

and their 104th consecutive game. And they did it in thrilling fashion, winning a 60-to-55 double overtime game that included a 3-pointer to tie the game as the buzzer sounded at end of the first overtime.

The Eagles basketball team also puts forth the same kind of effort in the classroom; Fairfield has done a great job of turning out some incredible student athletes.

Fairfield principal and girls' head coach Dustin Gordon makes sure of that.

Congratulations on another great season. Go Eagles!•

MESSAGE FROM THE HOUSE FROM APRIL 8, 2014

At 11:43 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 404. An act to preserve the Green Mountain Lookout in the Glacier Peak Wilderness of the Mount Baker-Snoqualmie National Forest.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1872. An act to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to increase transparency in Federal budgeting, and for other purposes.

H.R. 3470. An act to affirm the importance of the Taiwan Relations Act, to provide for the transfer of naval vessels to certain foreign countries, and for other purposes.

H.R. 4323. An act to reauthorize programs authorized under the Debbie Smith Act of 2004, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 90. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony as part of the commemoration for the days of remembrance of victims of the Holocaust.

ENROLLED BILL SIGNED

At 5:48 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker had signed the following enrolled bill:

S. 404. An act to preserve the Green Mountain Lookout in the Glacier Peak Wilderness of the Mount Baker-Snoqualmie National Forest.

MESSAGE FROM THE HOUSE

At 10:32 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1871. An act to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to reform the budget baseline.

ENROLLED BILL SIGNED

The President pro tempore (Mr. LEAHY) announced that he had signed the following enrolled bill, previously signed by the Speaker of the House:

S. 404. An act to preserve the Green Mountain Lookout in the Glacier Peak Wilderness of the Mount Baker-Snoqualmie National Forest.

MEASURES REFERRED

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

H.R. 1871. An act to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to reform the budget baseline; to the Committee on the Budget.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2223. A bill to provide for an increase in the Federal minimum wage and to amend the Internal Revenue Code of 1986 to extend increased expensing limitations and the treatment of certain real property as section 179 property.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, April 9, 2014, she had presented to the President of the United States the following enrolled bill:

S. 404. An act to preserve the Green Mountain Lookout in the Glacier Peak Wilderness of the Mount Baker-Snoqualmie National Forest.

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-5284. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Visas: Waiver by Joint Action of Visa and Passport Requirements for Members of Armed Forces and Coast Guards of Foreign Countries" (RIN1400-AD51) received in the Office of the President of the Senate on April 8, 2014; to the Committee on Foreign Relations.

EC-5285. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "List of Approved Spent Fuel Storage Casks: Transnuclear, Inc. Standardized NUHOMS Cask System" (RIN3150-AJ28) received in the Office of the President of the Senate on April 7, 2014; to the Committee on Environment and Public Works.

EC-5286. A communication from the Vice President, Government Relations, Tennessee Valley Authority, transmitting, pursuant to law, the Authority's Statistical Summary for fiscal year 2013; to the Committee on Environment and Public Works.

EC-5287. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a financial report relative to the Animal Generic Drug User Fee Act for fiscal year 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-5288. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a financial report

relative to the Animal Drug User Fee Act for fiscal year 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-5289. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a financial report relative to the Generic Drug User Fee Amendments of 2012 for fiscal year 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-5290. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a financial report for fiscal year 2013 relative to the Biosimilar User Fee Act of 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-5291. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a financial report relative to the Medical Device User Fee Amendments of 2012 for fiscal year 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-5292. A communication from the Director of Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Establishment, Maintenance, and Availability of Records: Amendment to Record Availability Requirements" ((Docket No. FDA-2002-N-0153, Formerly Docket No. FDA 2002N-0277) (RIN0910-AG73)) received in the Office of the President of the Senate on April 7, 2014; to the Committee on Health, Education, Labor, and Pensions.

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-222. A resolution adopted by the Delaware County Board of Supervisors of the State of New York entitled "In Support of Home Rule 543 'Blue Water Navy Vietnam Veterans Act of 2013'"; to the Committee on Armed Services.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

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

*David J. Arroyo, of New York, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2016.

*William P. Doyle, of Pennsylvania, to be a Federal Maritime Commissioner for a term expiring June 30, 2018.

Coast Guard nominations beginning with Linda L. Fagan and ending with James E. Rendon, which nominations were received by the Senate and appeared in the Congressional Record on March 10, 2014.

Coast Guard nomination of Rear Adm. William D. Lee, to be Vice Admiral.

Coast Guard nomination of Rear Adm. Charles W. Ray, to be Vice Admiral.

Coast Guard nomination of Rear Adm. Charles D. Michel, to be Vice Admiral.

Coast Guard nomination of Vice Adm. Peter V. Neffenger, to be Vice Admiral.

Mr. ROCKEFELLER. Mr. President, for the Committee on Commerce, Science, and Transportation I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive

Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Coast Guard nominations beginning with Ruby L. Collins and ending with Michael W. Wampler, which nominations were received by the Senate and appeared in the Congressional Record on January 16, 2014.

Coast Guard nominations beginning with William C. Adams and ending with Adam K. Young, which nominations were received by the Senate and appeared in the Congressional Record on January 16, 2014.

Coast Guard nominations beginning with Kevin J. Lopes and ending with Mariette C. Ogg, which nominations were received by the Senate and appeared in the Congressional Record on February 6, 2014.

By Mr. SCHUMER for the Committee on Rules and Administration.

*Myrna Perez, of Texas, to be a Member of the Election Assistance Commission for a term expiring December 12, 2015.

*Thomas Hicks, of Virginia, to be a Member of the Election Assistance Commission for a term expiring December 12, 2017.

*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.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

EXECUTIVE REPORT OF COMMITTEE—TREATY

The following executive report of committee was submitted:

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

[Treaty Doc. 112-1: Protocol Amending Tax Convention with Swiss Confederation (without printed report)]

The text of the committee-recommended resolution of advice and consent to ratification is as follows:

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

The Senate advises and consents to the ratification of the Protocol Amending the Convention between the United States of America and the Swiss Confederation for the Avoidance of Double Taxation With Respect to Taxes on Income, signed at Washington October 2, 1996, signed September 23, 2009, at Washington, with a related agreement effected by an exchange of notes September 23, 2009, as corrected by an exchange of notes effected November 16, 2010 (the "Protocol") (Treaty Doc. 112-1), subject to the declaration of section 2 and the conditions of 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:

(1) 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 Committees on Finance and 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 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); or

(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.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. SCHATZ (for himself, Mr. BROWN, Ms. WARREN, Mr. SANDERS, and Mr. BLUMENTHAL):

S. 2224. A bill to enhance the accuracy of credit reporting and provide greater rights to consumers who dispute errors in their credit reports, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. UDALL of New Mexico (for himself and Mr. CHAMBLISS):

S. 2225. A bill to provide for a smart water resource management pilot program; to the Committee on Environment and Public Works.

By Mr. UDALL of New Mexico (for himself and Mrs. BOXER):

S. 2226. A bill to establish a WaterSense program within the Environmental Protection Agency; to the Committee on Environment and Public Works.

By Mr. UDALL of New Mexico:

S. 2227. A bill to amend the Internal Revenue Code of 1986 to provide a credit for property certified by the Environmental Protection Agency under the WaterSense program; to the Committee on Finance.

By Mr. UDALL of New Mexico:

S. 2228. A bill to amend the Federal Water Pollution Control Act to direct the Administrator of the Environmental Protection Agency to consider projects involving rural communities in the selection of alternative