

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-1592. A communication from the Acting Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Michael K. Nagata, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-1593. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of two (2) officers authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777, this will not cause the Department to exceed the number of frocked officers authorized; to the Committee on Armed Services.

EC-1594. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of nine (9) officers authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777, this will not cause the Department to exceed the number of frocked officers authorized; to the Committee on Armed Services.

EC-1595. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of twelve (12) officers authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777, this will not cause the Department to exceed the number of frocked officers authorized; to the Committee on Armed Services.

EC-1596. 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; New York, Erie County, Village of Akron, et al." ((44 CFR Part 64) (Docket No. FEMA-2019-0003)) received in the Office of the President of the Senate on June 10, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC-1597. 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; Illinois: Beardstown, City of, Cass County" ((44 CFR Part 64) (Docket No. FEMA-2019-0003)) received in the Office of the President of the Senate on June 5, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC-1598. 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 Policy on Payment System Risk; U.S. Branches and Agencies of Foreign Banking Organizations" (12 CFR Chapter 2) received during adjournment of the Senate in the Office of the President of the Senate on June 6, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC-1599. A communication from the Acting Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Commission Interpretation Regarding the Solely Incidental Prong of the Broker-Dealer Exclusion from the Definition of Investment Adviser" (17 CFR Part 276) received in the Office of the President of the Senate on June 10, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC-1600. A communication from the Acting Secretary, Securities and Exchange Commis-

sion, transmitting, pursuant to law, the report of a rule entitled "Commission Interpretation Regarding Standard of Conduct for Investment Advisers" ((RIN3235-AM36) (17 CFR Part 276)) received in the Office of the President of the Senate on June 10, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC-1601. A communication from the Acting Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Regulation Best Interest: The Broker-Dealer Standard of Conduct" ((RIN3235-AM35) (17 CFR Part 240)) received in the Office of the President of the Senate on June 10, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC-1602. A communication from the Acting Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Form CRS Relationship Summary; Amendments to Form ADV" ((RIN3232-AL27) (17 CFR Parts 200, 240, 249, 275, and 279)) received in the Office of the President of the Senate on June 10, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC-1603. 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 "2020 Section 223 Inflation-Adjusted Item" (Rev. Proc. 2019-25) received during adjournment of the Senate in the Office of the President of the Senate on June 6, 2019; to the Committee on Finance.

EC-1604. 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 "Certain Transfers of Property to Regulated Investment Companies (RICs) and Real Estate Investment Trusts" (RIN1545-BO01) received during adjournment of the Senate in the Office of the President of the Senate on June 6, 2019; to the Committee on Finance.

EC-1605. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2019-0037-2019-0043); to the Committee on Foreign Relations.

EC-1606. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) and (d) of the Arms Export Control Act, the certification of a proposed license for the manufacture of significant military equipment abroad and the export of defense articles, including technical data and defense services, to the Republic of Korea and Singapore to support the manufacture, integration, installation, operation, training, testing, maintenance, and repair of the F-15 Wide Field of View (WFOV) Heads-up Display (HUD) in the amount of \$50,000,000 or more (Transmittal No. DDTC 18-100); to the Committee on Foreign Relations.

EC-1607. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data and defense services, to the United Kingdom to support the manufacture, design, assembly, qualification, test, repair, and maintenance of the F-35 electrical power management system in the amount of \$100,000,000 or more (Transmittal No. DDTC 19-007); to the Committee on Foreign Relations.

EC-1608. A communication from the Sec-

retary of Education's Semi-annual Report of the Inspector General for the period from October 1, 2018 through March 31, 2019; to the Committee on Homeland Security and Governmental Affairs.

EC-1609. A communication from the Secretary of Education, transmitting, pursuant to law, the Department's Semiannual Report to Congress on Audit Follow-up for the period of October 1, 2018 through March 31, 2019; to the Committee on Homeland Security and Governmental Affairs.

EC-1610. A communication from the Administrator, Environmental Protection Agency, transmitting, pursuant to law, the Agency's Semiannual Report of the Office of Inspector General for the period from October 1, 2018 through March 31, 2019; to the Committee on Homeland Security and Governmental Affairs.

EC-1611. A communication from the Acting Administrator of the Small Business Administration, transmitting, pursuant to law, the Administration's Semiannual Report from the Office of the Inspector General for the period from October 1, 2018 through March 31, 2019; to the Committee on Homeland Security and Governmental Affairs.

EC-1612. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, the Administrator's Semiannual Management Report to Congress for the period from October 1, 2018 through March 31, 2019; to the Committee on Homeland Security and Governmental Affairs.

EC-1613. A communication from the Chairwoman, U.S. Election Assistance Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from October 1, 2018 through March 31, 2019; to the Committee on Homeland Security and Governmental Affairs.

EC-1614. A communication from the Director, Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from October 1, 2018 through March 31, 2019; to the Committee on Homeland Security and Governmental Affairs.

EC-1615. A communication from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from October 1, 2018 through March 31, 2019; to the Committee on Homeland Security and Governmental Affairs.

EC-1616. A communication from the Regulation Policy Development Coordinator, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Urgent Care" (RIN2900-AQ47) received in the Office of the President of the Senate on June 10, 2019; to the Committee on Veterans' Affairs.

EC-1617. A communication from the Regulation Policy Development Coordinator, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Veterans Community Care Program" (RIN2900-AQ46) received in the Office of the President of the Senate on June 10, 2019; to the Committee on Veterans' Affairs.

EC-1618. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations" (MB Docket No. 19-57) received in the Office of the President of the Senate on June 10, 2019; 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-81. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to exclude federal reserved water rights from any future designation of federal lands in Arizona; to the Committee on Energy and Natural Resources.

HOUSE CONCURRENT MEMORIAL NO. 2004

Whereas, states are the primary authority for allocating, administering, protecting and developing water resources, and are primarily responsible for water supply planning within their boundaries; and

Whereas, states have the ultimate say in managing their water resources and are best suited to speak to the unique nature of water law and hydrology, particularly in western states such as Arizona; and

Whereas, states have primary authority to issue and manage water rights and are responsible for controlling and managing surface water and groundwater located within their boundaries, subject to international treaties, interstate agreements and judicial decrees; and

Whereas, Congress recognized states as the sole authority over non-navigable waters, including groundwater, and the United States Supreme Court has upheld this authority; and

Whereas, federal reserved water rights apply to waters within various types of federal land designations, including national parks, national forests and wildlife refuges; and

Whereas, federal reserved water rights differ from state appropriated water rights and may take priority over the water rights of individuals whose application dates are established later than the date of the federal withdrawal, even if the individuals are using the water at the time of withdrawal; and

Whereas, the exclusion of federal reserved water rights on any new federal designations in this state would allow Arizona to integrate the federal reserved water rights with the state administratively adjudicated water rights so that water sources can be managed with greater certainty. Wherefore your memorialist, the House of Representatives of the State of Arizona, the Senate concurring, prays:

1. That the United States Congress take steps to require that any new federal areas designated within the State of Arizona not include any water right that prevents the State of Arizona from comprehensively managing its water resources.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM-82. A resolution adopted by the Senate of the Commonwealth of Puerto Rico requesting the United States Congress pass H.R. 2360 which seeks to establish a Renewable Energy Grant Program within the United States Department of Agriculture (USDA) for the purpose of promoting renewable energy in Puerto Rico and the Virgin Islands of the United States; to the Committee on Energy and Natural Resources.

SENATE RESOLUTION NO. 1084

Congressman Ted W. Lieu, the Resident Commissioner of Puerto Rico in Washington D.C., the Hon. Jenniffer González-Colón, and Congresswoman Stacey Plaskett introduced

H. R. 2360 on April 25, 2019, which directs the Secretary of Agriculture to establish a Renewable Energy Grant Program for the purpose of awarding funds to not-for-profit entities so they may develop and use renewable energy systems.

This legislation, which shall be known as the "Renewable Energy for Puerto Rico and the U.S. Virgin Islands Act," seeks to promote investment in renewable energy, energy efficiency, energy storage, and microgrid and smart grid projects. The organizations that are awarded these grants may receive technical assistance from the Department of Energy national laboratories. Furthermore, the measure appropriates funds for the Comptroller General of the United States to conduct a study regarding renewable energy and energy efficiency in Puerto Rico and the Virgin Islands of the United States not later than one hundred and eighty (180) days after the date of enactment of the Act. The study shall consider the potential to modify existing electric power systems, use renewable energy sources, expand the use of microgrids, and improve energy resiliency.

It is worth noting that H.R. 2360 is consistent with the recently approved Act No. 17-2019, known as the "Puerto Rico Energy Public Policy Act," which seeks to transform our electrical system into one that is robust, resilient, reliable, eco-friendly, and affordable, and that serves as the basis for the Island's economic development. Act No. 17, supra, directs the elimination of electric power generation from fossil fuels in Puerto Rico and, for such purpose, establishes a new and ambitious Renewable Portfolio Standard that requires that forty percent (40%) energy generation from renewable sources by 2025; sixty percent (60%) by 2040; and one hundred percent (100%) by 2050. In addition, it encourages the use of energy storage technology for all consumer levels, promotes the integration of distributed generation and microgrids, and seeks to attain thirty percent (30%) energy efficiency by 2040.

However, it is a fact that Puerto Rico and the Virgin Islands are exposed to suffering the consequences of catastrophic hurricanes such as Irma and Maria which left millions of U.S. citizens without electric power service for a long period of time. The passage of these two hurricanes in 2017 and the reality of climate change has once again raised awareness of the importance of having an electrical system that is resilient to weather events that have become stronger and more frequent.

H.R. 2360 complements the efforts made by the Government of Puerto Rico to transform our electrical system and contributes towards achieving one hundred percent (100%) energy generation from renewable sources by 2050, therefore, the Senate of Puerto Rico supports this important initiative.

Be it resolved by the Senate of Puerto Rico:

Section 1.—To express the support of the Senate of Puerto Rico to, and request the United States Congress to pass H.R. 2360 which seeks to establish a Renewable Energy Grant Program within the United States Department of Agriculture (USDA) for the purpose of promoting renewable energy in Puerto Rico and the Virgin Islands of the United States of America.

Section 2.—Upon its approval, a copy of this Resolution translated into English shall be delivered to the leadership of the United States Congress, congress members Ted W. Lieu and Stacey Plaskett, and the Resident Commissioner of Puerto Rico in Washington D.C., Jenniffer González-Colón.

Section 3.—This Resolution shall take effect upon its approval.

POM-83. A concurrent resolution adopted by the Legislature of the State of Louisiana

urging the United States Congress to take such actions as are necessary to review and consider eliminating provisions of federal law which reduce Social Security benefits for those receiving pension benefits from certain federal, state, or local government retirement or pension systems, plans, or funds; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 20

Whereas, the Congress of the United States of America has enacted both the Government Pension Offset (GPO), reducing the spousal and survivor Social Security benefit, and the Windfall Elimination Provision (WEP), reducing the earned Social Security benefits payable to any person who also receives a public pension benefit; and

Whereas, the GPO negatively affects a spouse or survivor receiving a federal, state, or local government retirement or pension benefit who would also be entitled to a Social Security benefit earned by a spouse; and

Whereas, the GPO formula reduces the spousal or survivor Social Security benefit by two-thirds of the amount of the federal, state, or local government retirement or pension benefit received by the spouse or survivor, in many cases completely eliminating the Social Security benefit even though their spouses paid Social Security taxes for many years; and

Whereas, the GPO has a harsh effect on hundreds of thousands of citizens and undermines the original purpose of the Social Security dependent/survivor benefit; and

Whereas, according to recent Social Security Administration figures, more than half a million individuals nationally are affected by the GPO; and

Whereas, the WEP applies to those persons who have earned federal, state, or local government retirement or pension benefits, in addition to working in employment covered under Social Security and paying into the Social Security system; and

Whereas, the WEP reduces the earned Social Security benefit using an averaged indexed monthly earnings formula and may reduce Social Security benefits for affected persons by as much as one-half of the retirement benefit earned as a public servant in employment not covered under Social Security; and

Whereas, the WEP causes hardworking individuals to lose a significant portion of the Social Security benefits that they earn themselves; and

Whereas, according to recent Social Security Administration figures, more than one and a half million individuals nationally are affected by the WEP; and

Whereas, in certain circumstances both the WEP and GPO can be applied to a qualifying survivor's benefit, each independently reducing the available benefit and in combination eliminating a large portion of the total Social Security benefit available to the survivor; and

Whereas, because of the calculation characteristics of the GPO and the WEP, they have a disproportionately negative effect on employees working in lower-wage government jobs, like policemen, firefighters, teachers, and state employees;

Whereas, Louisiana is making every effort to improve the quality of life of its citizens and to encourage them to live here lifelong, yet the current GPO and WEP provisions compromise their quality of life; and

Whereas, the number of people affected by GPO and WEP is growing every day as more and more people reach retirement age; and

Whereas, individuals drastically affected by the GPO or WEP may have no choice but to return to work after retirement in order to make ends meet, but the earnings accumulated during this return to work can further reduce the Social Security benefits the individual is entitled to; and