

credits under this section if the Secretary determines that—

“(i) the limitation under paragraph (1)(B) has not been attained at the time of the review, or

“(ii) scheduled placed-in-service dates of previously certified facilities have been significantly delayed and the Secretary determines the applicant will not meet the timeline pursuant to paragraph (2)(B).

“(C) ADDITIONAL PROGRAM FOR ALLOCATIONS AND REALLOCATIONS.—If the Secretary determines that credits under this section are available for further allocation or reallocation, but there is an insufficient quantity of qualifying applications for certification pending at the time of the review, the Secretary is authorized to conduct an additional program for applications for certification.

“(5) DISCLOSURE OF ALLOCATIONS.—The Secretary shall, upon making a certification under this subsection, publicly disclose the identity of the applicant and the amount of the credit with respect to such applicant.

“(e) DENIAL OF DOUBLE BENEFIT.—A credit shall not be allowed under this section with respect to any facility if—

“(1) a credit has been allowed to such facility under section 45 for such taxable year or any prior taxable year,

“(2) a credit has been allowed with respect to such facility under section 46 by reason of section 48(a) or 48C(a) for such taxable or any preceding taxable year, or

“(3) a grant has been made with respect to such facility under section 1603 of the American Recovery and Reinvestment Act of 2009.”

(c) CONFORMING AMENDMENTS.—

(1) Section 49(a)(1)(C) of the Internal Revenue Code of 1986 is amended—

(A) by striking “and” at the end of clause (v),

(B) by striking the period at the end of clause (vi) and inserting “, and”, and

(C) by adding after clause (vi) the following new clause:

“(vii) the basis of any property which is part of a qualifying offshore wind facility under section 48E.”

(2) The table of sections for subpart E of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 48D the following new item:

“48E. Credit for offshore wind facilities.”

(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 3290. Mr. ALEXANDER (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 1306, add the following:

(h) SECONDARY USE APPLICATIONS.—

(1) IN GENERAL.—The Secretary shall carry out a research, development, and demonstration program that—

(A) builds on any work carried out under section 915 of the Energy Policy Act of 2005 (42 U.S.C. 16195);

(B) identifies possible uses of a vehicle battery after the useful life of the battery in a vehicle has been exhausted;

(C) conducts long-term testing to verify performance and degradation predictions and lifetime valuations for secondary uses;

(D) evaluates innovative approaches to recycling materials from plug-in electric drive vehicles and the batteries used in plug-in electric drive vehicles;

(E)(i) assesses the potential for markets for uses described in subparagraph (B) to develop; and

(ii) identifies any barriers to the development of those markets; and

(F) identifies the potential uses of a vehicle battery—

(i) with the most promise for market development; and

(ii) for which market development would be aided by a demonstration project.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress an initial report on the findings of the program described in paragraph (1), including recommendations for stationary energy storage and other potential applications for batteries used in plug-in electric drive vehicles.

(3) SECONDARY USE DEMONSTRATION.—

(A) IN GENERAL.—Based on the results of the program described in paragraph (1), the Secretary shall develop guidelines for projects that demonstrate the secondary uses and innovative recycling of vehicle batteries.

(B) PUBLICATION OF GUIDELINES.—Not later than 18 months after the date of enactment of this Act, the Secretary shall—

(i) publish the guidelines described in subparagraph (A); and

(ii) solicit applications for funding for demonstration projects.

(C) PILOT DEMONSTRATION PROGRAM.—Not later than 21 months after the date of enactment of this Act, the Secretary shall select proposals for grant funding under this section, based on an assessment of which proposals are mostly likely to contribute to the development of a secondary market for batteries.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on February 4, 2016, at 10 a.m.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on February 4, 2016, at 10:30 a.m., in room SR-253 of the Russell Senate Office Building to conduct a Subcommittee hearing entitled “Ensuring Intermodal USF Support for Rural America.”

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

COMMITTEE ON FINANCE

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on February 4, 2016, at 10 a.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled

“Hearing to consider the nominations of Mary Katherine Wakefield, Andrew LaMont Eanes, Elizabeth Ann Copeland, and Vik Edwin Stoll.”

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on February 4, 2016, at 10 a.m.

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

SELECT COMMITTEE ON INTELLIGENCE

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 4, 2016, at 2:30 p.m.

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

PRIVILEGES OF THE FLOOR

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that privileges of the floor be granted to Karen Dildei, effective today through March 1, 2016.

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

Ms. HEITKAMP. Mr. President, I ask unanimous consent that the following fellows in Senator DURBIN’s office be granted floor privileges for the remainder of the 114th Congress: Jeremy Ward, Elizabeth Lawrence, Karla Hagan, and Craig Crawford.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SASSE. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of Calendar No. 465; that the nomination be confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate’s action and the Senate then resume legislative session.

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

The nomination considered and confirmed is as follows:

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. John W. Nicholson, Jr.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

AUTHORIZING USE OF
EMANCIPATION HALL

Mr. SASSE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 109, which is at the desk.

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

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 109) authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to present the Congressional Gold Medal to the foot soldiers who participated in the 1965 Selma to Montgomery marches.

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

Mr. SASSE. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table with no intervening action or debate.

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

The concurrent resolution (H. Con. Res. 109) was agreed to.

CONGRATULATING THE UNIVERSITY OF MOUNT UNION FOOTBALL TEAM FOR WINNING THE 2015 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION III FOOTBALL CHAMPIONSHIP

Mr. SASSE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 363, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 363) congratulating the University of Mount Union football team for winning the 2015 National Collegiate Athletic Association Division III Football Championship.

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

Mr. SASSE. 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 resolution (S. Res. 363) was agreed to.

The preamble was agreed to.

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

RELATIVE TO THE DEATH OF
MARLOW COOK

Mr. SASSE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 364, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 364) relative to the death of Marlow Cook, former United States Senator for the Commonwealth of Kentucky.

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

Mr. SASSE. 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. 364) was agreed to.

The preamble was agreed to.

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

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to the provisions of S. Con. Res. 28 (114th Congress), appoints the following Senators to the Joint Congressional Committee on Inaugural Ceremonies: the Honorable MITCH MCCONNELL of Kentucky, the Honorable ROY BLUNT of Missouri, and the Honorable CHARLES SCHUMER of New York.

ORDERS FOR MONDAY, FEBRUARY
8, 2016

Mr. SASSE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it ad-

journal until 2 p.m., Monday, February 8; 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 until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each; finally, that the Senate adjourn under the provisions of S. Res. 364 as a mark of respect for the late Marlow Cook, former Senator from the Commonwealth of Kentucky.

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

ADJOURNMENT UNTIL MONDAY,
FEBRUARY 8, 2016, AT 2 P.M.

Mr. SASSE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:47 p.m., adjourned until Monday, February 8, 2016, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF JUSTICE

PATRICK A. BURKE, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF COLUMBIA FOR THE TERM OF FOUR YEARS, VICE EDWIN DONOVAN SLOANE, RETIRED.

THE JUDICIARY

STEPHANIE A. FINLEY, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF LOUISIANA, VICE RICHARD T. HAIK, SR., RETIRED.

CLAUDE J. KELLY III, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF LOUISIANA, VICE IVAN L. R. LEMELLE, RETIRED.

CONFIRMATION

Executive nomination confirmed by the Senate February 4, 2016:

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. JOHN W. NICHOLSON, JR.