

Fisher was a recipient of a number of awards, including Parade of Homes Best Show, Builder of the Year, Bridge Builder Award from the Grand Teton Council of the Boy Scouts of America, voted as best lodging property several years by the community, TripAdvisor Hall of Fame Award for 5 years of certificates of excellence, and the Community Black Belt Volunteer Award. Mr. Fisher has dedicated his life to serving his customers and the community. It is my honor to recognize Larry and Debbie Fisher and the employees of Destinations Inn who have done so much for their community. You make our State proud, and I look forward to watching your continued growth and success.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1267. A communication from the Deputy Director, Office of Senate Security, transmitting, pursuant to law, a report relative to the National Defense Authorization Act (NDAA) for fiscal year 2011 (OSS-2017-0369); to the Committee on Armed Services.

EC-1268. A joint communication from the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, transmitting a request relative to issuing a travel restriction on senior officials' travel to Syria for the period of April 7, 2017, until further notice; to the Committee on Armed Services.

EC-1269. A communication from the Senior Official performing the duties of the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, a report relative to Modification to Support for Non-Federal Development and Testing of Material for Chemical Agent Defense; to the Committee on Armed Services.

EC-1270. A communication from the Acting Secretary of the Navy, transmitting, pursuant to law, a report relative to the Program Acquisition Unit Cost (PAUC) and Average Procurement Cost (APUC) for the Advanced Arresting Gear (AAG) program; to the Committee on Armed Services.

EC-1271. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General William J. Bender, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-1272. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral Philip H. Cullom, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-1273. A communication from the Acting Deputy Secretary, Department of Agriculture, transmitting, pursuant to law, the Federal Grain Inspection Service Annual Report for 2016 and the Uniform Resource Locator (URL) for the report; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1274. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations; Panola County, MS, and Incorporated Areas, et al." (Docket No. FEMA-2017-0002) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1275. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Unverified List (UVL)" (RIN0694-AH29) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1276. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility (Pierce County, WA, et al.)" ((44 CFR Part 64) (Docket No. FEMA-2016-0002)) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1277. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility (Otsego County, NY, et al.)" ((44 CFR Part 64) (Docket No. FEMA-2016-0002)) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1278. A communication from the Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting, pursuant to law, a report entitled "Consumer Financial Protection Bureau's Office of Minority and Women Inclusion Annual Report to Congress"; to the Committee on Banking, Housing, and Urban Affairs.

EC-1279. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Federal Reserve Bank Capital Stock" (RIN7100-AE47) received in the Office of the President of the Senate on April 6, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1280. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Federal Reserve Bank Capital Stock" (RIN7100-AE47) received in the Office of the President of the Senate on April 6, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1281. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations; Carroll County, MS" (Docket No.

FEMA-2016-0002) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1282. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary (Terrorism and Financial Intelligence), Department of the Treasury, received in the Office of the President of the Senate on April 7, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1283. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Director of the Mint, Department of the Treasury, received during adjournment of the Senate in the office of the President of the Senate on April 11, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1284. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility (Loudon County, VA, et al.)" ((44 CFR Part 64) (Docket No. FEMA-2016-0002)) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1285. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility (Jackson County, MO, et al.)" ((44 CFR Part 64) (Docket No. FEMA-2016-0002)) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1286. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility (Davidson County, TN, et al.)" ((44 CFR Part 64) (Docket No. FEMA-2016-0002)) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1287. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary (Financial Institutions), Department of the Treasury, received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1288. A communication from the Acting Solicitor General, Department of Justice, transmitting, pursuant to law, a report relative to the Consumer Financial Protection Bureau's for-cause removal provision; to the Committee on Banking, Housing, and Urban Affairs.

EC-1289. A communication from the Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting, pursuant to law, a report entitled "Fair Lending Report of the Consumer Financial Protection Bureau"; to the Committee on Banking, Housing, and Urban Affairs.

EC-1290. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to

Syria that was declared in Executive Order 13338 of May 11, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC-1291. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items not detrimental to the U.S. space launch industry; to the Committee on Banking, Housing, and Urban Affairs.

EC-1292. A communication from the Chairman, National Credit Union Administration, transmitting, pursuant to law, the National Credit Union Administration's 2016 annual report; to the Committee on Banking, Housing, and Urban Affairs.

EC-1293. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Subsistence Harvest in Alaska; Harvest Regulations for Migratory Birds in Alaska During the 2017 Season" (RIN1018-BB71) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2017; to the Committee on Environment and Public Works.

EC-1294. A communication from the Chief of the Policy, Performance, and Management Programs Division, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Reclassification of the West Indian Manatee From Endangered to Threatened" (RIN1018-AY84) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2017; to the Committee on Environment and Public Works.

EC-1295. A communication from the Special Agent in Charge of the Branch of Investigations, Office of Law Enforcement, Fish and Wildlife Service, transmitting, pursuant to law, the report of a rule entitled "Civil Penalties; 2017 Inflation Adjustments for Civil Monetary Penalties" (RIN1018-BB97) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2017; to the Committee on Environment and Public Works.

EC-1296. A communication from the Chief of the Policy, Performance, and Management Programs Division, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Removal of the Scarlet-Chested Parrot and the Turquoise Parrot From the Federal List of Endangered and Threatened Wildlife" (RIN1018-BB29) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2017; to the Committee on Environment and Public Works.

EC-1297. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary (Intelligence Affairs), Department of the Treasury, received in the Office of the President of the Senate on April 6, 2017; to the Committee on Finance.

EC-1298. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Secretary, Department of the Treasury, received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2017; to the Committee on Finance.

EC-1299. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of General

Counsel, Department of the Treasury, received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2017; to the Committee on Finance.

EC-1300. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of General Counsel, Department of the Treasury, received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2017; to the Committee on Finance.

EC-1301. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of General Counsel, Department of the Treasury, received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2017; to the Committee on Finance.

EC-1302. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Secretary of the Treasury, received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2017; to the Committee on Finance.

EC-1303. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Chief Counsel, Internal Revenue Service, Department of the Treasury, received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2017; to the Committee on Finance.

EC-1304. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Member, Internal Revenue Service Oversight Board, Department of the Treasury, received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2017; to the Committee on Finance.

EC-1305. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Member, Internal Revenue Service Oversight Board, Department of the Treasury, received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2017; to the Committee on Finance.

EC-1306. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary (Financial Markets), Department of the Treasury, received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2017; to the Committee on Finance.

EC-1307. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Anti-Harassment and Hostile Work Environment Case Tracking and Records System" (RIN0960-AH82) received during adjournment of the Senate in the Office of the President of the Senate on April 14, 2017; to the Committee on Finance.

EC-1308. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Election by Qualified Small Business to Claim Payroll Tax Credit for Increasing Research Activities"

(Notice 2017-23) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Finance.

EC-1309. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Proposed Revenue Procedure for Requesting Consent to Change a Method of Accounting" (Notice 2017-17) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Finance.

EC-1310. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Notice on Windsor-Related Estate, Gift and Generation-Skipping Transfer Issues" (Notice 2017-15) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Finance.

EC-1311. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Announcement and Report Concerning Advance Pricing Agreements" (Announcement 2017-03) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Finance.

EC-1312. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Relief from Section 4975 of the Internal Revenue Code" (Announcement 2017-4) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Finance.

EC-1313. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2017 Automobile Price Inflation Adjustment" (Rev. Proc. 2017-29) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Finance.

EC-1314. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Small Business/Self Employed Fast Track Settlement" (Rev. Proc. 2017-25) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Finance.

EC-1315. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "March 2017 Supplement to Rev. Proc. 2014-64, Implementation of Nonresident Alien Deposit Interest Regulations" (Rev. Proc. 2017-31) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Finance.

EC-1316. A communication from the Principal Deputy Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0378); to the Committee on Foreign Relations.

EC-1317. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, the Department's annual report concerning military assistance and military exports (OSS-

2017-0402); to the Committee on Foreign Relations.

EC-1318. A communication from the Principal Deputy Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0379); to the Committee on Foreign Relations.

EC-1319. A communication from the Principal Deputy Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0380); to the Committee on Foreign Relations.

EC-1320. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Report of the Attorney General to the Congress of the United States on the Administration of the Foreign Agents Registration Act of 1938, as amended," for the six months ending June 30, 2016; to the Committee on Foreign Relations.

EC-1321. A communication from the Office of Presidential Appointments, Department of State, transmitting, pursuant to law, thirty-six (36) reports relative to vacancies in the Department of State, received during adjournment of the Senate in the Office of the President of the Senate on April 14, 2017; to the Committee on Foreign Relations.

EC-1322. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Report of the Attorney General to the Congress of the United States on the Administration of the Foreign Agents Registration Act of 1938, as amended," for the six months ending June 30, 2016; to the Committee on Foreign Relations.

EC-1323. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 16-074); to the Committee on Foreign Relations.

EC-1324. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 16-137); to the Committee on Foreign Relations.

EC-1325. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 16-126); to the Committee on Foreign Relations.

EC-1326. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 16-105); to the Committee on Foreign Relations.

EC-1327. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 16-100); to the Committee on Foreign Relations.

EC-1328. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 16-080); to the Committee on Foreign Relations.

EC-1329. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the Protocol to the North Atlantic Treaty on the

Accession of Montenegro of March 28, 2017; to the Committee on Foreign Relations.

EC-1330. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 17-008); to the Committee on Foreign Relations.

EC-1331. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 17-017); to the Committee on Foreign Relations.

EC-1332. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 17-005); to the Committee on Foreign Relations.

EC-1333. A communication from the Deputy Assistant Secretary for Program Operations, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Definition of the Term 'Fiduciary'; Conflict of Interest Rule—Retirement Investment Advice; Best Interest Contract Exemption (Prohibited Transaction Exemption 2016-01); Class Exemption for Principal Transactions in Certain Assets Between Investment Advice Fiduciaries and Employee Benefit Plans and IRAs (Prohibited Transaction Exemption 2016-02); Prohibited Transaction Exemptions 75-1, 77-4, 80-83, 84-24 and 86-128" (RIN1210-AB79) received in the Office of the President of the Senate on April 7, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-1334. A communication from the Acting Secretary of Labor, transmitting, pursuant to law, the report of a rule entitled "Revision of FOIA Regulations" (RIN1290-AA30) received in the Office of the President of the Senate on April 7, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-1335. A communication from the Regulations Coordinator, Division of Select Agents and Toxins, Centers for Disease Control and Prevention, transmitting, pursuant to law, the report of a rule entitled "Possession, Use, and Transfer of Select Agents and Toxins—Addition of *Bacillus cereus* Biovar anthracis to the HHS List of Select Agents and Toxins" (RIN0920-AA64) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-1336. A communication from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Part 4022) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-1337. A communication from the Deputy Assistant General Counsel for the Division of Regulatory Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Adjustment of Civil Monetary Penalties for Inflation" (RIN1801-AA16) received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-1338. A communication from the Deputy General Counsel, Office of General Counsel, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Title I—Improving the Academic Achievement of the Disadvantaged (Subpart C—Mi-

grant Education Program)" (RIN1810-AA99) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC-1339. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1340. A communication from the Director, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, the Department's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1341. A communication from the Acting Administrator, General Services Administration, transmitting, pursuant to law, the Administration's fiscal year 2016 report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1342. A communication from the Chief Judge, Superior Court of the District of Columbia, transmitting, pursuant to law, a report relative to the District of Columbia Family Court Act; to the Committee on Homeland Security and Governmental Affairs.

EC-1343. A communication from the General Counsel, Privacy and Civil Liberties Oversight Board, transmitting, pursuant to law, the Board's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1344. A communication from the Acting Chairman, Occupational Safety and Health Review Commission, transmitting, pursuant to law, the Commission's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1345. A communication from the President, Inter-American Foundation, transmitting, pursuant to law, the Foundation's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1346. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's fiscal year 2014 and fiscal year 2015 inventories of commercial and inherently governmental positions in the Department of Transportation; to the Committee on Homeland Security and Governmental Affairs.

EC-1347. A communication from the Acting Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the Commission's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1348. A communication from the Special Counsel, Office of Special Counsel, transmitting, pursuant to law, the Office's fiscal year 2016 report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1349. A communication from the Acting Director, Environmental Protection Agency, transmitting, pursuant to law, the Agency's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1350. A communication from the Acting Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the Commission's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1351. A communication from the Director of Legislative Affairs, Office of the Director of National Intelligence, transmitting, pursuant to law, the Office's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1352. A communication from the Acting Director, Environmental Protection Agency, transmitting, pursuant to law, the Agency's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1353. A communication from the Director, Court Services and Offender Supervision Agency for the District of Columbia, transmitting, pursuant to law, the Agency's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1354. A communication from the Director, Office of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting, pursuant to law, the Commission's Annual Sunshine Act Report for 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-1355. A communication from the Director, Office of Legislative Affairs, Office of the Director of National Intelligence, transmitting, pursuant to law, a report relative to two (2) vacancies in the Office of the Director of National Intelligence, received during adjournment of the Senate in the Office of the President of the Senate on April 10, 2017; to the Select Committee on Intelligence.

EC-1356. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Department's Annual Privacy Report for the period October 1, 2013 through September 30, 2016; to the Committee on the Judiciary.

EC-1357. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, the Uniform Resource Locators (URLs) for two reports entitled "2016 Annual Report of the Director of the Administrative Office of the United States Courts" and "Judicial Business of the United States Courts"; to the Committee on the Judiciary.

EC-1358. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, two (2) reports relative to vacancies in U.S. Citizenship and Immigration Services, Department of Homeland Security, received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on the Judiciary.

EC-1359. A communication from the Chief of Special Projects, Office of Regulation Policy and Management, Department of Vet-

erans Affairs, transmitting, pursuant to law, the report of a rule entitled "VA Dental Insurance Program" (RIN2900-AP91) received in the Office of the President of the Senate on April 7, 2017; to the Committee on Veterans' Affairs.

EC-1360. A communication from the Office Program Manager, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Release of VA Records Relating to HIV" (RIN2900-AP73) received in the Office of the President of the Senate on April 6, 2017; to the Committee on Veterans' Affairs.

EC-1361. A communication from the Acting Deputy Administrator, Transportation Security Administration, Department of Homeland Security, transmitting, pursuant to law, a report relative to the Administration's decision to enter into a contract with a private security screening company to provide screening services at Jackson Hole Airport (JAC); to the Committee on Commerce, Science, and Transportation.

EC-1362. A communication from the Associate Chief of the Mobility Division, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of the Commission's Rules with Regard to the 800 MHz Cellular Radiotelephone Service" ((WT Docket No. 12-40; WT Docket No. 10-112; WT Docket No. 16-138; RM No. 11510; RM No. 11660) (FCC 17-27)) received in the Office of the President of the Senate on April 7, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1363. A communication from the Associate Chief of the Mobility Division, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Promoting Technological Solutions to Combat Contraband Wireless Device Use in Correctional Facilities" ((GN Docket No. 13-111) (FCC 17-25)) received in the Office of the President of the Senate on April 7, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1364. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions; Amendment of Parts 73 and 74 of the Commission's Rules to Establish Rules for Digital Low Power Television and Television Translator Stations; Channel Sharing by Full Power and Class A Stations Outside the Broadcast Television Spectrum Incentive Auction Context" ((GN Docket No. 12-268; MB Docket No. 03-185; MB Docket No. 15-137) (FCC 17-29)) received in the Office of the President of the Senate on April 7, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1365. A communication from the Deputy Chief, Disability Rights Office, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Structure and Practices of the Video Relay Service Program; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities" ((CG Docket No. 10-51 and CG Docket No. 03-123) (FCC 17-26)) received in the Office of the President of the Senate on April 7, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1366. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mam-

mals Incidental to Space Vehicle and Missile Launch Operations" (RIN0648-BG25) received during adjournment of the Senate in the Office of the President of the Senate on April 10, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1367. A communication from the Assistant Secretary, Federal Maritime Commission, transmitting, pursuant to law, the report of a rule entitled "Amendments to Regulations Governing Service Contracts and NVOCC Service Arrangements" (RIN3072-AC53) received in the Office of the President of the Senate on April 6, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1368. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Safran Helicopter Engines, S.A., Turboshift Engines" ((RIN2120-AA64) (Docket No. FAA-2016-7850)) received in the Office of the President of the Senate on April 6, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1369. A communication from the Acting Chief of the Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Parts 2, 15, 80, 90, 97, and 101 of the Commission's Rules Regarding Implementation of the Final Acts of the World Radiocommunication Conference (Geneva, 2012) (WRC-12), Other Allocation Issues, and Related Rule Updates" ((ET Doc. No. 15-99) (ET Doc. No. 14-14) (FCC 17-33)) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1370. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Maritime Administrator, Maritime Administration, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1371. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Administrator, National Highway Traffic Safety Administration, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1372. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Administrator, Federal Railroad Administration, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1373. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Administrator, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1374. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting,

pursuant to law, a report relative to a vacancy for the position of Administrator, Federal Highway Administration, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1375. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Administrator, Federal Transit Administration, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1376. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Administrator, Federal Motor Carrier Safety Administration, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1377. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Assistant Secretary for Research and Technology, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1378. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Assistant Secretary for Governmental Affairs, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1379. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Chief Financial Officer, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1380. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of General Counsel, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1381. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Assistant Secretary for Aviation and International Affairs, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1382. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Assistant Secretary

for Transportation Policy, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1383. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Assistant Secretary of Transportation for Policy, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1384. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Deputy Secretary, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1385. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Secretary of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

#### PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-16. A concurrent resolution adopted by the Legislature of the State of North Dakota urging the United States Congress, under Article V of the United States Constitution, to call for a constitutional convention limited to proposing amendments to the United States Constitution, which impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress; to the Committee on the Judiciary.

#### HOUSE CONCURRENT RESOLUTION NO. 3006

Whereas, the founders of the United States Constitution empowered state legislators to be guardians of liberty against excessive use of power by the federal government; and

Whereas, the federal government has created a crushing national debt through improper and imprudent spending; and

Whereas, the federal government has ceased to operate under a proper interpretation of the United States Constitution; and

Whereas, the federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent; and

Whereas, it is the solemn duty of the states to protect the liberty of our people, particularly for the generations to come, by proposing amendments to the United States Constitution through a convention of the states under Article V for the purpose of restraining these and related abuses of power: Now, therefore, be it

*Resolved by the House of Representatives of North Dakota, the Senate concurring therein:*

That the Sixty-fifth Legislative Assembly urges the Congress, under the provisions of Article V of the United States Constitution, to call a convention of the states limited to

proposing amendments to the United States Constitution which impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress; and be it further

*Resolved*, that this application constitutes a continuing application in accordance with Article V of the United States Constitution until the legislatures of at least two-thirds of the several states have made applications on the same subject; and be it further

*Resolved*, that the Legislative Assembly adopts this application expressly subject to the following reservations, understandings, and declarations:

1. An application to the Congress of the United States to call an amendment convention of the states pursuant to Article V of the United States Constitution confers no power to Congress other than the power to call such a convention. The power of Congress to exercise this ministerial duty consists solely of the authority to name a reasonable time and place for the initial meeting of a convention;

2. Congress shall perform its ministerial duty of calling an amendment convention of the states only upon the receipt of applications for an amendment convention for the substantially same purpose as this application from two-thirds of the legislatures of the several states;

3. Congress does not have the power or authority to determine any rules for the governing of a convention for proposing amendments called pursuant to Article V of the United States Constitution. Congress does not have the power to set the number of delegates to be sent by any state to such a convention, nor does it have the power to name delegates to such a convention. The power to name delegates remains exclusively within the authority of the legislatures of the several states;

4. By definition, an amendment convention of the states means that states shall vote on the basis of one state, one vote;

5. A convention for proposing amendments convened pursuant to this application must be limited to consideration of the topics specified herein and no other. This application is made with the express understanding that an amendment that in any way seeks to amend, modify, or repeal any provision of the Bill of Rights is not authorized for consideration at any stage. This application is void ab initio if ever used at any stage to consider any change to any provision of the Bill of Rights;

6. Pursuant to Article V of the United States Constitution, Congress may determine whether proposed amendments must be ratified by the legislatures of the several states or by special state ratification conventions. The Legislative Assembly recommends Congress select ratification by the legislatures of the several states; and

7. The Legislative Assembly may provide further instructions to its delegates and may recall its delegates at any time for a breach of a duty or a violation of the instructions provided; and be it further

*Resolved*, that the Secretary of State forward copies of this resolution to the President and Secretary of the Senate and the Speaker and Clerk of the House of Representatives of the Congress, each member of the United States Congressional Delegation from North Dakota, and the presiding officers of each house of the legislatures of the several states, requesting their cooperation.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted: