

Operations, Department of Education, transmitting, pursuant to law, the Department's fiscal year 2017 FAIR Act Commercial and Inherently Governmental Activities Inventory and the Uniform Resource Locator (URL) for the report; to the Committee on Homeland Security and Governmental Affairs.

EC-1897. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "2018 Annual Report to Congress on the Native Hawaiian Revolving Loan Fund"; to the Committee on Indian Affairs.

EC-1898. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report on the activities of the Community Relations Service for fiscal year 2018; to the Committee on the Judiciary.

EC-1899. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Requirement of U.S. Licensed Attorney for Foreign Trademark Applicants and Registrants" (RIN0651-AD30) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2019; to the Committee on the Judiciary.

EC-1900. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Quarterly Report to Congress; Second Quarter of Fiscal Year 2019"; to the Committee on Veterans' Affairs.

EC-1901. A communication from the Chairman of the National Transportation Safety Board, transmitting, pursuant to law, the Board's 2018 Annual Report to Congress; to the Committee on Commerce, Science, and Transportation.

EC-1902. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Authorization of Revised Reporting Requirements Due to Catastrophic Conditions for Federal Seafood Dealers and Individual Fishing Quota Dealers in Portions of Florida" (RIN0648-XG550) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1903. A communication from the Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Authorization of Revised Reporting Requirements Due to Catastrophic Conditions for Federal Seafood Dealers in Texas and Portions of Louisiana" (RIN0648-XF673) received in the Office of the President of the Senate on July 8, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1904. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Pacific Island Fisheries; 5-Year Extension of Moratorium on Harvest of Gold Corals" (RIN0648-BH60) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1905. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries

Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; 2019 and 2020 Sector Operations Plans and 2019 Allocation of Northeast Multispecies Annual Catch Entitlements" (RIN0648-BI71) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1906. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; Fisheries of the Northeastern United States; Atlantic Herring Specifications and Sub-Annual Catch Limits for 2019" (RIN0648-XG608) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1907. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; 2018-2020 Small-Mesh Multispecies Specifications" (RIN0648-BH76) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1908. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Framework Adjustment 30 to the Atlantic Sea Scallop Fishery Management Plan" (RIN0648-BI66) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1909. A communication from the Acting Deputy Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Northeast Skate Complex; Adjustment to the Skate Wing and Skate Bait Inseason Possession Limits" (RIN0648-XF260) received in the Office of the President of the Senate on July 8, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1910. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Annual Specifications and Management Measures for the 2018 Tribal and Non-Tribal Fisheries for Pacific Whiting" (RIN0648-BH31) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1911. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2017-2018 Biennial Specification and Management Measures; Inseason Adjustments" (RIN0648-BI47) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1912. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; West Coast Salmon Fisheries; 2018 Management Measures and a Temporary Rule" (RIN0648-BH22) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1913. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Modifications of West Coast Commercial and Recreational Salmon Fisheries; Inseason Actions No. 5 through No. 11" (RIN0648-XF610) received in the Office of the President of the Senate on July 8, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1914. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Western and Central Pacific Fisheries for Highly Migratory Species; 2017 Bigeye Tuna Longline Fishery Closure" (RIN0648-XF578) received in the Office of the President of the Senate on July 8, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1915. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Migratory Species; Shortfin Mako Shark Management Measures; Final Amendment 11" (RIN0648-BH75) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. RISCH, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 1102. A bill to promote security and energy partnerships in the Eastern Mediterranean, and for other purposes.

## EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. WICKER for the Committee on Commerce, Science, and Transportation.

\*Michelle A. Schultz, of Pennsylvania, to be a Member of the Surface Transportation Board for the term of five years.

\*Coast Guard nominations beginning with Rear Adm. (lh) Melvin W. Bouboulis and ending with Rear Adm. (lh) Michael P. Ryan, which nominations were received by the Senate and appeared in the Congressional Record on January 30, 2019.

\*Stephen M. Dickson, of Georgia, to be Administrator of the Federal Aviation Administration for the term of five years.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

EXECUTIVE REPORTS OF  
COMMITTEE—TREATIES

The following executive reports of committee were submitted:

By Mr. RISCH, from the Committee on Foreign Relations:

Treaty Doc. 113-4: The Protocol Amending the Tax Convention with Spain (Ex. Rept. 116-1);

Treaty Doc. 112-1: Protocol Amending Tax Convention with Swiss Confederation (Ex. Rept. 116-2);

Treaty Doc. 114-1: Protocol Amending the Tax Convention with Japan (Ex. Rept. 116-3); and

Treaty Doc. 111-8: Protocol Amending Tax Convention with Luxembourg (Ex. Rept. 116-4)

The text of the committee recommended resolutions of advice and consent to ratification are as follows:

[Treaty Doc. 113-4 The Protocol Amending the Tax Convention with Spain]

As reported by the Committee on Foreign Relations:

*Resolved (two-thirds of the Senators present concurring therein),*

Section 1. Senate Advice and Consent Subject to a Declaration and Conditions.

The Senate advises and consents to the ratification of the Protocol Amending the Convention between the United States of America and the Kingdom of Spain for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income and its Protocol, signed at Madrid on February 22, 1990, and a related Memorandum of Understanding, signed on January 14, 2013, at Madrid, together with correcting notes dated July 23, 2013, and January 31, 2014 (the "Protocol") (Treaty Doc. 113-4), subject to the declaration of section 2 and the conditions in section 3.

Sec. 2. Declaration.

The advice and consent of the Senate under section 1 is subject to the following declaration: The Protocol is self-executing.

Sec. 3. Conditions.

The advice and consent of the Senate under section 1 is subject to the following conditions:

(I) Not later than 2 years after the Protocol enters into force and prior to the first arbitration conducted pursuant to the binding arbitration mechanism provided for in the Protocol, the Secretary of the Treasury shall transmit to the Committee on Finance and the Committee on Foreign Relations of the Senate and the Joint Committee on Taxation the text of the rules of procedure applicable to arbitration panels, including conflict of interest rules to be applied to members of the arbitration panel.

(2)(A) Not later than 60 days after a determination has been reached by an arbitration panel in the tenth arbitration proceeding conducted pursuant to the Protocol or any of the treaties described in subparagraph (B), the Secretary of the Treasury shall prepare and submit to the Joint Committee on Taxation and the Committee on Finance of the Senate, subject to laws relating to taxpayer confidentiality, a detailed report regarding the operation and application of the arbitration mechanism contained in the Protocol and such treaties. The report shall include the following information:

(i) For the Protocol and each such treaty, the aggregate number of cases pending on the respective dates of entry into force of the Protocol and each treaty, including the following information:

(I) The number of such cases by treaty article or articles at issue.

(II) The number of such cases that have been resolved by the competent authorities

through a mutual agreement as of the date of the report.

(III) The number of such cases for which arbitration proceedings have commenced as of the date of the report.

(ii) A list of every case presented to the competent authorities after the entry into force of the Protocol and each such treaty, including the following information regarding each case:

(I) The commencement date of the case for purposes of determining when arbitration is available.

(II) Whether the adjustment triggering the case, if any, was made by the United States or the relevant treaty partner.

(III) Which treaty the case relates to.

(IV) The treaty article or articles at issue in the case.

(V) The date the case was resolved by the competent authorities through a mutual agreement, if so resolved.

(VI) The date on which an arbitration proceeding commenced, if an arbitration proceeding commenced.

(VII) The date on which a determination was reached by the arbitration panel, if a determination was reached, and an indication as to whether the panel found in favor of the United States or the relevant treaty partner.

(iii) With respect to each dispute submitted to arbitration and for which a determination was reached by the arbitration panel pursuant to the Protocol or any such treaty, the following information:

(I) In the case of a dispute submitted under the Protocol, an indication as to whether the presenter of the case to the competent authority of a Contracting State submitted a Position Paper for consideration by the arbitration panel.

(II) An indication as to whether the determination of the arbitration panel was accepted by each concerned person.

(III) The amount of income, expense, or taxation at issue in the case as determined by reference to the filings that were sufficient to set the commencement date of the case for purposes of determining when arbitration is available.

(IV) The proposed resolutions (income, expense, or taxation) submitted by each competent authority to the arbitration panel.

(B) The treaties referred to in subparagraph (A) are—

(i) the 2006 Protocol Amending the Convention between the United States of America and the Federal Republic of Germany for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital and to Certain Other Taxes, done at Berlin June 1, 2006 (Treaty Doc. 109-20) (the "2006 German Protocol");

(ii) the Convention between the Government of the United States of America and the Government of the Kingdom of Belgium for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, and accompanying protocol, done at Brussels July 9, 1970 (the "Belgium Convention") (Treaty Doc. 110-3);

(iii) the Protocol Amending the Convention between the United States of Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital and to Certain Other Taxes, done at Berlin June 1, 2006 (Treaty Doc. 109-20) (the "2006 German Protocol");

(ii) the Convention between the Government of the United States of America and the Government of the Kingdom of Belgium for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, and accompanying protocol, done at Brussels July 9, 1970 (the "Belgium Convention") (Treaty Doc. 110-3);

(iii) the Protocol Amending the Convention between the United States of America

and Canada with Respect to Taxes on Income and on Capital, signed at Washington September 26, 1980 (the "2007 Canada Protocol") (Treaty Doc. 110-15); and

(iv) the Protocol Amending the Convention between the Government of the United States of America and the Government of the French Republic for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, signed at Paris August 31, 1994 (the "2009 France Protocol") (Treaty Doc. 111-4).

(3) The Secretary of the Treasury shall prepare and submit the detailed report required under paragraph (2) on March 1 of the year following the year in which the first report is submitted to the Joint Committee on Taxation and the Committee on Finance of the Senate, and on an annual basis thereafter for a period of five years. In each such report, disputes that were resolved, either by a mutual agreement between the relevant competent authorities or by a determination of an arbitration panel, and noted as such in prior reports may be omitted.

(4) The reporting requirements referred to in paragraphs (2) and (3) supersede the reporting requirements contained in paragraphs (2) and (3) of section 3 of the resolution of advice and consent to ratification of the 2009 France Protocol, approved by the Senate on December 3, 2009.

[Treaty Doc. 114-1 Protocol Amending Tax Convention with Japan]

As reported by the Committee on Foreign Relations:

*Resolved (two-thirds of the Senators present concurring therein),*

Section 1. Senate Advice and Consent Subject to a Declaration and Conditions.

The Senate advises and consents to the ratification of the Protocol Amending the Convention between the Government of the United States of America and the Government of Japan for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income, and a related agreement entered into by an exchange of notes, both signed at Washington January 24, 2013, as corrected by exchange of notes on March 9 and 29, 2013 (the "Protocol") (Treaty Doc. 114-1), subject to the declaration of section 2 and the conditions in section 3.

Sec. 2. Declaration.

The advice and consent of the Senate under section 1 is subject to the following declaration: The Protocol is self-executing.

Sec. 3. Conditions.

The advice and consent of the Senate under section 1 is subject to the following conditions:

(I) Not later than 2 years after the Protocol enters into force and prior to the first arbitration conducted pursuant to the binding arbitration mechanism provided for in the Protocol, the Secretary of the Treasury shall transmit to the Committee on Finance and the Committee on Foreign Relations of the Senate and the Joint Committee on Taxation the text of the rules of procedure applicable to arbitration panels, including conflict of interest rules to be applied to members of the arbitration panel.

(2)(A) Not later than 60 days after a determination has been reached by an arbitration panel in the tenth arbitration proceeding conducted pursuant to the Protocol or any of the treaties described in subparagraph (B), the Secretary of the Treasury shall prepare and submit to the Joint Committee on Taxation and the Committee on Finance of the Senate, subject to laws relating to taxpayer confidentiality, a detailed report regarding the operation and application of the arbitration mechanism contained in the Protocol