLEMENTAL NOTICE OF PROPOSED RULEMAKING.—Not later than

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SA 3577. Mr. BLUMENTHAL 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 211, between lines 2 and 3, insert the following:

SEC. 2320. CABIN AIR QUALITY TECHNOLOGY.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate research and development work on effective air cleaning and sensor technology for the engine and auxiliary power unit for bleed air supplied to the passenger cabin and flight deck of a pressurized aircraft.

(b) TECHNOLOGY REQUIREMENTS.—The technology developed under subsection (a) shall be capable of—

(1) removing oil-based contaminants from the bleed air supplied to the passenger cabin and flight deck; and

(2) detecting and recording oil-based contaminants in the bleed air fraction of the total air supplied to the passenger cabin and flight deck.

(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Administrator shall submit a report to Congress that describes the results of the research and development work carried out under subsection (a).

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SA 3578. Mr. BLUMENTHAL 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. DIVERSIONS TO BRADLEY INTERNATIONAL AIRPORT.

The Administrator of the Federal Aviation Administration shall coordinate with the operator of Bradley International Airport, Windsor Locks, Connecticut, to develop and implement a plan for irregular operations that result in aircraft being diverted to the airport to ensure that the airport is not adversely affected.

SA 3579. Mr. BLUMENTHAL 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 subtitle A of title III, add the following:

SEC. 3124. GOVERNMENT ACCOUNTABILITY OFFICE REPORT ON BAGGAGE FEES.

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report assessing—

(1) the extent to which baggage fees imposed by air carriers have led to—

(A) increased security costs at airports, as reflected by the need for more security screening officials and security screening equipment; and

(B) economic disruption, such as requiring passengers to spend increased time waiting in line instead of pursuing more worthwhile, productive pursuits; and

(2) whether any increased costs have been borne disproportionately by taxpayers instead of air carriers.

SA 3580. Mr. BLUMENTHAL 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:

Beginning on page 106, strike line 22 and all that follows through page 107, line 9, and insert the following

''(a) PROHIBITION.—Beginning on the date that is 90 days 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 90 days 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.

SA 3581. Mr. BLUMENTHAL 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:

Beginning on page 271, strike line 15 and all that follows through page 272, line 4, and insert the following:

(1) each covered air carrier to disclose to a consumer any ancillary fees, including 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 through a link on the homepage of the covered air carrier or ticket agent and prior to the point of purchase; and

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SA 3582. Mr. BLUMENTHAL 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 subtitle A of title III, add the following:

SEC. 31___. UNFAIR OR DECEPTIVE PRACTICES RELATING TO TRAVEL INSURANCE.

Section 2 of the Act of the Act of March 9, 1945 (59 Stat. 33, chapter 20; 15 U.S.C. 1012) is amended by adding at the end the following:

''(c) Notwithstanding subsections (a) and (b), the Secretary of Transportation may investigate, and take action under section 41712(a) of title 49, United States Code, with respect to, unfair or deceptive practices and unfair methods of competition with respect to insurance relating to travel in air transportation.''.

SA 3583. Mr. BLUMENTHAL (for himself and Mr. MARKEY) 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. ___. REGULATIONS RELATING TO DISCLOSURE OF FLIGHT DATA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Transportation shall prescribe regulations prohibiting an air carrier from limiting the access of consumers to information relating to schedules, fares, and fees for flights in passenger air transportation.

(b) AIR CARRIER DEFINED.—In this section, the term ''air carrier'' means an air carrier or foreign air carrier, as those terms are defined in section 40102 of title 49, United States Code.

SA 3584. Mr. BLUMENTHAL 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 192, between lines 20 and 21, insert the following:

''(3) the existence and utility of the National Human Trafficking Resource Center.

SA 3585. Mr. BLUMENTHAL 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:

After section 2307, insert the following:

SEC. 2307A. TRAINING ON HUMAN TRAFFICKING FOR ADDITIONAL AIR CARRIER PERSONNEL.

(a) IN GENERAL.—Each air carrier shall provide ticket counter agents, gate agents, and other personnel of such air carrier whose duties include regular interaction with passengers training on recognizing and responding to victims and potential victims of human trafficking. Such training shall be in addition to any other training provided by an air carrier to such personnel.

(b) DEFINITION.—In this section, the term ''air carrier'' means a person, including a commercial enterprise, that has been issued an air carrier operating certificate under section 44705 of title 49, United States Code.

SA 3586. Mr. DURBIN 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. ___. PLANS FOR COORDINATION TO RESPOND TO SECURITY THREATS AT AIR TRAFFIC FACILITIES.

The Administrator of the Federal Aviation Administration shall ensure that the Administration provides air navigation facilities with, as appropriate—

(1) a plan for coordination with appropriate law enforcement and other authorities in the event of an emergency or insider threat;

(2) guidelines and training for response to security threats and active shooter incidents; and

(3) guidelines for coordination between offices within the Administration, including the Office of Security and Hazardous Materials Safety and the Air Traffic Organization, on integrating security and resiliency concepts into assessment and oversight activities, including guidelines for the inspection of resiliency-focused elements including electrical systems, telecommunications, and the incorporation of best practices in risk assessment capabilities.

SA 3587. Mr. WHITEHOUSE 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. _____. GREENHOUSE GAS USE AND REUSE CREDIT.

(a) SHORT TITLE.—This section may be cited as the ''Greenhouse Gas Biological Use and Reuse Act of 2016''.

(b) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 45S. CREDIT FOR GREENHOUSE GAS USE AND REUSE.

''(a) ALLOWANCE OF CREDIT.—For purposes of section 38, the greenhouse gas use and reuse credit determined under this section for any taxable year is an amount equal to the sum of—

''(1) 30 percent of the qualified investment for such taxable year with respect to greenhouse gas use and reuse equipment, plus

''(2) the applicable amount (as determined under subsection (g)) per metric ton of carbon dioxide equivalent of greenhouse gas emissions—

''(A) for a facility—

''(i) in which greenhouse gas use and reuse equipment has been placed in service,

''(ii) for which the Secretary has determined that the property described in clause (i) satisfies the requirements under subsection (b)(2), and

''(iii) which is located within the United States (within the meaning of section 638(1)) or a possession of the United States (within the meaning of section 638(2)), and

''(B) which the taxpayer demonstrates, based upon an analysis of lifecycle greenhouse gas emissions (as described in section 211(o)(1)(H) of the Clean Air Act (42 U.S.C. 7545(o)(1)(H)), as in effect on the date of the enactment of this section) and subject to such requirements as the Secretary, in consultation with the Secretary of Energy, determines appropriate, were avoided through the use of the property described in subparagraph (A)(i).

''(b) QUALIFIED INVESTMENT WITH RESPECT TO GREENHOUSE GAS USE AND REUSE EQUIPMENT.—

''(1) IN GENERAL.—For purposes of subsection (a)(1), the qualified investment with respect to greenhouse gas use and reuse equipment for any taxable year is the basis of any greenhouse gas use and reuse equipment placed in service at a facility by the taxpayer during such taxable year.

''(2) GREENHOUSE GAS USE AND REUSE EQUIPMENT.—The term 'greenhouse gas use and reuse equipment' means property—

''(A) installed in an industrial facility which is owned by the taxpayer,

''(B) which captures and diverts qualified greenhouse gases,

''(C) which results in a significant reduction in the greenhouse gas emissions rate for such facility as compared to such rate prior to the installation of such property through the use and reuse of the qualified greenhouse gases captured and diverted at such facility,

''(D) with respect to which depreciation is allowable,

''(E) which is constructed, reconstructed, erected, or acquired by the taxpayer,

''(F) the original use of which commences with the taxpayer, and

''(G) which is placed in service before the date which is 15 years after the date of the enactment of the Greenhouse Gas Biological Use and Reuse Act of 2016.

''(3) CAPTURE, TRANSPORTATION, AND STORAGE INFRASTRUCTURE.—For purposes of paragraph (2), greenhouse gas use and reuse equipment shall include infrastructure for the purification, transportation, and storage of qualified greenhouse gas, such as pipelines, wells, and monitoring systems.

''(c) CERTAIN PROGRESS EXPENDITURE RULES MADE APPLICABLE.—Rules similar to the rules of subsections (c)(4) and (d) of section 46 (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990) shall apply for purposes of subsection (a)(1).

''(d) 10-YEAR LIMITATION ON CREDIT FOR USE AND REUSE.—

''(1) IN GENERAL.—For purposes of paragraph (2) of subsection (a), the credit allowed under such subsection shall be not be applicable to any emissions avoided through the use of greenhouse gas use and reuse equipment installed at a facility following the applicable credit period.

''(2) APPLICABLE CREDIT PERIOD.—For purposes of paragraph (1), the 'applicable credit period' is the 10-year period beginning in the first taxable year in which a credit is allowed under paragraph (2) of subsection (a) for such facility.

''(e) RECAPTURE.—The Secretary, in consultation with the Secretary of Energy, shall provide for recapturing the benefit of any credit allowable under subsection (a) with respect to any project which fails to attain or maintain the applicable requirements under this section.

''(f) PERSON TO WHOM CREDIT IS ALLOWABLE.—

''(1) IN GENERAL.—Except as provided in paragraph (2) or in regulations prescribed by the Secretary, for purposes of paragraph (2) of subsection (a), any credit under such subsection shall be allowed to the taxpayer who—

''(A) captures and diverts the qualified greenhouse gas, and

''(B) through contract or otherwise, uses or reuses the qualified greenhouse gas in a manner meeting the requirements of subparagraph (B) of subsection (a)(2).

''(2) ELECTION TO ALLOW CREDIT TO PERSON DISPOSING OF CARBON DIOXIDE.—If the person described in paragraph (1) makes an election under this paragraph in such manner as the Secretary may prescribe by regulations, the credit under this section—

''(A) shall be allowable to the person that uses or reuses the qualified greenhouse gas in a manner meeting the requirements of subparagraph (B) of subsection (a)(2), and

''(B) shall not be allowable to the person described in paragraph (1).

''(g) APPLICABLE AMOUNT.—

''(1) IN GENERAL.—For purposes of paragraph (2) of subsection (a), the applicable amount is—

''(A) for calendar year 2016, $45, and

''(B) for any calendar year beginning after 2016, the sum of—

''(i) the product of the amount in effect under this subparagraph for the preceding calendar year and 102 percent, and

''(ii) the inflation adjustment amount determined under paragraph (2).

''(2) INFLATION ADJUSTMENT AMOUNT.—The inflation adjustment amount for any calendar year shall be an amount (not less than zero) equal to the product of—

''(A) the amount determined under paragraph (1)(B)(i), and

''(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2015' for 'calendar year 1992' in subparagraph (B) thereof.

''(3) ROUNDING.—The applicable amount determined under this subsection shall be rounded to the nearest dollar.

''(h) DEFINITIONS.—In this section:

''(1) CARBON DIOXIDE EQUIVALENT.—The term 'carbon dioxide equivalent' means, with respect to a greenhouse gas, the quantity of such gas that has a global warming potential equivalent to 1 metric ton of carbon dioxide, as determined by the Administrator of the Environmental Protection Agency.

''(2) GREENHOUSE GAS.—The term 'greenhouse gas' has the same meaning given such term under section 211(o)(1)(G) of the Clean Air Act, as in effect on the date of the enactment of this section.

''(3) QUALIFIED GREENHOUSE GAS.—The term 'qualified greenhouse gas' means a greenhouse gas captured from an industrial source which—

''(A) would otherwise be released into the atmosphere as industrial emission of greenhouse gas, and

''(B) is measured at the source of capture and verified at the point of sequestration.

''(4) USE AND REUSE.—The term 'use and reuse' means a process consisting of the biofixation of greenhouse gas through photosynthesis or chemosynthesis, such as through the growing of algae or bacteria.''.

(c) CONFORMING AMENDMENTS.—

(1) TABLE OF SECTIONS.—The table of sections for subpart D of part IV of subchapter A of chapter 1 of such Code is amended by adding at the end the following new item:

''Sec. 45S. Credit for greenhouse gas use and reuse.''.

(2) GENERAL BUSINESS CREDIT.—Section 38(b) of such Code is amended by striking ''plus'' at the end of paragraph (35), by striking the period at the end of paragraph (36) and inserting '', plus'', and by adding at the end the following new paragraph:

''(37) the credit for greenhouse gas use and reuse determined under section 45S(a),''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SA 3588. Ms. CANTWELL 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. ___. REQUIREMENT FOR LAW ENFORCEMENT OFFICERS AND EXPLOSIVE DETECTION CANINES AT AIRPORTS.

(a) REQUIREMENT.—The Administration of the Transportation Security Administration shall require that the air transportation security program required by section 44903(c)(1) of title 49, United States Code, for each covered airport include the following:

(1) Beginning not more than 30 days after the date of the enactment of this Act, that a State or local law enforcement officer is stationed not more than 300 feet from each passenger screening checkpoint at each covered airport.

(2) Beginning not more than 180 days after the date of the enactment of this Act, that an explosives detection canine team of a State or local law enforcement agency is assigned to each terminal at each covered airport.

(b) TECHNICAL SUPPORT.—The Administrator of the Transportation Security Administration shall provide technical and other support to State or local law enforcement agencies providing the personnel described in paragraph (1) or (2) of subsection (a).

(c) COVERED AIRPORT DEFINED.—In this section, the term ''covered airport'' means the 25 airports in the United States with the highest numbers of passengers enplaned each year.

(d) FUNDING.—Out of funds made available to the Transportation Security Administration for fiscal year 2016, $20,000,000 shall be available for State and local law enforcement agencies, as a transfer of funds, to train, certify, and utilize explosives detection canines.

SA 3589. Mr. KING (for himself, Ms. COLLINS, Ms. AYOTTE, Mrs. SHAHEEN, and Ms. BALDWIN) 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. _____. RESIDENTIAL ENERGY-EFFICIENT PROPERTY CREDIT FOR BIOMASS FUEL PROPERTY EXPENDITURES.

(a) ALLOWANCE OF CREDIT.—Subsection (a) of section 25D of the Internal Revenue Code of 1986 is amended—

(1) by striking ''and'' at the end of paragraph (4),

(2) by striking the period at the end of paragraph (5) and inserting '', and'', and

(3) by adding at the end the following new paragraph:

''(6) in the case of taxable years beginning before January 1, 2021, 30 percent of the qualified biomass fuel property expenditures made by the taxpayer during such year.''.

(b) QUALIFIED BIOMASS FUEL PROPERTY EXPENDITURES.—Subsection (d) of section 25D of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(6) QUALIFIED BIOMASS FUEL PROPERTY EXPENDITURE.—

''(A) IN GENERAL.—The term 'qualified biomass fuel property expenditure' means an expenditure for property—

''(i) which uses the burning of biomass fuel to heat a dwelling unit located in the United States and used as a residence by the taxpayer, or to heat water for use in such a dwelling unit, and

''(ii) which has a thermal efficiency rating of at least 75 percent (measured by the higher heating value of the fuel).

''(B) BIOMASS FUEL.—For purposes of this section, the term 'biomass fuel' means any plant-derived fuel available on a renewable or recurring basis, including agricultural crops and trees, wood and wood waste and residues, plants (including aquatic plants), grasses, residues, and fibers. Such term includes densified biomass fuels such as wood pellets.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to expenditures paid or incurred in taxable years beginning after December 31, 2015.

SEC. _____. INVESTMENT TAX CREDIT FOR BIOMASS HEATING PROPERTY.

(a) IN GENERAL.—Subparagraph (A) of section 48(a)(3) of the Internal Revenue Code of 1986 is amended by striking ''or'' at the end of clause (vi), by inserting ''or'' at the end of clause (vii), and by inserting after clause (vii) the following new clause:

''(viii) open-loop biomass (within the meaning of section 45(c)(3)) heating property, including boilers or furnaces which operate at thermal output efficiencies of not less than 65 percent (measured by the higher heating value of the fuel) and which provide thermal energy in the form of heat, hot water, or steam for space heating, air conditioning, domestic hot water, or industrial process heat,''.

(b) 30-PERCENT AND 15-PERCENT CREDITS.—

(1) ENERGY PERCENTAGE.—

(A) IN GENERAL.—Subparagraph (A) of section 48(a)(2) of the Internal Revenue Code of 1986 is amended by redesignating clause (ii) as clause (iii) and by inserting after clause (i) the following new clause:

''(ii) except as provided in clause (i)(V), 15 percent in the case of energy property described in paragraph (3)(A)(viii), but only with respect to periods ending before January 1, 2021, and''.

(B) CONFORMING AMENDMENT.—Subparagraph of section 48(a)(2)(A)(iii) of such Code, as so redesignated, is amended by inserting ''or (ii)'' after ''clause (i)''.

(2) INCREASED CREDIT FOR GREATER EFFICIENCY.—Clause (i) of section 48(a)(2)(A) of such Code is amended by striking ''and'' at the end of subclause (III) and by inserting after subclause (IV) the following new subclause:

''(V) energy property described in paragraph (3)(A)(viii) which operates at a thermal output efficiency of not less than 80 percent (measured by the higher heating value of the fuel), but only with respect to periods ending before January 1, 2021,''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to periods after December 31, 2015, in taxable years ending after such date, under rules similar to the rules of section 48(m) of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990).

SA 3590. Mr. WARNER 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 120, line 1, insert '', or certified commercial operators operating under contract with a public entity,'' after ''systems''.

SA 3591. Mr. SESSIONS 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. ___. REQUIREMENT FOR AUTOMATED ENTRY AND EXIT SYSTEM AT NEW OR MODIFIED AIR PORTS OF ENTRY.

No funds shall be obligated or expended for the physical modification of any existing air navigation facility that is a port of entry, or for the construction of a new air navigation facility intended to be a port of entry, unless the Secretary of Homeland Security certifies that the owner or sponsor of the facility has entered into an agreement that guarantees the installation and implementation of the automated entry and exit system described in section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b) at such facility not later than two years after the date of the enactment of this Act.

SA 3592. Mr. LANKFORD 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:

Strike sections 3201, 3202, 3203, and 3204 and insert the following:

SEC. 3202. REPEAL OF THE ESSENTIAL AIR SERVICE PROGRAM.

Strike subchapter II of chapter 417.

SA 3593. Mr. LANKFORD 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:

Strike sections 3202 and 3203 and insert the following:

SEC. 3202. REPEAL OF SMALL COMMUNITY AIR SERVICE DEVELOPMENT PROGRAM.

Chapter 417 is amended by striking section 41743.

SA 3594. Mr. LANKFORD 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 289, line 7, strike ''$10,000,000'' and insert ''$6,000,000''.

SA 3595. Mr. LANKFORD 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 264, strike lines 3 through 9, and insert the following:

(2) CONSIDERATIONS.—In conducting the review required by paragraph (1), the Secretary shall take into consideration the refund policy and alternative travel options provided or offered by an air carrier.

SA 3596. Mr. INHOFE 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 75, beginning on line 11, strike ''integration'' and all that follows and insert the following: ''integration into the national airspace system of small unmanned aircraft systems that are capable of navigating beyond the visual sight of the operator through an automated onboard control system or via a data downlink that provides the operator a virtual means of onboard navigation''.

On page 80, between lines 11 and 12, insert the following:

''(h) NONAPPLICABILITY TO MODEL AIRCRAFT.—This section shall not apply to model aircraft, as defined in section 44808, and operating in accordance with that section.''.

On page 99, beginning on line 19, strike ''specific only'' and all that follows through ''model aircraft'' on line 20, and insert the following: ''applicable to an unmanned aircraft operating as a model aircraft or an unmanned aircraft being developed as a model aircraft''.

On page 100, beginning on line 11, strike '', where applicable'' and all that follows through ''the operation from each'' on line 15, and insert the following: ''with prior notice, where applicable, and coordinates with the airport air traffic control tower, to the extent practicable, when an air traffic facility is located at the airport, with respect to the operation''.

On page 101, beginning on line 2, strike ''administered'' and all that follows through ''section 44809'' on line 5, and insert the following: ''developed and administered by the community-based organization for the operation of model aircraft''.

On page 101, lines 10 and 11, strike ''with government and industry stakeholders, including'' and insert ''the''.

On page 104, strike lines 1 through 3 and insert the following:

(1)(A) the individual has successfully completed an aeronautical knowledge and safety test under subsection (c); or

(B) the individual is operating a model aircraft under section 44808 and has successfully completed an aeronautical knowledge and safety test in accordance with the safety program of the community-based organization described in subsection (a)(7) of that section;

Beginning on page 106, strike ''introduction'' on line 25 and all the follows through ''unmanned'' on page 107, line 1, and insert the following: ''initial retail sale any unmanned''.

SA 3597. Mr. INHOFE 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:

Strike section 3110 and insert the following:

SEC. 3110. REFUNDS FOR OTHER FEES THAT ARE NOT HONORED BY A COVERED AIR CARRIER.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Transportation shall promulgate regulations that require each covered air carrier to promptly provide a refund to a passenger, upon request, of any ancillary fees paid by the passenger for a service, as defined and disclosed by the air carrier, that, except as provided in subsection (b), the passenger does not receive, including on the passenger's scheduled flight or, if the flight is rescheduled, a subsequent replacement itinerary.

(b) EXCEPTIONS.—

(1) VOLUNTARY CHANGES IN ITINERARY.—Subsection (a) shall not apply if a passenger does not receive a service described in that subsection because the passenger voluntarily chose to make changes to the passenger's flight itinerary.

(2) EXTRAORDINARY CIRCUMSTANES.—An air carrier is not required to provide a refund under subsection (a) with respect to a fee for a service if the carrier is prevented from provide the service by extraordinary circumstances that could not have been avoided by the air carrier even if all reasonable measures had been taken.

SA 3598. Mr. INHOFE 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:

Strike section 3109 and insert the following:

SEC. 3109. REFUNDS FOR DELAYED BAGGAGE.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Transportation shall issue final regulations to require a covered air carrier to promptly provide a refund to a passenger, upon request, in the amount of any applicable ancillary fees paid by the passenger if the air carrier has charged the passenger an ancillary fee for checked baggage and, except as provided in subsection (b), the air carrier fails to deliver the checked baggage to the passenger within 24 hours of the time of arrival of the passenger at the passenger's destination.

(b) EXCEPTION.—An air carrier is not required to provide a refund under subsection (a) with respect to checked baggage if the air carrier is prevented from delivering checked baggage by the time specified in subsection (a) by extraordinary circumstances that could not have been avoided by the air carrier even if all reasonable measures had been taken.

SA 3599. Mr. CRAPO (for himself and 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:

At the appropriate place, insert the following:

SEC. _____. FACILITATE WATER LEASING AND WATER TRANSFERS TO PROMOTE CONSERVATION AND EFFICIENCY.

(a) IN GENERAL.—Paragraph (12) of section 501(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(I) TREATMENT OF MUTUAL DITCH IRRIGATION COMPANIES.—

''(i) IN GENERAL.—In the case of a mutual ditch or irrigation company or of a like organization to a mutual ditch or irrigation company, subparagraph (A) shall be applied without taking into account any income received or accrued—

''(I) from the sale, lease, or exchange of fee or other interests in real property, including interests in water,

''(II) from the sale or exchange of stock in a mutual ditch or irrigation company (or in a like organization to a mutual ditch or irrigation company) or contract rights for the delivery or use of water, or

''(III) from the investment of proceeds from sales, leases, or exchanges under subclauses (I) and (II),

except that any income received under subclause (I), (II), or (III) which is distributed or expended for expenses (other than for operations, maintenance, and capital improvements) of the mutual ditch or irrigation company or of the like organization to a mutual ditch or irrigation company (as the case may be) shall be treated as nonmember income in the year in which it is distributed or expended. For purposes of the preceding sentence, expenses (other than for operations, maintenance, and capital improvements) include expenses for the construction of conveyances designed to deliver water outside of the system of the mutual ditch or irrigation company or of the like organization.

''(ii) TREATMENT OF ORGANIZATIONAL GOVERNANCE.—In the case of a mutual ditch or irrigation company or of a like organization to a mutual ditch or irrigation company, where State law provides that such a company or organization may be organized in a manner that permits voting on a basis which is pro rata to share ownership on corporate governance matters, subparagraph (A) shall be applied without taking into account whether its member shareholders have one vote on corporate governance matters per share held in the corporation. Nothing in this clause shall be construed to create any inference about the requirements of this subsection for companies or organizations not included in this clause.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after the date of the enactment of this Act.

SA 3600. Ms. CANTWELL (for herself and Mrs. MURRAY) 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. ___. RESEARCH PROGRAM ON ALTERNATIVE JET FUEL TECHNOLOGY FOR CIVIL AIRCRAFT.

Section 911 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 44504 note) is amended—

(1) in subsection (a), by striking ''to assist in'' and inserting ''with the objective of accelerating'';

(2) in subsection (c)(1)(B), by inserting ''and ability to prioritize researchable constraints'' after ''with experience''; and

(3) by adding at the end the following:

''(e) COLLABORATION AND REPORT.—

''(1) COLLABORATION.—The Administrator, in coordination with the Administrator of NASA, the Secretary of Energy, and the Secretary of Agriculture, shall continue research and development activities into the development and deployment of jet fuels described in subsection (a).

''(2) REPORT.—Not later than 180 days after the date of the enactment of the Federal Aviation Administration Reauthorization Act of 2016, the Administrator, in coordination with the Administrator of NASA, the Secretary of Energy, and the Secretary of Agriculture, and after consultation with the heads of other relevant agencies, shall—

''(A) develop a joint plan to carry out the research described in subsection (a); and

''(B) submit to Congress a report on such joint plan.''.

SA 3601. Mr. MORAN (for himself and Mr. SESSIONS) 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 171, line 26, strike the period and insert the following: ''or the acceptance or validation by the FAA of a certificate or design approval of a foreign authority.''.

SA 3602. 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 215, strike lines 1 through 11, and insert the following:

(3) UNDEVELOPED DEFINED.—For purposes of paragraph (1)(F), the term ''undeveloped'' means a defined geographic area where the Administrator determines low-flying aircraft are operated on a routine basis, such as low-lying forested areas with predominate tree cover under 200 feet and pasture and range land.

(4) OTHER DEFINITIONS.—The Administrator shall define such other terms as may be necessary to carry out this section.

(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 that, by virtue of accessing the database, users will be deemed to agree and acknowledge—

(A) that the information will be used for aviation safety purposes only; and

(B) not to disclose any such information regardless of whether the information is marked or labeled as proprietary or with a similar designation.

SA 3603. 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 257, between lines 12 and 13, insert the following:

SEC. 2606. USE OF GRAPHICS FOR TEMPORARY FLIGHT RESTRICTIONS IN NOTICES TO AIRMEN AND USE FOR OPERATIONAL PURPOSES.

(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—

(1) incorporate graphics for temporary flight restrictions (TFR) into the notices to airmen (NOTAM) search Internet website; and

(2) ensure that such graphics are—

(A) available for operational purposes; and

(B) recognized as an acceptable source of temporary flight restriction data for flight planning.

(b) TERMINATION OF PREVIOUS INTERNET WEBSITE.—After carrying out subsection (a)(1), the Administrator shall terminate the graphic temporary flight restriction Internet website of the Administration that was in effect on the day before the date of the enactment of this Act.

SA 3604. Mr. DAINES 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 270, strike lines 2 through 11 and insert the following:

(a) RULEMAKING.—

(1) 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 or other compensation to a passenger if the covered air carrier—

(A) has charged the passenger an ancillary fee for checked baggage; and

(B) 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.

(2) CHOICE OF COMPENSATION.—The final regulations issued under paragraph (1) may allow a passenger to select another form of compensation offered by a covered air carrier in lieu of an automatic refund if the passenger is immediately notified that he or she is entitled to a refund, among the options for compensation.

SA 3605. Mrs. GILLIBRAND (for herself and Mr. SCHUMER) 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. 5023. HELICOPTER NOISE ABATEMENT.

(a) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a final rule setting forth guidelines and regulations relating to stringency standards for Stage 3 noise levels for helicopters that—

(1) create a requirement to retrofit existing helicopters to comply with Stage 3 noise levels as prescribed in subpart H of part 36 of title 14, Code of Federal Regulations; and

(2) require the retirement of helicopters not in compliance with Stage 3 noise levels by December 31, 2024.

(b) EXEMPTIONS.—Helicopters utilized for medical purposes or governmental functions (as defined in section 1.1 of title 14, Code of Federal Regulations) shall be exempt from the guidelines and regulations required by subsection (a).

(c) STAGE 3 NOISE LEVELS DEFINED.—In this section, the term ''Stage 3 noise level'' has the meaning given that term in section 36.1 of title 14, Code of Federal Regulations.

SA 3606. Mr. THUNE 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:

Strike section 2153(a) and insert the following:

(a) IN GENERAL.—Small unmanned aircraft systems may use spectrum for wireless control link, tracking, diagnostics, payload communication, and collaborative-collision avoidance, such as vehicle-to-vehicle communication, and other uses, 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 through voluntary commercial arrangements with service providers, whether they are operating within a UTM system under section 2138 of this Act or outside such a system.

SA 3607. Ms. HIRONO (for herself and Mr. DAINES) 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. ___. FEDERAL AVIATION ADMINISTRATION PERSONNEL MANAGEMENT SYSTEM.

Section 40122(g)(2)(B) is amended—

(1) by inserting ''3304(f),'' before ''3308-3320''; and

(2) by inserting ''3330a, 3330b, 3330c, and 3330d,'' before ''relating''.

SA 3608. Ms. HIRONO (for herself and Mr. DAINES) 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 324, strike line 21, and all that follows through page 325, line 3, and insert the following:

(c) APPLICATION.—The amendments made by this section shall apply with respect to any employee of the Federal Aviation Administration or the Transportation Security 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 and the Administrator of the Transportation Security Administration shall

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SA 3609. Mr. MENENDEZ 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. _____. SPECIAL RULE FOR CERTAIN FACILITIES.

(a) IN GENERAL.—Section 45(e) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(12) SPECIAL RULE FOR CERTAIN QUALIFIED FACILITIES.—

''(A) IN GENERAL.—In the case of electricity produced at a qualified facility described in paragraph (3) or (7) of subsection (d) and placed in service before the date of the enactment of this paragraph, a taxpayer may elect to apply subsection (a)(2)(A)(ii) by substituting 'the period beginning after December 31, 2016, and ending before January 1, 2018' for 'the 10-year period beginning on the date the facility was originally placed in service'.

''(B) LIMITATION.—No credit shall be allowed under subsection (a) to any taxpayer making an election under this paragraph with respect to electricity produced and sold at a facility during any period which, when aggregated with all other periods for which a credit is allowed under this section with respect to electricity produced and sold at such facility, is in excess of 10 years.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on January 1, 2017.

SA 3610. Mr. MENENDEZ 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:

Strike section 3103 and insert the following:

SEC. 3103. PROTECTIONS FOR CONSUMERS PURCHASING MULTI-CITY ITINERARIES.

(a) REVIEW.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall review whether it is an unfair and deceptive practice

under section 41712 of title 49, United States Code, for an air carrier to withhold from consumers any fare options for a flight based on whether that flight is booked as an individual flight or as part of a multi-city itinerary.

(b) REPORT TO CONGRESS.—Not later than 90 days after 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 resulting from the review.

(c) 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 (Public Law 112–95; 49 U.S.C. 42301 prec. note), to assist in conducting the review under subsection (a) and providing recommendations under subsection (b).

SEC. 3104. ADDITIONAL CONSUMER PROTECTIONS.

Not later than 180 days after the date that the reviews under sections 3101, 3102, and 3103 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.

(3) Requiring an air carrier to advertise to consumers all fare options for a flight, regardless of whether that flight is booked as an individual flight or multi-city itinerary.

SA 3611. 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PILOT PROGRAM ON FINANCIAL ASSISTANCE FOR AIRPORTS TO IMPROVE PHYSICAL LAYOUT OF SCREENING OPERATIONS.

(a) IN GENERAL.—The Administrator of the Transportation Security Administration shall establish a pilot program to assess the feasibility and advisability of providing financial assistance to airports to improve the physical layout of screening operations to improve security at airports.

(b) FINANCIAL ASSISTANCE.—The Administrator may provide financial assistance under subsection (a) in the form of long-term funding obligations through letters of intent or such other instruments as the Administrator considers appropriate.

(c) COMPLETION OF PILOT PROGRAM.—The Administrator shall complete the pilot program before December 31, 2019.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator such sums as may be necessary to carry out this section.

SA 3612. Mr. ISAKSON (for himself and Ms. KLOBUCHAR) 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 297, between lines 23 and 24, insert the following:

(3) utilize available resources of the Federal Aviation Administration as needed to support the development and certification of Category III Ground-Based Augmentation System (GBAS) capability and complete the investment decision process for Administration procurement and operation of GBAS capability at the key National Airspace System airports, as per the recommendations of the Performance-Based Airspace Aviation Rulemaking Committee.

SA 3613. Mr. ISAKSON 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:

Beginning on page 178, strike line 13, and all that follows through page 180, line 15, and insert the following:

''(A) ACCEPTANCE.—Subject to subparagraph (D), the Administrator may 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;

''(iv) the aeronautical safety authority utilizes an open and transparent public notice and comment process, including considering comments from owners and operators of foreign-registered aircraft and other aeronautical products and appliances in the issuance of airworthiness directives; and

''(v) the airworthiness directive addresses a specific issue necessary for the safe operation of aircraft subject to the directive.

''(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 shall consider an alternative means of compliance with respect to the airworthiness directive and may approve such alternative means, if appropriate.

''(D) LIMITATIONS.—The Administrator may not accept an airworthiness directive issued by an aeronautical safety authority of a foreign country if the airworthiness directive addresses matters other than those involving the safe operation of an aircraft.''.

SA 3614. Mr. DAINES (for himself and Ms. MURKOWSKI) 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. _____. EXTENSION OF CREDITS FOR ELECTRICITY PRODUCED FROM QUALIFIED HYDROPOWER AND MARINE AND HYDROKINETIC RENEWABLE ENERGY.

(a) QUALIFIED HYDROPOWER FACILITIES.—

(1) IN GENERAL.—Clause (ii) of section 45(d)(9)(A) of the Internal Revenue Code of 1986 is amended by striking ''January 1, 2017'' and inserting ''January 1, 2020''.

(2) CONFORMING AMENDMENT.—Subparagraph (C) of section 45(d)(9) of such Code is amended by striking ''January 1, 2017'' and inserting ''January 1, 2020''.

(b) MARINE AND HYDROKINETIC RENEWABLE ENERGY.—Subparagraph (B) of section 45(d)(11) of the Internal Revenue Code of 1986 is amended by striking ''January 1, 2017'' and inserting ''January 1, 2020''.

(c) ELECTION TO TREAT QUALIFIED FACILITIES AS ENERGY PROPERTY.—Clause (ii) of section 48(a)(5)(C) of the Internal Revenue Code of 1986 is amended by inserting '', (9), or (11)'' after ''paragraph (1)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2016.

SA 3615. Mr. MORAN (for himself and Mr. COONS) 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. _____. EXTENSION OF PUBLICLY TRADED PARTNERSHIP OWNERSHIP STRUCTURE TO ENERGY POWER GENERATION PROJECTS, TRANSPORTATION FUELS, AND RELATED ENERGY ACTIVITIES.

(a) IN GENERAL.—Subparagraph (E) of section 7704(d)(1) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''income and gains derived from the exploration'' and inserting ''income and gains derived from the following:

''(i) MINERALS, NATURAL RESOURCES, ETC.—The exploration'',

(2) by inserting ''or'' before ''industrial source'',

(3) by inserting a period after ''carbon dioxide'', and

(4) by striking '', or the transportation or storage'' and all that follows and inserting the following:

''(ii) RENEWABLE ENERGY.—The generation of electric power (including the leasing of tangible personal property used for such generation) exclusively utilizing any resource described in section 45(c)(1) or energy property described in section 48 (determined without regard to any termination date), or in the case of a facility described in paragraph (3) or (7) of section 45(d) (determined without regard to any placed in service date or date by which construction of the facility is required to begin), the accepting or processing of such resource.

''(iii) ELECTRICITY STORAGE DEVICES.—The receipt and sale of electric power that has been stored in a device directly connected to the grid.

''(iv) COMBINED HEAT AND POWER.—The generation, storage, or distribution of thermal energy exclusively utilizing property described in section 48(c)(3) (determined without regard to subparagraphs (B) and (D) thereof and without regard to any placed in service date).

''(v) RENEWABLE THERMAL ENERGY.—The generation, storage, or distribution of thermal energy exclusively using any resource described in section 45(c)(1) or energy property described in clause (i) or (iii) of section 48(a)(3)(A).

''(vi) WASTE HEAT TO POWER.—The use of recoverable waste energy, as defined in section 371(5) of the Energy Policy and Conservation Act (42 U.S.C. 6341(5)) (as in effect on the date of the enactment of the Federal Aviation Administration Reauthorization Act of 2016).

''(vii) RENEWABLE FUEL INFRASTRUCTURE.—The storage or transportation of any fuel described in subsection (b), (c), (d), or (e) of section 6426.

''(viii) RENEWABLE FUELS.—The production, storage, or transportation of any renewable fuel described in section 211(o)(1)(J) of the Clean Air Act (42 U.S.C. 7545(o)(1)(J)) (as in effect on the date of the enactment of the Federal Aviation Administration Reauthorization Act of 2016) or section 40A(d)(1).

''(ix) RENEWABLE CHEMICALS.—The production, storage, or transportation of any qualifying renewable chemical (as defined in paragraph (6)).

''(x) ENERGY EFFICIENT BUILDINGS.—The audit and installation through contract or other agreement of any energy efficient building property described in section 179D(c)(1).

''(xi) GASIFICATION WITH SEQUESTRATION.—The production of any product or the generation of electric power from a project that meets the requirements of subparagraphs (A) and (B) of section 48B(c)(1) and that separates and sequesters in secure geological storage (as determined under section 45Q(d)(2)) at least 75 percent of such project's total qualified carbon dioxide (as defined in section 45Q(b)).

''(xii) CARBON CAPTURE AND SEQUESTRATION.—

''(I) POWER GENERATION FACILITIES.—The generation or storage of electric power (including associated income from the sale or marketing of energy, capacity, resource adequacy, and ancillary services) produced from any power generation facility which is, or from any power generation unit within, a qualified facility described in section 45Q(c) which—

''(aa) in the case of a power generation facility or power generation unit placed in service after January 8, 2013, captures 50 percent or more of the qualified carbon dioxide (as defined in section 45Q(b)) of such facility and disposes of such captured qualified carbon dioxide in secure geological storage (as determined under section 45Q(d)(2)), and

''(bb) in the case of a power generation facility or power generation unit placed in service before January 9, 2013, captures 30 percent or more of the qualified carbon dioxide (as defined in section 45Q(b)) of such facility and disposes of such captured qualified carbon dioxide in secure geological storage (as determined under section 45Q(d)(2)).

''(II) OTHER FACILITIES.—The sale of any good or service from any facility (other than a power generation facility) which is a qualified facility described in section 45Q(c) and the captured qualified carbon dioxide (as so defined) of which is disposed of in secure geological storage (as determined under section 45Q(d)(2)).''.

(b) RENEWABLE CHEMICAL.—

(1) IN GENERAL.—Section 7704(d) of such Code is amended by adding at the end the following new paragraph:

''(6) QUALIFYING RENEWABLE CHEMICAL.—

''(A) IN GENERAL.—The term 'qualifying renewable chemical' means any renewable chemical (as defined in section 9001 of the Agriculture Act of 2014)—

''(i) which is produced by the taxpayer in the United States or in a territory or possession of the United States,

''(ii) which is the product of, or reliant upon, biological conversion, thermal conversion, or a combination of biological and thermal conversion, of renewable biomass (as defined in section 9001(13) of the Farm Security and Rural Investment Act of 2002),

''(iii) the biobased content of which is 95 percent or higher,

''(iv) which is sold or used by the taxpayer—

''(I) for the production of chemical products, polymers, plastics, or formulated products, or

''(II) as chemicals, polymers, plastics, or formulated products,

''(v) which is not sold or used for the production of any food, feed, or fuel, and

''(vi) which is—

''(I) acetic acid, acrylic acid, acyl glutamate, adipic acid, algae oils, algae sugars, 1,4-butanediol (BDO), iso-butanol, n-butanol, C10 and higher hydrocarbons produced from olefin metathesis, carboxylic acids produced from olefin metathesis, cellulosic sugar, diethyl methylene malonate, dodecanedioic acid (DDDA), esters produced from olefin metathesis, ethyl acetate, ethylene glycol, farnesene, 2,5-furandicarboxylic acid, gamma-butyrolactone, glucaric acid, hexamethylenediamine (HMD), 3-hydroxy propionic acid, isoprene, itaconic acid, levulinic acid, polyhydroxyalkonate (PHA), polylactic acid (PLA), polyethylene furanoate (PEF), polyethylene terephthalate (PET), polyitaconic acid, polyols from vegetable oils, poly(xylitan levulinate ketal), 1,3-propanediol, 1,2-propanediol, rhamnolipids, succinic acid, terephthalic acid, or *p*-Xylene, or

''(II) any chemical not described in clause (i) which is a chemical listed by the Secretary for purposes of this paragraph.

''(B) BIOBASED CONTENT.—For purposes of subparagraph (A)(iii), the term 'biobased content percentage' means, with respect to any renewable chemical, the biobased content of such chemical (expressed as a percentage) determined by testing representative samples using the American Society for Testing and Materials (ASTM) D6866.''.

(2) LIST OF OTHER QUALIFYING RENEWABLE CHEMICALS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury (or the Secretary's delegate), in consultation with the Secretary of Agriculture, shall establish a program to consider applications from taxpayers for the listing of chemicals under section 7874(d)(6)(A)(vi)(II) (as added by paragraph (1)).

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, in taxable years ending after such date.

SA 3616. Mr. HATCH (for himself, Mr. COATS, 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:

At the appropriate place, insert the following:

SEC. _____. NOTICE REQUIRED BEFORE REVOCATION OF TAX EXEMPT STATUS FOR FAILURE TO FILE RETURN.

(a) IN GENERAL.—Section 6033(j) of the Internal Revenue Code of 1986 is amended by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively, and by inserting after paragraph (1) the following new paragraph:

''(2) REQUIREMENT OF NOTICE.—

''(A) IN GENERAL.—Not later than 270 days after the date an organization described in paragraph (1) fails to file the annual return or notice referenced in paragraph (1) for 2 consecutive years, the Secretary shall notify the organization—

''(i) that the Internal Revenue Service has no record of such a return or notice from such organization for 2 consecutive years, and

''(ii) about the penalty that will occur under this subsection if the organization fails to file such a return or notice by the date of the next filing deadline.

The notification under the preceding sentence shall include information about how to comply with the filing requirements under subsection (a)(1) and (i).''.

(b) REINSTATEMENT WITHOUT APPLICATION.—Paragraph (3) of section 6033(j) of the Internal Revenue Code of 1986, as redesignated under subsection (a), is amended—

(1) by striking ''Any organization'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), any organization'', and

(2) by adding at the end the following new subparagraph:

''(B) RETROACTIVE REINSTATEMENT WITHOUT APPLICATION IF ACTUAL NOTICE NOT PROVIDED.—If an organization described in paragraph (1)—

''(i) demonstrates to the satisfaction of the Secretary that the organization did not receive the notice required under paragraph (2), and

''(ii) files an annual return or notice referenced in paragraph (1) for the current year, then the Secretary may reinstate the organization's exempt status effective from the date of the revocation under paragraph (1) without the need for an application.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to notices and returns required to be filed after December 31, 2015.

SA 3617. Mr. HATCH (for himself, Mr. ROBERTS, Mr. CASEY, 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 appropriate place, insert the following:

SEC. _____. CREDIT FOR STATE LICENSURE AND CERTIFICATION COSTS OF MILITARY SPOUSES ARISING BY REASON OF A PERMANENT CHANGE IN THE DUTY STATION OF THE MEMBER OF THE ARMED FORCES TO ANOTHER STATE.

(a) IN GENERAL.—Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 25D the following new section:

''SEC. 25E. STATE LICENSURE AND CERTIFICATION COSTS OF MILITARY SPOUSE ARISING FROM TRANSFER OF MEMBER OF ARMED FORCES TO ANOTHER STATE.

''(a) IN GENERAL.—In the case of an eligible individual, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the qualified relicensing costs of such individual which are paid or incurred by the taxpayer during the taxable year.

''(b) MAXIMUM CREDIT.—The credit allowed by this section with respect to each change of duty station shall not exceed $500.

''(c) DEFINITIONS.—For purposes of this section—

''(1) ELIGIBLE INDIVIDUAL.—The term 'eligible individual' means any individual—

''(A) who is married to a member of the Armed Forces of the United States at the time that the member moves to another State under a permanent change of station order, and

''(B) who moves to such other State with such member.

''(2) QUALIFIED RELICENSING COSTS.—The term 'qualified relicensing costs' means costs—

''(A) which are for a license or certification required by the State referred to in paragraph (1) to engage in the profession that such individual engaged in while within the State from which the individual moved, and

''(B) which are paid or incurred during the period beginning on the date that the orders referred to in paragraph (1)(A) are issued and ending on the date which is 1 year after the reporting date specified in such orders.

''(d) DENIAL OF DOUBLE BENEFIT.—The amount of any deduction or other credit allowable under this chapter for any expense taken into account in determining the credit allowed under this section shall be reduced by the amount of the credit under this section.''.

(b) CLERICAL AMENDMENT.—The table of sections for such subpart A is amended by inserting after the item relating to section 25D the following new item:

''Sec. 25E. State licensure and certification costs of military spouse arising from transfer of member of Armed Forces to another State.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

SA 3618. Mr. HATCH (for himself, Mr. HELLER, and Mr. CARPER) 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. _____. INVESTMENT CREDIT FOR WASTE HEAT TO POWER PROPERTY.

(a) IN GENERAL.—Subparagraph (A) of section 48(a)(3) of the Internal Revenue Code of 1986 is amended by striking ''or'' at the end of clause (vi), by striking the comma at the end of clause (vii) and inserting '', or'', and by inserting after clause (vii) the following new clause:

''(viii) waste heat to power property,''.

(b) WASTE HEAT TO POWER PROPERTY.—Subsection (c) of section 48 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(5) WASTE HEAT TO POWER PROPERTY.—

''(A) IN GENERAL.—The term 'waste heat to power property' means property—

''(i) comprising a system which generates electricity through the recovery of a qualified waste heat resource, and

''(ii) which is placed in service before January 1, 2018.

''(B) QUALIFIED WASTE HEAT RESOURCE.—The term 'qualified waste heat resource' means—

''(i) exhaust heat or flared gas from an industrial process that does not have, as its primary purpose, the production of electricity, and

''(ii) a pressure drop in any gas for an industrial or commercial process.

''(C) LIMITATIONS.—

''(i) IN GENERAL.—For purposes of subsection (a)(1), the basis of any waste heat to power property taken into account under this section shall not exceed the excess of—

''(I) the basis of such property, over

''(II) the fair market value of comparable property which does not have the capacity to capture and convert a qualified waste heat resource to electricity.

''(ii) CAPACITY LIMITATION.—The term 'waste heat to power property' shall not include any property comprising a system if such system has a capacity in excess of 50 megawatts.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to periods after the date of the enactment of this Act, in taxable years ending after such date, under rules similar to the rules of section 48(m) of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990).

SA 3619. Mr. HATCH (for himself, Mr. THUNE, 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 appropriate place, insert the following:

SEC. _____. EXCEPTION FROM PRIVATE FOUNDATION EXCESS BUSINESS HOLDING TAX FOR CERTAIN PHILANTHROPIC BUSINESS HOLDINGS.

(a) IN GENERAL.—Section 4943 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(g) EXCEPTION FOR CERTAIN PHILANTHROPIC BUSINESS HOLDINGS.—

''(1) IN GENERAL.—Subsection (a) shall not apply with respect to the holdings of a private foundation in any business enterprise which for the taxable year meets—

''(A) the exclusive ownership requirements of paragraph (2),

''(B) the all profits to charity requirement of paragraph (3), and

''(C) the independent operation requirements of paragraph (4).

''(2) EXCLUSIVE OWNERSHIP.—The exclusive ownership requirements of this paragraph are met if—

''(A) all ownership interests in the business enterprise are held by the private foundation at all times during the taxable year, and

''(B) all the private foundation's ownership interests in the business enterprise were acquired under the terms of a will or trust upon the death of the testator or settlor, as the case may be.

''(3) ALL PROFITS TO CHARITY.—

''(A) IN GENERAL.—The all profits to charity requirement of this paragraph is met if the business enterprise, not later than 120 days after the close of the taxable year, distributes an amount equal to its net operating income for such taxable year to the private foundation.

''(B) NET OPERATING INCOME.—For purposes of this paragraph, the net operating income of any business enterprise for any taxable year is an amount equal to the gross income of the business enterprise for the taxable year, reduced by the sum of—

''(i) the deductions allowed by chapter 1 for the taxable year which are directly connected with the production of such income,

''(ii) the tax imposed by chapter 1 on the business enterprise for the taxable year, and

''(iii) an amount for a reasonable reserve for working capital and other business needs of the business enterprise.

''(4) INDEPENDENT OPERATION.—The independent operation requirements of this paragraph are met if, at all times during the taxable year—

''(A) no substantial contributor (as defined in section 4958(c)(3)(C)) to the private foundation, or family member of such a contributor (determined under section 4958(f)(4)), is a director, officer, trustee, manager, employee, or contractor of the business enterprise (or an individual having powers or responsibilities similar to any of the foregoing),

''(B) at least a majority of the board of directors of the private foundation are individuals other than individuals who are either—

''(i) directors or officers of the business enterprise, or

''(ii) members of the family (determined under section 4958(f)(4)) of a substantial contributor (as defined in section 4958(c)(3)(C)) to the private foundation, and

''(C) there is no loan outstanding from the business enterprise to a substantial contributor (as so defined) to the private foundation or a family member of such contributor (as so determined).

''(5) CERTAIN DEEMED PRIVATE FOUNDATIONS EXCLUDED.—This subsection shall not apply to—

''(A) any fund or organization treated as a private foundation for purposes of this section by reason of subsection (e) or (f),

''(B) any trust described in section 4947(a)(1) (relating to charitable trusts), and

''(C) any trust described in section 4947(a)(2) (relating to split-interest trusts).''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

SA 3620. Mr. BOOKER 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:

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'—

''(A) except as provided in subparagraph (B), has the same meaning given that term

in section 3 of the Small Business Act (15 U.S.C. 632); and

''(B) in the case of a concern in the construction industry, a concern shall be considered a small business concern if the concern meets the size standard for the North American Industry Classification System Code 237310, as adjusted by the Small Business Administration;''.

SA 3621. 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; as follows:

At the appropriate place, insert the following:

SEC. _____. SECURING AIRCRAFT AVIONICS SYSTEMS.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall consider revising Federal Aviation Administration regulations regarding airworthiness certification—

(1) to address cybersecurity for avionics systems, including software components; and

(2) to require that aircraft avionics systems used for flight guidance or aircraft control be secured against unauthorized access via passenger in-flight entertainment systems through such means as the Administrator determines appropriate to protect the avionics systems from unauthorized external and internal access.

(b) CONSIDERATION.—The Administrator's consideration and any action taken under subsection (a) shall be in accordance with the recommendations of the Aircraft Systems Information Security Protection Working Group under section 5029(d) of this Act.

On page 354, between lines 16 and 17, insert the following:

(3) IN-FLIGHT ENTERTAINMENT SYSTEMS REVIEW.—As part of its review under subparagraphs (A) and (B) of paragraph (2), the working group shall review the cybersecurity risks of in-flight entertainment systems to consider whether such systems can and should be isolated and separate from systems required for safe flight and operations, including reviewing standards for air gaps or other means determined appropriate.

On page 354, line 17, strike ''(3)'' and insert ''(4)''.

On page 354, line 23, strike ''(4)'' and insert ''(5)''.

On page 355, line 9, strike ''(5)'' and insert ''(6)''.

SA 3622. 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:

SEC. 1223. PUBLIC-PRIVATE WORKING GROUP ON IMPROVING AIR TRAVEL 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 travel 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 Administration for Children and Families of the Department of Health and Human Services;

(4) the Transportation Security Administration;

(5) other relevant agencies;

(6) nongovernmental organizations that represent women and families caring for children or older adults;

(7) consumer advocacy groups;

(8) airports or organizations that represent airports; and

(9) 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 policy recommendations for improving air travel 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.

SA 3623. Mr. WHITEHOUSE (for himself and Mr. INHOFE) 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:

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 operates an unmanned aircraft and, in so doing, knowingly or recklessly 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.—Any person who attempts to cause, or knowingly or recklessly causes, serious bodily injury or death during the commission of an offense under subsection (a) shall be fined under this title, imprisoned 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 airport's air traffic control facility or is the result of a circumstance, such as a malfunction, 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 3624. Mr. SCHATZ (for himself and Mr. HEINRICH) 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. _____. ENERGY CREDIT FOR BATTERY STORAGE TECHNOLOGY.

(a) IN GENERAL.—Subclause (II) of section 48(a)(2)(A)(i) of the Internal Revenue Code of 1986 is amended by striking ''paragraph (3)(A)(i)'' and inserting ''clause (i) or (viii) of paragraph (3)(A)''.

(b) BATTERY STORAGE TECHNOLOGY.—Subparagraph (A) of section 48(a)(3) of the Internal Revenue Code of 1986 is amended by striking ''or'' at the end of clause (vi), by adding ''or'' at the end of clause (vii), and by adding at the end the following new clause:

''(viii) battery storage technology,''.

(c) PHASEOUT OF CREDIT.—Paragraph (6) of section 48(a) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''SOLAR'' in the heading and inserting ''CERTAIN'', and

(2) by striking ''paragraph (3)(A)(i)'' both places it appears and inserting ''clause (i) or (viii) of paragraph (3)(A)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2015.

SEC. _____. RESIDENTIAL ENERGY EFFICIENT PROPERTY CREDIT FOR BATTERY STORAGE TECHNOLOGY.

(a) IN GENERAL.—Subsection (a) of section 25D of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of paragraph (4), by striking the period at the end of paragraph (5) and inserting '', and'', and by adding at the end the following new paragraph:

''(6) 30 percent of the qualified battery storage technology expenditures made by the taxpayer during such year.''.

(b) QUALIFIED BATTERY STORAGE TECHNOLOGY EXPENDITURE.—Subsection (d) of section 25D of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(6) QUALIFIED BATTERY STORAGE TECHNOLOGY EXPENDITURE.—The term 'qualified battery storage technology expenditure' means an expenditure for battery storage technology installed on or in connection with a dwelling unit located in the United States and used as a residence by the taxpayer.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to expenditures paid or incurred in taxable years beginning after December 31, 2015.

SA 3625. Mr. KAINE 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 149, line 8, strike ''an inspection or other investigation'' and insert ''an accident finding, inspection, or other investigation''.

On page 150, line 17, strike ''an inspection or other investigation'' and insert ''an accident finding, inspection, or other investigation''.

SA 3626. Mr. KAINE 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 222, line 9, insert '', aviation safety engineers,'' after ''specialists''.

SA 3627. 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.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall consider revising Federal Aviation Administration regulations regarding airworthiness certification—

(1) to address cybersecurity for avionics systems, including software components; and

(2) to require that aircraft avionics systems used for flight guidance or aircraft control be secured against unauthorized access via passenger in-flight entertainment systems through such means as the Administrator determines appropriate to protect the avionics systems from unauthorized external and internal access.

(b) CONSIDERATION.—The Administrator's consideration and any action taken under subsection (a) shall be in accordance with the recommendations of the Aircraft Systems Information Security Protection Working Group under section 5029(d) of this Act.

On page 354, between lines 16 and 17, insert the following:

(3) IN-FLIGHT ENTERTAINMENT SYSTEMS REVIEW.—As part of its review under subparagraphs (A) and (B) of paragraph (2), the working group shall review the cybersecurity risks of in-flight entertainment systems to consider whether such systems can and should be isolated and separate from systems required for safe flight and operations, including reviewing standards for air gaps or other means determined appropriate.

On page 354, line 17, strike ''(3)'' and insert ''(4)''.

On page 354, line 23, strike ''(4)'' and insert ''(5)''.

On page 355, line 9, strike ''(5)'' and insert ''(6)''.

SA 3628. Mrs. MURRAY (for herself and Ms. CANTWELL) 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. REDUCTION OF ENERGY CONSUMPTION, EMISSIONS, AND NOISE FROM CIVILIAN AIRCRAFT.

(a) ESTABLISHMENT OF RESEARCH PROGRAM.—From amounts made available under section 48102(a) of title 49, United States Code, the Administrator of the Federal Aviation Administration shall establish a research program related to reducing civilian aircraft energy use, emissions, and source noise with equivalent safety through grants or other measures, which shall include cost-sharing authorized under section 106(l)(6) of such title, including reimbursable agreements with other Federal agencies.

(b) ESTABLISHMENT OF CONSORTIUM.—

(1) DESIGNATION AS CONSORTIUM.—The Administrator shall designate, using a competitive process, one or more institutions or entities described in paragraph (2), to be known as a ''Government led Consortium for Continuous Lower Energy, Emissions, and Noise'' or ''CLEEN'', to perform research in accordance with this section.

(2) PARTICIPATION.—The Administrator shall include educational and research institutions or private sector entities that have existing facilities and experience for developing and testing noise, emissions, and energy reduction engine and aircraft technology, and developing alternative fuels, in the research program required by subsection (a) to fulfill the performance objectives specified in subsection (c).

(3) COORDINATION MECHANISMS.—In conducting the research program required by subsection (a), the consortium designated under paragraph (1) shall—

(A) coordinate its activities with the Department of Agriculture, the Department of Defense, the Department of Energy, the National Aeronautics and Space Administration, and other relevant Federal agencies; and

(B) consult on a regular basis with the Commercial Aviation Alternative Fuels Initiative.

(c) PERFORMANCE OBJECTIVES.—Not later than January 1, 2021, the Administrator shall seek to ensure that the research program required subsection (a) supports the following objectives for civil subsonic airplanes:

(1) Certifiable aircraft technology that reduces aircraft fuel burn 40 percent relative to year 2000 best-in-class in-service aircraft.

(2) Certifiable engine technology that reduces landing and takeoff cycle nitrogen oxide emissions by 70 percent over the International Civil Aviation Organization standard adopted in 2011.

(3) Certifiable aircraft technology that reduces noise levels by 32 decibels cumulatively, relative to the Stage 4 standard, or reduces the noise contour area in absolute terms.

(4) The feasibility of use of drop-in alternative jet fuels in aircraft and engine systems, including successful demonstration and quantification of benefits, advancement of fuel testing capability, and support for fuel evaluation.

(d) CERTIFIABLE DEFINED.—In this section, the term ''certifiable'' means the technology has been demonstrated to Technology Readiness Level 6 or 7, and there are no foreseen issues that would prevent certification to existing standards.

SA 3629. Mrs. MURRAY (for herself and Ms. CANTWELL) 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. REDUCTION OF ENERGY CONSUMPTION, EMISSIONS, AND NOISE FROM CIVILIAN AIRCRAFT.

(a) ESTABLISHMENT OF RESEARCH PROGRAM.—From amounts made available under section 48102(a) of title 49, United States Code, the Administrator of the Federal Aviation Administration shall establish a research program related to reducing civilian aircraft energy use, emissions, and source noise with equivalent safety through grants or other measures, which shall include cost-sharing authorized under section 106(l)(6) of such title, including reimbursable agreements with other Federal agencies.

(b) ESTABLISHMENT OF CONSORTIUM.—

(1) DESIGNATION AS CONSORTIUM.—The Administrator shall designate, using a competitive process, one or more institutions or entities described in paragraph (2), to be known as a ''Government led Consortium for Continuous Lower Energy, Emissions, and Noise'' or ''CLEEN'', to perform research in accordance with this section.

(2) PARTICIPATION.—The Administrator shall include educational and research institutions or private sector entities that have existing facilities and experience for developing and testing noise, emissions, and energy reduction engine and aircraft technology, and developing alternative fuels, in the research program required by subsection (a) to fulfill the performance objectives specified in subsection (c).

(3) COORDINATION MECHANISMS.—In conducting the research program required by subsection (a), the consortium designated under paragraph (1) shall—

(A) coordinate its activities with the Department of Agriculture, the Department of Defense, the Department of Energy, the National Aeronautics and Space Administration, and other relevant Federal agencies; and

(B) consult on a regular basis with the Commercial Aviation Alternative Fuels Initiative.

(c) PERFORMANCE OBJECTIVES.—Not later than January 1, 2021, the Administrator shall seek to ensure that the research program required subsection (a) supports the following objectives for civil subsonic airplanes:

(1) Certifiable aircraft technology that reduces aircraft fuel burn 40 percent relative to year 2000 best-in-class in-service aircraft.

(2) Certifiable engine technology that reduces landing and takeoff cycle nitrogen oxide emissions by 70 percent over the International Civil Aviation Organization standard adopted in 2011.

(3) Certifiable aircraft technology that reduces noise levels by 32 decibels cumulatively, relative to the Stage 4 standard, or reduces the noise contour area in absolute terms.

(4) The feasibility of use of drop-in alternative jet fuels in aircraft and engine systems, including successful demonstration and quantification of benefits, advancement of fuel testing capability, and support for fuel evaluation.

(d) CERTIFIABLE DEFINED.—In this section, the term ''certifiable'' means the technology has been demonstrated to Technology Readiness Level 6 or 7, and there are no foreseen issues that would prevent certification to existing standards.

SEC. 5033. RESEARCH PROGRAM ON ALTERNATIVE JET FUEL TECHNOLOGY FOR CIVIL AIRCRAFT.

Section 911 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 44504 note) is amended—

(1) in subsection (a), by striking ''to assist in'' and inserting ''with the objective of accelerating'';

(2) in subsection (c)(1)(B), by inserting ''and ability to prioritize researchable constraints'' after ''with experience''; and

(3) by adding at the end the following:

''(e) COLLABORATION AND REPORT.—

''(1) COLLABORATION.—The Administrator, in coordination with the Administrator of NASA, the Secretary of Energy, and the Secretary of Agriculture, shall continue research and development activities into the development and deployment of jet fuels described in subsection (a).

''(2) REPORT.—Not later than 180 days after the date of the enactment of the Federal Aviation Administration Reauthorization Act of 2016, the Administrator, in coordination with the Administrator of NASA, the Secretary of Energy, and the Secretary of Agriculture, and after consultation with the heads of other relevant agencies, shall—

''(A) develop a joint plan to carry out the research described in subsection (a); and

''(B) submit to Congress a report on such joint plan.''.

SA 3630. Ms. HIRONO (for herself, Ms. MURKOWSKI, Mr. SCHATZ, and Mr. SULLIVAN) 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. ___. EXCEPTIONS TO RESTRUCTURING OF PASSENGER FEE.

(a) IN GENERAL.—Section 44940(c) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking ''Fees imposed'' and inserting ''Except as provided in paragraph (2), fees imposed'';

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

''(2) EXCEPTIONS.—Fees imposed under subsection (a)(1) may not exceed $2.50 per enplanement, and the total amount of such fees may not exceed $5.00 per one-way trip, for passengers—

''(A) boarding to an eligible place under subchapter II of chapter 417 for which essential air service compensation is paid under that subchapter; or

''(B) on flights, including flight segments, between 2 or more points in Hawaii or 2 or more points in Alaska.''.

(b) IMPLEMENTATION OF FEE EXCEPTIONS.—The Secretary of Homeland Security shall implement the fee exceptions under the amendments made by subsection (a)—

(1) beginning on the date that is 30 days after the date of the enactment of this Act; and

(2) through the publication of notice of the fee exceptions in the Federal Register, notwithstanding section 9701 of title 31, United States Code, and the procedural requirements of section 553 of title 5, United States Code.

SA 3631. Mr. THUNE (for Mr. PAUL) 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 II, add the following:

Subtitle G—Arm All Pilots Act

SEC. 2701. SHORT TITLE.

This subtitle may be cited as the ''Arm All Pilots Act of 2016''.

SEC. 2702. FACILITATION OF AND LIMITATIONS ON TRAINING OF FEDERAL FLIGHT DECK OFFICERS.

(a) IMPROVED ACCESS TO TRAINING FACILITIES.—Section 44921(c)(2)(C)(ii) is amended—

(1) by striking ''The training of'' and inserting the following:

''(I) IN GENERAL.—The training of''; and

(2) by adding at the end the following:

''(II) ACCESS TO TRAINING FACILITIES.—Not later than 180 days after the date of the enactment of the Arm All Pilots Act of 2016, the Secretary shall—

''(aa) designate 5 additional firearms training facilities located in various regions of the United States for Federal flight deck officers relative to the number of such facilities available on the day before such date of enactment;

''(bb) designate firearms training facilities approved before such date of enactment for recurrent training of Federal flight deck officers as facilities approved for initial training and certification of pilots seeking to be deputized as Federal flight deck officers; and

''(cc) designate additional firearms training facilities for recurrent training of Federal flight deck officers relative to the number of such facilities available on the day before such date of enactment.''.

(b) FIREARMS REQUALIFICATION FOR FEDERAL FLIGHT DECK OFFICERS.—Section 44921(c)(2)(C)(iii) is amended—

(1) by striking ''The Under Secretary shall'' and inserting the following:

''(I) IN GENERAL.—The Secretary shall'';

(2) in subclause (I), as designated by paragraph (1), by striking ''the Under Secretary'' and inserting ''the Secretary, but not more frequently than once every 6 months,''; and

(3) by adding at the end the following:

''(II) USE OF FACILITIES FOR REQUALIFICATION.—The Secretary shall allow a Federal flight deck officer to requalify to carry a firearm under the program through training at a private or government-owned gun range certified to provide firearm requalification training.

''(III) SELF-REPORTING.—The Secretary shall determine that a Federal flight deck officer has met the requirements to requalify to carry a firearm under the program if—

''(aa) the officer reports to the Secretary that the officer has participated in a sufficient number of hours of training to requalify to carry a firearm under the program; and

''(bb) the administrator of the facility at which the officer conducted the requalification training verifies that the officer participated in that number of hours of training.''.

(c) LIMITATIONS ON TRAINING.—Section 44921(c)(2) is amended by adding at the end the following:

''(D) LIMITATIONS ON TRAINING.—

''(i) INITIAL TRAINING.—The Secretary may require—

''(I) initial training of not more than 5 days for a pilot to be deputized as a Federal flight deck officer;

''(II) the pilot to be physically present at the training facility for not more than 2 days of such training; and

''(III) not more than 3 days of such training to be in the form of certified online training administered by the Department of Homeland Security.

''(ii) RECURRENT TRAINING.—The Secretary may require—

''(I) recurrent training of not more than 2 days, not more frequently than once every 5 years, for a pilot to maintain deputization as a Federal flight deck officer;

''(II) the pilot to be physically present at the training facility for a full-day training session for not more than one day of such training; and

''(III) not more than one day of such training to be in the form of certified online training administered by the Department of Homeland Security.''.

(d) OTHER MEASURES TO FACILITATE TRAINING.—Section 44921(e) is amended—

(1) by striking ''Pilots participating'' and inserting the following:

''(1) IN GENERAL.—Pilots participating''; and

(2) by adding at the end the following:

''(2) FACILITATION OF TRAINING.—

''(A) TIME OFF FOR TRAINING.—An air carrier shall permit a Federal flight deck officer or a pilot seeking to be deputized as a Federal flight deck officer, in consultation with the air carrier, to take a reasonable amount of leave from work to participate in initial and recurrent training for the program. An air carrier shall not be obligated to provide such an officer or pilot compensation for such leave.

''(B) PRACTICE AMMUNITION.—At the request of a Federal flight deck officer, the Secretary shall provide to the officer sufficient practice ammunition to conduct at least one practice course every month.''.

SEC. 2703. CARRIAGE OF FIREARMS BY FEDERAL FLIGHT DECK OFFICERS.

(a) GENERAL AUTHORITY.—Section 44921(f) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (4) and (5), respectively; and

(2) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—The Secretary shall authorize a Federal flight deck officer to carry a firearm while engaged in providing intrastate air transportation. The authority provided to a Federal flight deck officer under this paragraph includes the authority to carry a firearm—

''(A) on the officer's body, loaded, and holstered;

''(B) when traveling to a flight duty assignment, throughout the duty assignment, and when traveling from a flight duty assignment to the officer's home or place where the officer is residing when traveling; and

''(C) in the passenger cabin and while traveling in a cockpit jump seat.

''(2) CONCEALED CARRY.—A Federal flight deck officer shall make reasonable efforts to keep the officer's firearm concealed when in public.

''(3) PURCHASE OF FIREARM BY OFFICER.—Notwithstanding subsection (c)(1), a Federal flight deck officer may purchase a firearm and carry that firearm aboard an aircraft of which the officer is the pilot in accordance with this section if the firearm is of a type that may be used under the program.''.

(b) CARRIAGE OF FIREARMS ON INTERNATIONAL FLIGHTS.—Paragraph (5) of section 44921(f), as redesignated by subsection (a)(1), is amended to read as follows:

''(5) CARRYING FIREARMS OUTSIDE UNITED STATES.—

''(A) IN GENERAL.—In consultation with the Secretary of State, the Secretary may take such action as may be necessary to ensure that a Federal flight deck officer may carry a firearm in a foreign country whenever necessary to participate in the program.

''(B) CONSISTENCY WITH FEDERAL AIR MARSHAL PROGRAM.—The Secretary shall work to make policies relating to the carriage of firearms on flights in foreign air transportation by Federal flight deck officers consistent with the policies of the Federal air marshal program for carrying firearms on such flights not withstanding Annex 17 (ICAO Annex 17 standard 4.7.7.)''.

(c) CARRIAGE OF FIREARM IN PASSENGER CABIN.—

(1) RULE OF CONSTRUCTION.—Section 44921 is amended by adding at the end the following:

''(l) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require a Federal flight deck officer to place a firearm in a locked container, or in any other manner render the firearm unavailable, when the cockpit door is opened.''.

(2) CONFORMING REPEAL.—Section 44921(b)(3) is amended—

(A) by striking subparagraph (G); and

(B) by redesignating subparagraphs (H) through (N) as subparagraphs (G) through (M), respectively.

(d) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall—

(1) prescribe regulations on the proper storage of firearms when a Federal flight deck officer is at home or where the officer is residing when traveling; and

(2) revise the procedural requirements established under section 44921(b)(1) of title 49, United States Code, to implement the amendments made by subsection (c).

SEC. 2704. PHYSICAL STANDARDS FOR FEDERAL FLIGHT DECK OFFICERS.

Section 44921(d)(2) is amended—

(1) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively, and by moving such clauses, as so redesignated, 2 ems to the right;

(2) by striking ''A pilot is'' and inserting the following:

''(A) IN GENERAL.—A pilot is''; and

(3) by adding at the end the following:

''(B) CONSISTENCY WITH REQUIREMENTS FOR CERTAIN MEDICAL CERTIFICATES.—In establishing standards under subparagraph (A)(ii), the Secretary may not establish medical or physical standards for a pilot to become a Federal flight deck officer that are inconsistent with or more stringent than the requirements of the Federal Aviation Administration for the issuance of a first- or second-class airman medical certificate under part 67 of title 14, Code of Federal Regulations (or any corresponding similar regulation or ruling).''.

SEC. 2705. TRANSFER OF FEDERAL FLIGHT DECK OFFICERS FROM INACTIVE TO ACTIVE STATUS.

Section 44921(d) is amended by adding at the end the following:

''(5) TRANSFER FROM INACTIVE TO ACTIVE STATUS.—A pilot deputized as a Federal flight deck officer who moves to inactive status for less than 5 years may return to active status after completing one program of recurrent training described in subsection (c).''.

SEC. 2706. FACILITATION OF SECURITY SCREENING OF FEDERAL FLIGHT DECK OFFICERS.

Section 44921, as amended by section 2703(c)(1), is further amended by adding at the end the following:

''(m) FACILITATION OF SECURITY SCREENING OF FEDERAL FLIGHT DECK OFFICERS.—

''(1) ELIGIBILITY FOR EXPEDITED SCREENING.—The Administrator of the Transportation Security Administration shall allow a Federal flight deck officer to be screened through the crew member identity verification program of the Transportation Security Administration (commonly known as the 'Known Crew Member program') when entering the sterile area of an airport.

''(2) PROHIBITION ON PAPERWORK.—The Secretary may not require a Federal flight deck officer to fill out any forms or paperwork when entering the sterile area of an airport.

''(3) STERILE AREA DEFINED.—In this subsection, the term 'sterile area' has the meaning given that term in section 1540.5 of title 49, Code of Federal Regulations (or any corresponding similar regulation or ruling).''.

SEC. 2707. TECHNICAL CORRECTIONS.

Section 44921, as amended by this subtitle, is further amended—

(1) in subsection (a), by striking ''Under Secretary of Transportation for Security'' and inserting ''Secretary of Homeland Security'';

(2) in subsection (d)(4), by striking ''may,'' and inserting ''may'';

(3) in subsection (i)(2), by striking ''the Under Secretary may'' and inserting ''may'';

(4) in subsection (k)—

(A) by striking paragraphs (2) and (3); and

(B) by striking ''APPLICABILITY'' and all that follows through ''This section'' and inserting ''APPLICABILITY.—This section'';

(5) by adding at the end the following:

''(n) DEFINITIONS.—In this section:

''(1) PILOT.—The term 'pilot' means an individual who has final authority and responsibility for the operation and safety of the flight or any other flight deck crew member.

''(2) ALL-CARGO AIR TRANSPORTATION.—The term 'air transportation' includes all-cargo air transportation.''; and

(6) by striking ''Under Secretary'' each place it appears and inserting ''Secretary''.

SEC. 2708. REFUNDS OF CERTAIN SECURITY SERVICE FEES FOR AIR CARRIERS WITH FEDERAL FLIGHT DECK OFFICERS ON ALL FLIGHTS.

Section 44940 is amended by adding at the end the following:

''(j) REFUND OF FEES FOR AIR CARRIERS WITH FEDERAL FLIGHT DECK OFFICERS ON ALL FLIGHTS.—From fees received in a fiscal year under subsection (a)(1), each air carrier that certifies to the Secretary of Homeland Security that all flights operated by the air carrier have on board a pilot deputized as a Federal flight deck officer under section 44921 shall receive an amount equal to 10 percent of the fees collected under subsection (a)(1) from passengers on flights operated by that air carrier in that fiscal year.''.

SEC. 2709. TREATMENT OF INFORMATION ABOUT FEDERAL FLIGHT DECK OFFICERS AS SENSITIVE SECURITY INFORMATION.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall revise section 15.5(b)(11) of title 49, Code of Federal Regulations, to classify information about pilots deputized as Federal flight deck officers under section 44921 of title 49, United States Code, as sensitive security information in a manner consistent with the classification of information about Federal air marshals.

SEC. 2710. REGULATIONS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall prescribe such regulations as may be necessary to carry out this Act and the amendments made by this Act.

SA 3632. Mrs. MURRAY (for herself and Ms. CANTWELL) 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. ___. PROMOTION OF EXIT LANE BREACH CONTROL TECHNOLOGY.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATION.—The term ''Administration'' means the Transportation Security Administration.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Administration.

(3) EXIT LANE BREACH CONTROL TECHNOLOGY.—The term ''exit lane breach control technology'' refers to any automated system, or series of systems, designed to monitor exit points from an airport sterile area.

(4) STERILE AREA.—The term ''sterile area'' has the meaning given that term in section 1540.5 of title 49, Code of Federal Regulations (or any corresponding similar regulation or ruling)

(b) STANDARDS AND REQUIREMENTS.—

(1) INITIAL REQUIREMENT.—Not later than 120 days after the date of the enactment of this Act, the Administrator shall develop standards and requirements for the use of exit lane breach control technology at airports.

(2) QUALIFIED PRODUCT LIST.—The Administrator shall establish, publically post, and maintain a qualified product list of exit land breach control technology that shall includes all previously-approved systems.

(c) BENEFITS FOR AIRPORTS USING EXIT LANE BREACH CONTROL TECHNOLOGY.—

(1) ELIGIBILITY FOR BENEFITS.—If an airport deploys, on a nonreimbursable basis, exit lane breach control technology that satisfies the standards and requirements developed under subsection (b) and the deployment results in the need for fewer employees of the Administration to monitor exit points from an airport sterile area, the airport's Federal security director may reallocate such employees to other transportation security missions, including passenger screening, within that airport if the Administrator certifies that the reallocation will not negatively impact the security of that airport.

(2) NO LOSS OF ADMINISTRATION EMPLOYEES.—

(A) IN GENERAL.—The Administrator may not decrease, under the Staffing Allocation Model, any successor allocation process, or any other circumstances, the number of employees of the Administration assigned to an airport that deploys, on a nonreimbursable basis, exit lane breach control technology that satisfies the standards and requirements developed under subsection (b) on the basis that the deployment results in the need for fewer such employees to provide security for sterile areas of the airport.

(B) MINIMUM STAFFING LEVELS.—Subject to subparagraph (C), if an airport is eligible for the Administrator to reallocate employees under paragraph (1), the Administrator—

(i) shall determine the minimum number of full-time equivalent employees of the Administration required for that airport prior to the deployment of the exit lane breach control technology; and

(ii) may not allocate a number of employees of the Administration for that airport for any year that is less than such minimum number.

(C) WAIVER OF MINIMUM STAFFING LEVELS.—If the Administrator has determined a minimum number of full-time equivalent employees of the Administration required for an airport under subparagraph (B)(i), the Administrator may only allocate a number of employees of the Administration for that airport that is less than such minimum number if the total passenger count for that airport in any 6-month period declines more than 5 percent compared to the same 6-month period during the preceding calendar year.

(D) NOTIFICATION TO CONGRESS.—The Administrator shall notify the appropriate committees of Congress, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Homeland Security of the House of Representatives not less than 45 days prior to making an allocation authorized under subparagraph (C).

(d) RESPONSIBILITY FOR MONITORING PASSENGER EXIT POINTS.—If an airport is eligible for the Administrator to reallocate employees under subsection (c)(1), the Administrator shall have met the responsibility of the Administration to monitor passenger exit points required by subsection (n) of section 44903 of title 49, United States Code.

SA 3633. Mr. NELSON (for himself and Mr. COATS) 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:

Beginning on page 204, strike line 21 and all that follows through page 206, line 9, and insert the following:

(a) RESTRICTIONS ON TRANSPORTATION OF LITHIUM BATTERIES ON AIRCRAFT.—

(1) ADOPTION OF ICAO INSTRUCTIONS.—

(A) IN GENERAL.—Pursuant to section 828 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44701 note), not later than 90 days after the date of enactment of this Act, the Secretary of the Department of Transportation shall conform United States regulations on the air transport of lithium ion cells and batteries with the lithium cells and battery requirements in the 2015–2016 edition of the International Civil Aviation Organization's (referred to in this subsection as ''ICAO'') Technical Instructions (to include all addenda) including the revised standards adopted by ICAO which became effective on April 1, 2016.

(B) FURTHER PROCEEDINGS.—Beginning on the date the revised regulations under subparagraph (A) are published in the Federal Register, any lithium cell and battery rulemaking action or update commenced on or after that date shall continue to comply with the requirements under section 828 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44701 note).

(2) REVIEW OF OTHER REGULATIONS.—Pursuant to section 828 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44701 note), the Secretary of Transportation may initiate a review of other existing regulations regarding the air transportation, including passenger-carrying and cargo aircraft, of lithium batteries and cells.

(3) MEDICAL DEVICE BATTERIES.—

(A) IN GENERAL.—For United States applicants, the Secretary of Transportation shall consider and either grant or deny, within 45 days, applications submitted in compliance with part 107 of title 49, Code of Federal Regulations for special permits or approvals for air transportation of lithium ion cells or batteries specifically used by medical devices. Not later than 30 days after the date of application, the Pipeline and Hazardous Materials Safety Administration shall provide a draft special permit based on the application to the Federal Aviation Administration. The Federal Aviation Administration shall conduct an on-site inspection for issuance of the special permit not later than 10 days after the date of receipt of the draft special permit from the Pipeline and Hazardous Materials Safety Administration.

(B) DEFINITION OF MEDICAL DEVICE.—In this paragraph, the term ''medical device'' has the meaning given the term ''device'' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(4) 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).

SA 3634. 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:

Strike section 5013.

SA 3635. Mr. BOOZMAN (for himself, Mr. WARNER, and 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:

At the appropriate place, insert the following:

TITLE __—VETERANS TAX FAIRNESS

SEC. ___01. SHORT TITLE.

This title may be cited as the ''Combat-Injured Veterans Tax Fairness Act of 2016''.

SEC. ___02. FINDINGS.

Congress makes the following findings:

(1) Approximately 10,000 to 11,000 individuals are retired from service in the Armed Forces for medical reasons each year.

(2) Some of such individuals are separated from service in the Armed Forces for combat-related injuries (as defined in section 104(b)(3) of the Internal Revenue Code of 1986).

(3) Congress has recognized the tremendous personal sacrifice of veterans with combat-related injuries by, among other things, specifically excluding from taxable income severance pay received for combat-related injuries.

(4) Since 1991, the Secretary of Defense has improperly withheld taxes from severance pay for wounded veterans, thus denying them their due compensation and a significant benefit intended by Congress.

(5) Many veterans owed redress are beyond the statutory period to file an amended tax return because they were not or are not aware that taxes were improperly withheld.

SEC. ___03. RESTORATION OF AMOUNTS IMPROPERLY WITHHELD FOR TAX PURPOSES FROM SEVERANCE PAYMENTS TO VETERANS WITH COMBAT-RELATED INJURIES.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall—

(1) identify—

(A) the severance payments—

(i) that the Secretary paid after January 17, 1991;

(ii) that the Secretary computed under section 1212 of title 10, United States Code;

(iii) that were not considered gross income pursuant to section 104(a)(4) of the Internal Revenue Code of 1986; and

(iv) from which the Secretary withheld amounts for tax purposes; and

(B) the individuals to whom such severance payments were made; and

(2) with respect to each person identified under paragraph (1)(B), provide—

(A) notice of—

(i) the amount of severance payments in paragraph (1)(A) which were improperly withheld for tax purposes; and

(ii) such other information determined to be necessary by the Secretary of Treasury to carry out the purposes of this section; and

(B) instructions for filing amended tax returns to recover the amounts improperly withheld for tax purposes.

(b) EXTENSION OF LIMITATION ON TIME FOR CREDIT OR REFUND.—

(1) PERIOD FOR FILING CLAIM.—If a claim for credit or refund under section 6511(a) of the Internal Revenue Code of 1986 relates to a specified overpayment, the 3-year period of limitation prescribed by such subsection shall not expire before the date which is 1 year after the date the information return described in subsection (a)(2) is filed. The allowable amount of credit or refund of a specified overpayment shall be determined without regard to the amount of tax paid within the period provided in section 6511(b)(2).

(2) SPECIFIED OVERPAYMENT.—For purposes of paragraph (1), the term ''specified overpayment'' means an overpayment attributable to a severance payment described in subsection (a)(1).

SEC. ___04. REQUIREMENT THAT SECRETARY OF DEFENSE ENSURE AMOUNTS ARE NOT WITHHELD FOR TAX PURPOSES FROM SEVERANCE PAYMENTS NOT CONSIDERED GROSS INCOME.

The Secretary of Defense shall take such actions as may be necessary to ensure that amounts are not withheld for tax purposes from severance payments made by the Secretary to individuals when such payments are not considered gross income pursuant to section 104(a)(4) of the Internal Revenue Code of 1986.

SEC. ___05. REPORT TO CONGRESS.

(a) IN GENERAL.—After completing the identification required by section ___03(a) and not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the actions taken by the Secretary to carry out this Act.

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) The number of individuals identified under section ___03(a)(1)(B).

(2) Of all the severance payments described in section ___03(a)(1)(A), the aggregate amount that the Secretary withheld for tax purposes from such payments.

(3) A description of the actions the Secretary plans to take to carry out section ___04.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Veterans' Affairs, and the Committee on Finance of the Senate; and

(2) the Committee on Armed Services, the Committee on Veterans' Affairs, and the Committee on Ways and Means of the House of Representatives.

SA 3636. Mr. INHOFE 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. 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 are not.

(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;

(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 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)''; and

(3) by inserting after subsection (a) the following:

''(b) LIABILITY PROTECTION FOR PILOTS 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.''.

SA 3637. Mr. DAINES 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. _____. EXTENSION OF INDIAN COAL PRODUCTION TAX CREDIT.

(a) IN GENERAL.—Section 45(e)(10)(A) of the Internal Revenue Code of 1986 is amended by striking ''11-year period'' each place it appears and inserting ''14-year period''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to coal produced and sold after the date of the enactment of this Act, in taxable years ending after such date.

SA 3638. Mr. BROWN (for himself and Mr. PORTMAN) 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 in subtitle A of title II, insert the following:

SEC. _____. COLLABORATION BETWEEN FEDERAL AVIATION ADMINISTRATION AND DEPARTMENT OF DEFENSE ON UNMANNED AIRCRAFT SYSTEMS.

(a) COLLABORATION BETWEEN FEDERAL AVIATION ADMINISTRATION IN DEPARTMENT OF DEFENSE REQUIRED.—

(1) IN GENERAL.—The Administrator of the Federal Aviation Administration and the Secretary of Defense shall collaborate on developing ground-based sense and avoid (GBSAA) and airborne sense and avoid (ABSAA) capabilities for unmanned aircraft systems (UAS).

(2) ELEMENTS.—The collaboration required by paragraph (1) shall include the following:

(A) Assisting the Administrator in safely integrating unmanned aircraft systems and manned aircraft in the national airspace system.

(B) Building upon Air Force and Department of Defense experience to speed the development of civil standards, policies, and procedures for expediting unmanned aircraft systems integration.

(C) Assisting in the development of civil unmanned aircraft airworthiness certification, development of airborne and ground-based sense and avoid capabilities for unmanned aircraft systems, and research and development on unmanned aircraft systems, especially with respect to matters involving human factors, information assurance, and security.

(b) PARTICIPATION BY FEDERAL AVIATION ADMINISTRATION IN DEPARTMENT OF DEFENSE ACTIVITIES.—

(1) IN GENERAL.—The Administrator may participate and provide assistance for participation in test and evaluation efforts of the Department of Defense, including the Air Force, relating to ground-based sense and avoid and airborne sense and avoid capabilities for unmanned aircraft systems.

(2) PARTICIPATION THROUGH CENTERS OF EXCELLENCE AND TEST SITES.—Participation under paragraph (1) may include provision of assistance through the Unmanned Aircraft Systems Center of Excellence and Unmanned Aircraft Systems Test Sites.

SA 3639. Mr. KAINE (for himself and Mr. WARNER) 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. _____. OBSTRUCTION EVALUATION AERONAUTICAL STUDIES.

The Secretary of Transportation may implement the policy set forth in the notice of proposed policy entitled ''Proposal To Consider the Impact of One Engine Inoperative Procedures in Obstruction Evaluation Aeronautical 7 Studies'' published by the Department of Transportation on April 28, 2014 (79 Fed. Reg. 23300), only if the policy is adopted pursuant to a notice and comment rulemaking.

CELEBRATING THE 144TH ANNIVERSARY OF ARBOR DAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 417, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 417) celebrating the 144th anniversary of Arbor Day.

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

Mr. MCCONNELL. Mr. President, I 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. 417) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR TUESDAY, APRIL 12, 2016

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, April 12; 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 be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, and with the Democrats controlling the first half and the majority controlling the final half; finally, that following morning business, the Senate resume consideration of H.R. 636.

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

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

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

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

AMENDMENTS NOS. 3476, AS MODIFIED; 3492, AS MODIFIED; 3500; 3526; 3535; 3621; 3620; 3633; 3534; 3623; AND 3567 TO AMENDMENT NO. 3464

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate resume consideration of H.R. 636 and that the following amendments be called up and reported by number: Cassidy amendment No. 3476, as modified; Inhofe amendment No. 3492, as modified; Hoeven amendment No. 3500; Flake amendment No. 3526; Cotton amendment No. 3535; Nelson amendment No. 3621; Booker amendment No. 3620; Nelson amendment No. 3633; Cantwell amendment No. 3534; Whitehouse amendment No. 3623; and Cochran amendment No. 3567.

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

The clerk will report the amendments by number.

The senior assistant legislative clerk read as follows:

The Senator from South Dakota [Mr. THUNE], for others, proposes amendments numbered 3476, as modified; 3492, as modified; 3500; 3526; 3535; 3621; 3620; 3633; 3534; 3623; and 3567 en bloc to amendment No. 3464.

The amendments are as follows:

AMENDMENT NO. 3476, AS MODIFIED

(Purpose: To authorize certain flights by Stage 2 airplanes)

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 initiate a pilot program to permit the operator of a Stage 2 airplane to operate that airplane in nonrevenue service into not more than four medium hub airports or nonhub airports if—

(1) the airport—

(A) is certified under part 139 of title 14, Code of Federal Regulations;

(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).

AMENDMENT NO. 3492, AS MODIFIED

(Purpose: Relating to the operation of unmanned aircraft systems by owners and operators of critical infrastructure)

On page 84, between lines 10 and 11, insert the following:

''(f) OPERATION BY OWNERS AND OPERATORS OF CRITICAL INFRASTRUCTURE.—

''(1) IN GENERAL.—Any application process established under subsection (a) shall allow for a covered person to apply to the Administrator to 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) operation during the day or at night.

''(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.

''(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).