

## 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.)

## MESSAGE FROM THE HOUSE

At 3:02 p.m., a message from the House of the Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 115. An act to amend title 18, United States Code, to provide additional aggravating factors for the imposition of the death penalty based on the status of the victim.

H.R. 1039. An act to amend section 3606 of title 18, United States Code, to grant probation officers authority to arrest hostile third parties who obstruct or impede a probation officer in the performance of official duties.

H.R. 1892. An act to amend title 4, United States Code, to provide for the flying of the flag at half-staff in the event of the death of a first responder in the line of duty.

The message also announced that pursuant to 10 U.S.C. 4355(a), and the order of the House of January 3, 2017, the Speaker appoints the following Member on the part of the House of Representatives to the Board of Visitors to the United States Military Academy: Mr. THOMAS J. ROONEY of Florida.

The message further announced that pursuant to section 4 of the United States Semiquincentennial Commission Act of 2016 (Public Law 114-196), the Minority Leader appoints the following Members of the House of Representatives to the United States Semiquincentennial Commission: Mr. ROBERT BRADY of Pennsylvania and Mr. JOSEPH CROWLEY of New York; And from private life: Mr. Richard Trumka of Rockville, Maryland.

The message also announced that pursuant to section 114(b) of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1103), the Minority Leader reappoints the following Member of the House of Representatives to the Board of Trustees for the John C. Stennis Center for Public Service Training and Development for a term of 6 years: Ms. TERRI A. SEWELL of Alabama.

MESSAGE FROM THE HOUSE  
RECEIVED DURING ADJOURNMENT

## ENROLLED BILLS SIGNED

Under the order of the Senate of January 3, 2017, the Secretary of the Senate, on May 18, 2017, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bills:

S. 419. An act to require adequate reporting on the Public Safety Officers' Benefits program, and for other purposes.

S. 583. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize COPS grantees to use grant funds to hire veterans as career law enforcement officers, and for other purposes.

Under the authority of the order of the Senate of January 3, 2017, the enrolled bills were signed on May 22, 2017, during the adjournment of the Senate, by the President pro tempore (Mr. HATCH).

## MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 115. An act to amend title 18, United States Code, to provide additional aggravating factors for the imposition of the death penalty based on the status of the victim; to the Committee on the Judiciary.

H.R. 1039. An act to amend section 3606 of title 18, United States Code, to grant probation officers authority to arrest hostile third parties who obstruct or impede a probation officer in the performance of official duties; to the Committee on the Judiciary.

H.R. 1892. An act to amend title 4, United States Code, to provide for the flying of the flag at half-staff in the event of the death of a first responder in the line of duty; to the Committee on the Judiciary.

## ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, May 22, 2017, she had presented to the President of the United States the following enrolled bills:

S. 419. An act to require adequate reporting on the Public Safety Officers' Benefits program, and for other purposes.

S. 583. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize COPS grantees to use grant funds to hire veterans as career law enforcement officers, and for other purposes.

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-1610. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Fluazinam; Pesticide Tolerances" (FRL No. 9960-50) received in the Office of the President of the Senate on May 11, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1611. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Flonicamid; Pesticide Tolerances" (FRL No. 9959-91) received in the Office of the President of the Senate on May 11, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1612. A communication from the Acting Deputy Secretary of Agriculture, transmitting, pursuant to law, a report of violations of the Antideficiency Act by the Department of Agriculture's Working Capital Fund, National Finance Center; to the Committee on Appropriations.

EC-1613. A communication from the Secretary of Defense, transmitting a report on

the approved retirement of Vice Admiral James D. Syring, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-1614. A communication from the Senior Official performing the duties of the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, an out-of-cycle Advanced Arresting Gear Selected Acquisition Report (SAR); to the Committee on Armed Services.

EC-1615. 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 entitled "2017 Annual Report to Congress on the Department of Defense Chemical and Biological Defense Program"; to the Committee on Armed Services.

EC-1616. A communication from the Acting Assistant Secretary of Defense (Strategy, Plans, and Capabilities), transmitting, pursuant to law, a correction to the 2017 report on the plan for the nuclear weapons stockpile, complex, delivery systems, and command and control systems (OSS-2017-0501); to the Committees on Armed Services; Foreign Relations; and Appropriations.

EC-1617. A communication from the Executive Vice President and Chief Financial Officer, Federal Home Loan Bank of Chicago, transmitting, pursuant to law, the Bank's 2016 management reports; to the Committee on Banking, Housing, and Urban Affairs.

EC-1618. A communication from the Acting Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Imposition of Special Measure against North Korea as a Jurisdiction of Primary Money Laundering Concern" (RIN1506-AB35) received in the Office of the President of the Senate on May 16, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1619. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report relative to discretionary appropriations legislation; to the Committee on the Budget.

EC-1620. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Texas; Revisions to Emissions Banking and Trading Programs and Compliance Flexibility" (FRL No. 9960-22-Region 6) received in the Office of the President of the Senate on May 11, 2017; to the Committee on Environment and Public Works.

EC-1621. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Chemical Substances When Manufactured or Processed as Nanoscale Materials; TSCA Reporting and Recordkeeping Requirements" (RIN2070-AK39) (FRL No. 9962-58) received in the Office of the President of the Senate on May 11, 2017; to the Committee on Environment and Public Works.

EC-1622. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, a report entitled "Report to Congress on Abnormal Occurrences: Fiscal Year (FY) 2016"; to the Committee on Environment and Public Works.

EC-1623. A communication from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Connect America Fund; ETC Annual Reports and Certifications; Developing a Unified Inter-carrier

Compensation Regime” ((RIN3060-AF85) (FCC 17-36) (WC Docket No. 10-90) (WC Docket No. 14-58) (CC Docket No. 01-92)) received in the Office of the President of the Senate on May 15, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1624. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts and background statements of international agreements, other than treaties (List 2017-0077—2017-0091); to the Committee on Foreign Relations.

EC-1625. A communication from the Assistant General Counsel for Regulatory Services, Office of General Counsel, Department of Education, transmitting, pursuant to law, the report of a rule entitled “Final priorities, requirements, definitions, and selection criteria—Striving Readers Comprehensive Literacy (SRCL) Program” ((RIN1810-AB25) (Docket No. ED-2015-OESE-0129)) received in the Office of the President of the Senate on May 16, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-1626. A communication from the Acting Assistant Secretary for Elementary and Secondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled “Final priorities, requirements, definitions, and selection criteria—Striving Readers Comprehensive Literacy (SRCL) Program” ((RIN1810-AB25) (Docket No. ED-2015-OESE-0129)) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC-1627. A communication from the Senior Vice President, Chief Financial Officer and Treasurer, Potomac Electric Power Company, transmitting, pursuant to law, the Company’s Balance Sheet as of December 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-1628. A communication from the Chair of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the Inspector General’s Semiannual Report for the six-month period from October 1, 2016 through March 31, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-1629. A communication from the Secretary of Energy, transmitting, pursuant to law, the Department of Energy’s Semiannual Report of the Inspector General for the period from October 1, 2016 to March 31, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-1630. A communication from the Acting Chairman of the National Credit Union Administration, transmitting, pursuant to law, the semi-annual report of the Inspector General for the period from October 1, 2016 through March 31, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-1631. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, the Semiannual Report of the Inspector General and the Management Response for the period from October 1, 2016 through March 31, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-1632. A communication from the Acting Officer for Civil Rights and Civil Liberties, Department of Homeland Security, transmitting, pursuant to law, the Department’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-1633. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, trans-

mitting, pursuant to law, the Office of Community Oriented Policing Services Report on the Rafael Ramos and Wenjian Liu National Blue Alert Act; to the Committee on the Judiciary.

EC-1634. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Non-commercial Educational Station Fundraising for Third-Party Non-Profit Organizations” ((MB Docket No. 12-106) (FCC 17-41)) received in the Office of the President of the Senate on May 11, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1635. 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; U.S. Navy Training Activities in the Gulf of Alaska Temporary Maritime Activities Area” (RIN0648-BE67) received in the Office of the President of the Senate on May 10, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1636. 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; U.S. Navy Training Activities in the Gulf of Alaska Temporary Maritime Activities Area” (RIN0648-BE67) received in the Office of the President of the Senate on May 17, 2017; to the Committee on Commerce, Science, and Transportation.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-21. A concurrent resolution adopted by the Legislature of the State of West Virginia urging the United States Congress and the National Aeronautics and Space Administration to name the NASA IV and V Facility at Fairmont for West Virginia mathematician Katherine Coleman Johnson; to the Committee on Commerce, Science, and Transportation.

#### HOUSE CONCURRENT RESOLUTION 26

Whereas, The NASA Independent Verification and Validation Facility was established at Fairmont, West Virginia in 1993 as part of an agency-wide strategy to provide the highest achievable levels of safety and cost effectiveness for mission critical software; and

Whereas, The NASA IV & V Facility was founded under the NASA Office of Safety and Mission Assurance (OSMA) as a direct result of recommendations made by the National Research Council (NRC) and the Report of the Presidential Commission on the Space Shuttle Challenger Accident; and

Whereas, NASA IV & V Facility has 270 permanent employees and high school and college interns during the summer months and makes an important contribution to the Fairmont, Marion County and West Virginia economies; and

Whereas, NASA mathematician Katherine Coleman Goble Johnson was born at White Sulphur Springs, West Virginia in 1918 and graduated from West Virginia State College summa cum laude in 1937 and was the first African American Woman to attend the graduate school at West Virginia University in 1938; and

Whereas, Katherine Johnson worked as a mathematician at the Langley Flight Re-

search Division from 1953 to 1958 where she was an analyst for such topics as gust alleviation for aircraft; and

Whereas, Katherine Johnson worked as an aerospace technologist at the Spacecraft Controls Branch from 1958 to 1986 and was involved in performing calculations for all the important space missions during this period, including the sub-orbital flight of Alan Shepard, the first orbital flight by John Glenn and the 1969 Apollo 11 moon mission; and

Whereas, Katherine Johnson is the subject of a recently released motion picture “Hidden Figures” that highlights her life and career. Now, therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Legislature urges Congress and NASA to name the NASA IV & V Facility at Fairmont for West Virginia mathematician Katherine Coleman Johnson; and be it further,

*Resolved,* That the Clerk of the House of Delegates forward a copy of this resolution to the President and Secretary of the United States Senate, the Speaker and Clerk of the House of Representatives and to the members of West Virginia’s congressional delegation.

POM-22. A concurrent resolution adopted by the Legislature of the State of West Virginia requesting the United States Congress to fully support the National Park Service’s recommendations to extend the Lewis and Clark National Historic Trail to include additional sites along the Expeditions Eastern Legacy; to the Committee on Energy and Natural Resources.

#### HOUSE CONCURRENT RESOLUTION 15

Whereas, The Lewis and Clark Expedition (“Expedition”) and the Corps of Discovery are nationally significant for their exploration of the Louisiana Territory and search for an all water route to the Pacific Ocean. Under orders by President Thomas Jefferson, the Expedition was responsible for mapping the territory explored, as well as documenting new species of plants and animals, and engaging with the American Indian tribes they encountered. Although part of the route was unmapped territory, the Lewis and Clark Expedition was able to use maps provided to them by American Indians, European explorers, and fur traders. Ultimately, the Expedition was able to link routes and maps together to find passage from St. Louis to the Pacific Ocean, a feat which had never before been accomplished; and

Whereas, In order to recognize the historic significance of the Lewis and Clark Expedition, the National Park Service previously designated a trail which runs from Wood River, Illinois to the West Coast in Oregon and Washington; and

Whereas, Public Law 110-229, passed by the United States Congress in 2008, authorized the Secretary of the Interior to study additional sites associated with the preparation and return phases of the Expedition, located in Virginia, the District of Columbia, Maryland, Delaware, Pennsylvania, West Virginia, Ohio, Kentucky, Tennessee, Indiana, Missouri and Illinois. Those sites were to be considered for inclusion in the “Eastern Legacy” of the Expedition; and

Whereas, The National Park Service evaluated 25 distinct route segments used by the Corps of Discovery for the Expedition to determine if they met the criteria for national significance established by the National Trails System Act; and

Whereas, In August 2016, the National Park Service published its Draft Lewis and Clark National Trail Extension Study, finding that three sections meet the criteria established