

SENATE COMMITTEE ON COMMERCE, SCIENCE,
AND TRANSPORTATION



MESSAGE FROM CHAIRMAN THUNE

January 2017

In the 114th Congress, senators serving on the Senate Commerce Committee delivered results that made a meaningful difference in Americans' lives. I appreciate the efforts of all our committee members who made this Congress's success possible. In this report, I'm pleased to share our committee's accomplishments and stories from working Americans about how provisions in our bills help them.

Since becoming chairman, our committee has enacted 60 measures, including a five-year transportation bill to boost safety (S. 1732/H.R. 22), the most comprehensive airport security reform in over a decade (S. 2658/H.R. 636), a reauthorization that grants a new direction for federal science research (S. 3084), the first reform in history of the economic regulator for our nation's railroads (S. 808), and a bill that protects consumers' right to voice honest criticism in online reviews (S. 2044/H.R. 5111).

In this report, we also include a preview of the year ahead. Our committee's ranking member, Sen. Bill Nelson (D-Fla.), and I are excited to work together on an agenda to boost safety, consumer rights, and the innovation economy. As we look forward to the coming Congress, we will again depend on contributions from all the senators serving on the Commerce Committee to achieve reforms that benefit Americans.

Sincerely.





114TH CONGRESS BY THE NUMBERS

- 60 proposals enacted into law
- 19 additional proposals passed the Senate
 - 77 bills approved by the Committee
 - 80 hearings
 - 17 legislative markups

MAKING HEADLINES

The Washington Post

"NEWLY PASSED AIR TRAVEL LEGISLATION IS 'AN AMAZING WIN FOR CONSUMERS'"





"NEW FEDERAL LAW OUTLAWS GAG CLAUSES THAT PUNISH YOU FOR NEGATIVE REVIEWS"



"BILL COMBATING 'TICKET BOTS'
HEADS TO WHITE HOUSE"



COMMITTEE ACTIVITY BILLS SIGNED INTO LAW

S. 1732, COMPREHENSIVE TRANSPORTATION AND CONSUMER PROTECTION ACT (H.R. 22)*

Lead sponsor: Sen. John Thune (R-S.D.

S. 1626, RAILROAD REFORM, ENHANCEMENT, AND EFFICIENCY ACT (H.R. 22)*

S. 808, SURFACE TRANSPORTATION BOARD REAUTHORIZATION ACT

S. 806, DRUG-FREE COMMERCIAL DRIVER ACT (H.R. 22)*

Lead sponsor: Sen. John Boozman (R-Ark.) Committee cosponsors: Sens. Joe Manchin (D-W.Va.), Deb Fischer (R-Neb.), Jerry Moran (R-Kan.), Ron Johnson (R-Wis.)

S. 650, RAILROAD SAFETY AND POSITIVE TRAIN CONTROL EXTENSION ACT (H.R. 3819)*

Lead sponsor: Sen. Roy Blunt (R-Mo.) Committee cosponsors: Sens. John Thune (R-S.D.), Claire McCaskill (D-Mo.), Ron Johnson (R-Wis.), Deb Fischer (R-Neb.), Dan Sullivan (R-Alaska), Jerry Moran (R-Kan.), Dean Heller (R-Nev.), Marco Rubio (R-Fla.), Kelly Ayotte (R-N.H.)

S. 766, DRIVER PRIVACY ACT (H.R. 22)*

S. 304, MOTOR VEHICLE SAFETY WHISTLEBLOWER ACT (H.R. 22)*

Lead sponsor: Sen. John Thune (R-S.D.)
Committee cosponsors: Sens. Bill Nelson (D-Fla.), Dean Heller (R-Nev.), Claire McCaskill (D-Mo.),
Amy Klobuchar (D-Minn.), Kelly Ayotte (R-N.H.), Jerry Moran (R-Kan.), Richard Blumenthal (D-Conn.)

S. 1298, PORT PERFORMANCE ACT (H.R. 22)*

S. 834, SPORT FISH RESTORATION AND RECREATIONAL BOATING SAFETY ACT (H.R. 22)*

S. 769, TRACK, RAILROAD, AND INFRASTRUCTURE NETWORK ACT (H.R. 22)*

S. 797, RAILROAD INFRASTRUCTURE FINANCING IMPROVEMENT ACT (H.R. 22)*

S. 1182, JSA BROADCAST TV BILL (H.R. 2029)*

S. 1669, TRUCK SAFETY REFORM ACT (H.R. 22)*

S. 1672, COMMERCIAL DRIVER ACT (H.R. 22)*

S. 1916, RURAL HEALTH CARE CONNECTIVITY ACT (H.R. 2576)*

Lead sponsor: Sen. John Thune (R-S.D.)

COMMITTEE ACTIVITY BILLS SIGNED INTO LAW

S. 1359, THE E-WARRANTY ACT

S. 127, STOP MOTORCYCLE CHECKPOINT FUNDING ACT (H.R. 22)*

Lead sponsor: Sen. Jeanne Shaheen (D-N.H.)
Committee cosponsors: Sens. Ron Johnson (R-Wis.), Joe Manchin (D-W.Va.), Kelly Ayotte (R-N.H.)

S. 1173, RAECHEL AND JACQUELINE HOUCK SAFE RENTAL CAR ACT (H.R. 22)*

S. 1433, IMPROVING DRIVER SAFETY ACT (H.R. 22)*

S. 1467, PEDESTRIAN SAFETY ACT (H.R. 22)*

S. 1535, SAFETY THROUGH INFORMED CONSUMERS ACT (H.R. 22)*

S. 1741, TIRE EFFICIENCY, SAFETY, AND REGISTRATION ACT (H.R. 22)*

Lead sponsor: Sen. Lindsey Graham (R-S.C.) Committee cosponsor: Sen. Roger Wicker (R-Miss.)

H.R. 23, NATIONAL WINDSTORM IMPACT REDUCTION ACT REAUTHORIZATION

H.R. 1020, STEM EDUCATION ACT

Lead sponsor: Rep. Lamar Smith (R-Texas)

H.R. 719, TSA OFFICE OF INSPECTION ACCOUNTABILITY ACT

H.R. 720. GERARDO HERNANDEZ AIRPORT SECURITY ACT

Lead sponsor: Rep. John Katko (R-N.Y.)

S. 1334, ILLEGAL, UNREPORTED, AND UNREGULATED FISHING ENFORCEMENT ACT (H.R. 774)*

Lead sponsor: Sen. Lisa Murkowski (R-Alaska) Committee cosponsors: Sens. Dan Sullivan (R-Alaska), Brian Schatz (D-Hawaii), Maria Cantwell (D-Wash.), Ed Markey (D-Mass.), Cory Booker (D-N.J.)

S. 1326, MARITIME ADMINISTRATION ENHANCEMENT ACT (S. 1356)*

S. 143, U.S. MERCHANT MARINE ACADEMY IMPROVEMENTS ACT (S. 1356)*

S. 1040, ROV IN-DEPTH EXAMINATION ACT (H.R. 2029)*

Lead sponsor: Sen. Dean Heller (R-Nev.) Committee cosponsors: Sens. Kelly Ayotte (R-N.H.), Steve Daines (R-Mont.), Cory Gardner (R-Colo.), Joe Manchin (D-W.Va.), Dan Sullivan (R-Alaska)

S. 976, SPACE RESOURCE EXPLORATION AND UTILIZATION ACT (H.R. 2262)*

Lead sponsor: Sen. Patty Murray (D-Wash.) Committee cosponsors: Sens. Marco Rubio (R-Fla.), Maria Cantwell (D-Wash.)





COMMITTEE ACTIVITY

BILLS SIGNED INTO LAW

S. 2658, FEDERAL AVIATION REAUTHORIZATION ACT (H.R. 636)*

S. 142, CHILD NICOTINE POISONING PREVENTION ACT

S. 2276, PIPES ACT

Lead sponsor: Sen. Deb Fischer (R-Neb.)

Committee cosponsors: Sens. Cory Booker (D-N.J.), Steve Daines (R-Mont.), Gary Peters (D-Mich.)

S. 1611, COAST GUARD AUTHORIZATION ACT (H.R. 4188)*

S. 2829, MARITIME ADMINISTRATION AUTHORIZATION AND ENHANCEMENT ACT (S. 2943)*

S. 2206, NOAA SEXUAL HARASSMENT AND ASSAULT PREVENTION ACT (S. 2943)*

Lead sponsor: Sen. Dan Sullivan (R-Alaska) Committee cosponsors: Sens. Brian Schatz (D-Hawaii), John Thune (R-S.D.), Bill Nelson (D-Fla.), Maria Cantwell (D-Wash.), Roger Wicker (R-Miss.), Kelly Ayotte (R-N.H.)

H.R. 710, ESSENTIAL TRANSPORTATION WORKER IDENTIFICATION CREDENTIAL ASSESSMENT ACT

S. 2044, CONSUMER REVIEW FREEDOM ACT OF 2015 (H.R. 5111)*

S. 571, PILOT'S BILL OF RIGHTS 2 (H.R. 636)*

S. 592, IMPROVING THE TRANSITION BETWEEN EXPERIMENTAL PERMITS AND COMMERCIAL LICENSES FOR **COMMERCIAL REUSABLE LAUNCH VEHICLES (H.R. 2262)***

S. 1251, NORTHWEST ATLANTIC FISHERIES CONVENTION AMENDMENTS ACT (H.R. 6452)*

Lead sponsor: Sen. Ed Markey (D-Mass.)

S. 3084, AMERICAN INNOVATION AND COMPETITIVENESS ACT

S. 2635, COAST GUARD ICEBREAKER RECAPITALIZATION ACT (S.2943)*

H.R. 2843, TSA PRECHECK EXPANSION ACT (H.R. 636)*

COMMITTEE ACTIVITY BILLS SIGNED INTO LAW

S. 1335, ENSURING ACCESS TO FISHERIES ACT (H.R. 6452)*

Lead sponsor: Sen. Dan Sullivan (R-Alaska)
Committee cosponsor: Sen. Brian Schatz (D-Hawaii)

S. 1336, SOUTH PACIFIC FISHERIES CONVENTION IMPLEMENTATION ACT (H.R. 6452)*

Lead sponsor: Sen. Brian Schatz (D-Hawaii) Committee cosponsors: Sen. Dan Sullivan (R-Alaska

S. 2987, SCREEN FAST ACT (H.R. 636)*

Lead sponsor: Sen. Corv Gardner (R-Colo.)

S. 2219, OUTDOOR RECREATION JOBS AND ECONOMIC IMPACT ACT (H.R. 4665)*

Lead sponsor: Sen. Jeanne Shaheen (D-N.H.) Committee cosponsors: Sens. Cory Gardner (R-Colo.), Steve Daines (R-Mont.), Jerry Moran (R-Kan.) Roger Wicker (R-Miss.), Kelly Ayotte (R-N.H.), Amy Klobuchar (D-Minn.), Gary Peters (D-Mich.)

S. 2926, SCIENCE PRIZE COMPETITIONS ACT (S. 3084)*

Lead sponsor: Sen Tom Udall (D-N.M.)

S. 2113, CROWDSOURCING AND CITIZEN SCIENCE ACT (S. 3084)*

Lead sponsor: Sen. Chris Coons (D-Del.)
Committee cosponsors: Sen. Steve Daines (R-Mont.)

S. 2889, AMERICAN INNOVATORS AND ENTREPRENEURS ACT (S. 3084)*

Lead sponsor: Sen. Chris Coons (D-Del.) Committee cosponsors: Sens. Deb Fischer (R-Neb.)

H.R. 4698, SECURING AVIATION FROM FOREIGN ENTRY POINTS AND GUARDING AIRPORTS THROUGH ENHANCED SECURITY ACT (H.R. 636)*

Lead sponsor: Rep. John Katko (R-N.Y.)

H.R. 5944, TO AMEND TITLE 49, U.S. CODE, WITH RESPECT TO CERTAIN GRANT ASSURANCES

Lead sponsor: Rep. Fred Upton (R-Mich.)

S. 2683, FEDERAL AVIATION ADMINISTRATION VETERAN TRANSITION IMPROVEMENT ACT (S. 2658)*

Lead sponsor: Sen. Mazie Hirono (D-Hawaii)
Committee cosponsors: Sens. Deb Fischer (R-I

Committee cosponsors: Sens. Deb Fischer (R-Neb.), Jerry Moran (R-Kan.)

H.R. 6014, AIRPORT CONSTRUCTION AND ALTERATION REFORM ACT

Lead sponsor: Rep. Richard Nolan (D-Minn.)

S. 1297, U.S. COMMERCIAL SPACE LAUNCH COMPETITIVENESS ACT (H.R. 2262)*

Lead sponsor: Sen. Ted Cruz (R-Texas) Committee cosponsors: Sens. Bill Nelson (D-Fla.), Gary Peters (D-Mich.), Marco Rubio (R-Fla.), Cory Gardner (R-Colo.), Tom Udall (D-N.M.)

S. 2779, MANUFACTURING EXTENSION PARTNERSHIP IMPROVEMENT ACT (S. 3084)*

Lead sponsor: Sen. Chris Coons (D-Del.)

Committee cosponsors: Sens. Kelly Ayotte (R-N.H.), Gary Peters (D-Mich.)

S. 2361, AIRPORT SECURITY ENHANCEMENT AND OVERSIGHT ACT (H.R.636)*

Lead sponsor: Sen. John Thune (R-S.D.)
Committee cosponsors: Sens. Bill Nelson (D-Fla.), Kelly Ayotte (R-N.H.),
Maria Cantwell (D-Wash.), Ron Johnson (R-Wis.), Amy Klobuchar (D-Minn.)

S. 3183, THE BETTER ONLINE SALES ACT

Lead sponsor: Sen. Jerry Moran (R-Kan.)
Committee cosponsors: Sens. Deb Fischer (R-Neb.), Richard Blumenthal (D-Conn. Bill Nelson (D-Fla), Amy Klobuchar (D-Minn.), Maria Cantwell (D-Wash.)

* KEY ELEMENTS INCLUDED IN ENACTED BILL NOTED





NOAA SEXUAL HARASSMENT & ASSAULT PREVENTION ACT

S. 2206 ENACTED: DECEMBER 23, 2016, AS PART OF S. 2943 **SPONSORS:** SENS. DAN SULLIVAN (R-ALASKA) AND BRIAN SCHATZ (D-HAWAII)

WHAT THE BILL DOES

The National Oceanic and Atmospheric Administration (NOAA) monitors and forecasts changes in weather, oceans, and coasts while managing coastal resources. Study of the oceans often involves prolonged missions on ships where crew members lack traditional recourse when their rights are violated. Unfortunately, NOAA has stumbled on efforts to prevent sexual harassment and assault and even turned its back on victims seeking help.

The NOAA Sexual Harassment and Assault Prevention Act gives NOAA employees and contractors rights in law by, for the first time, requiring the agency to establish a policy addressing sexual assault and harassment. It directs the agency to establish clear procedures to follow after a report of misconduct, protects the rights of victims, and prohibits retaliation. In helping to build an agency culture that doesn't tolerate sexual misconduct, the bill mandates that the agency guarantee access to a 24-hour hotline for victims seeking help and strengthens oversight of the agency's response to complaints.



WHAT IT MEANS FOR JULIA

Julia's hometown is in lowa, but her passion for research takes her to sea. When she was an oceanographer and crew member on a NOAA research vessel, she experienced and reported sexual misconduct. But because she worked for a university and wasn't a federal employee, agency staff said they couldn't intervene. She even faced retaliation after complaining as field research opportunities dwindled. "I should not have had to choose between a post-doctoral position mapping underwater reefs for a proposed national marine sanctuary expansion or reporting sexual assault," Julia explained.

She believes NOAA needs to take more responsibility for the welfare of federal employees, crew, and student scientists aboard its ships. "I wrote emails to government agencies and a university that had no incentive to help me. This legislation is a step toward preventing my colleagues and friends from facing that same situation," she added.

SURFACE TRANSPORTATION BOARD REAUTHORIZATION

S. 808 ENACTED: DECEMBER 18, 2015

SPONSORS: SENS. JOHN THUNE (R-S.D.) AND BILL NELSON (D-FLA.)

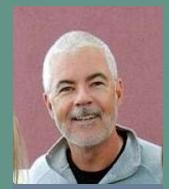
WHAT THE BILL DOES

The Surface Transportation Board is the federal regulatory body responsible for oversight of the nation's freight rail system. The Board has three members appointed by the President of the United States and confirmed by the U.S. Senate. All three board members testified at a Commerce Committee hearing in August 2016.

The Board's job is to resolve disputes between railroads and their customers over service and shipping rate charges to ensure fairness. The Surface Transportation Board Reauthorization Act is the first reform of the Board since its creation 20 years ago. The bill gives the Board new tools to expedite freight rate disputes and gives it proactive authority to resolve rail system problems before they escalate.



WHAT IT MEANS FOR KEVIN



KEVIN -WILMINGTON, DEL.

Kevin is a logistics manager for a chemical company that depends on rail transportation. Over the last decade, he has seen his company's rates double - and he witnessed the Board's failure to act. As rates rose, Kevin said that the Board was "ill equipped to effectively resolve rate disputes, address the massive consolidation in the freight rail industry and update antiquated policies that have decreased access to competitive and reliable freight rail service."

Higher freight rail rates and inconsistent service means lost business to competitors around the globe, he says. Kevin sees the

Surface Transportation Board Reauthorization Act passed by Congress in 2015 as a crucial step in reform. Kevin called the bill "the most meaningful reform of U.S. freight rail policy in 35 years" that "contains many important reforms that will help make the Board a more effective venue for resolving the mounting rate and service issues that many rail customers face today."

FAA REAUTHORIZATION ACT

(TOWER MARKINGS PROVISION)

PROVISION ENACTED: JULY 15, 2016, AS PART OF H.R. 636

SPONSORS: SENS. JOHN THUNE (R-S.D.) AND BILL NELSON (D-FLA.)

WHAT THE BILL DOES

Enhancing the safety of pilots and passengers in small aircraft was a top priority in the Senate's aviation reform legislation. While the FAA already requires lighting and markings for many tall buildings, cranes, and electric transmission lines, many towers under 200 feet tall, including temporary structures, have long been exempt. As growth in aviation and infrastructure overlap more in rural areas, the dangers unmarked towers pose to low-flying aircraft for agricultural and other uses has increased.

The National Transportation Safety Board has investigated several fatal accidents involving small aircraft and towers that lacked easy-to-spot markings. The tower markings provision addresses this known safety hazard by broadening requirements for marking, lighting, and registering towers between 50 and 200 feet tall that pose a hazard to aircraft.



WHAT IT MEANS FOR PERRY

Perry is an aerial applicator - he applies crop protection products to rural Midwestern farms using a small airplane. "In my line of work, towers sometimes pose a threat to a pilot's safety. In the last five years, four pilots in my industry have lost their lives in collisions with towers virtually invisible to a low-level aviator," he explained.

As a pilot with a family, he appreciates the tower marking and database provisions that increase his ability to avoid a collision. "Tower marking requirements will enhance safety not just for aerial applicators, but for all low-level aviation pilots and passengers, including those working in the air medical services, wildlife survey, firefighting, and powerline inspection industries." Through private sector technology, Perry added that database improvements mean the GPS he uses in his aircraft will be able to display more information about potentially hazardous ground structures.



EARLY 2017 PREVIEW

CONFIRMING NOMINEES

Evaluating the President's nominations serves as both a constitutional check and a means for Congress to hold executive branch agencies accountable. The Commerce Committee is responsible for more than 100 appointed positions in executive branch departments and agencies requiring Senate confirmation. Through hearings, in-person meetings, correspondence, and document examination, committee members will ensure nominees for senior positions at the Department of Transportation, the Department of Commerce, the Federal Communications Commission, and other agencies are right for the job. Track the status of nominations at **commerce.senate.gov/nominations**.

BOOSTING 5G DEVELOPMENT

The MOBILE NOW Act, the committee's proposed broadband legislation, would boost the development of next-generation 5G gigabit wireless services by ensuring more airwaves are made available for commercial broadband use and streamlining wireless network deployment regulations. It would also speed the development of building wireless infrastructure by cutting bureaucratic red tape. This legislation received broad bipartisan support in the 114th Congress and is poised to advance rapidly in the Senate next year.

PROTECTING MARITIME SECURITY & SURFACE TRANSPORTATION

The Transportation Security Administration (TSA) has responsibilities for assessing threats and providing training and coordination for the security of all modes of transportation. With a day-to-day focus on airport screening, TSA often neglects responsibilities for other modes of transportation according to independent evaluations. In the wake of recent terrorist attacks, the Surface Transportation and Maritime Security Act will address deficiencies in TSA's behind-the-scenes efforts to protect rail, transit, highway, and maritime transportation.

ENCOURAGING INNOVATION

In the 114th Congress, the Commerce Committee held hearings and demonstrations on emerging technologies including drones, self-driving vehicles, artificial intelligence, the Internet of Things, and augmented reality. Supporting American entrepreneurs doesn't always require congressional legislation. Oversight of federal regulators and continued dialogue with job creators keeps policymakers informed and the federal bureaucracy's inclination to overregulate in check. In 2017, the Commerce Committee will continue to identify innovation in our economy and the accompanying federal policy issues, including cybersecurity.

