

make our Armed Forces the strongest in the world. I believe Gen. Mattis will offer a critical perspective to an inexperienced and sometimes volatile incoming Commander in Chief. And those are reasons why I believe he may receive my support when the Senate considers his nomination.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO MACK COLE

• Mr. DAINES. Mr. President, this week, I have the distinct honor of recognizing Mack Cole of Treasure County, a third generation Montanan and dedicated public servant. Next month, Mr. Cole will celebrate 55 years of marriage with his wife, Judy. Mack and Judy Cole were married in February 10, 1962, in the town of Hysham, one of the many beautiful small communities in the quiet and peaceful high plains of eastern Montana.

After marriage, Mr. and Mrs. Cole spent 2 years in South America, providing much needed services while working for the Food for Peace Program in Brazil. Mr. Cole's experience in South America would serve as a trailhead for a lifelong journey of civic minded virtue and dedication on behalf of his fellow citizens.

In the late 1970s, Mr. and Mrs. Cole moved down the road, west on I-90 to Billings, MT, and they continued to build upon their honorable records of public service. During this chapter of his life, Mr. Cole worked for the Bureau of Indian Affairs in multiple western States and was involved in a wide variety of programs, including the development of irrigation projects. His work with the Bureau of Indian Affairs took him to Wyoming, Arizona, Utah, and Nevada. After retiring from the Bureau of Indian Affairs in 1993, the Coles moved back to the family ranch outside of Hysham.

Mr. Cole continued his distinguished record of public service by representing the people of Treasure County in the Montana Legislature, retiring from the State senate in 2003. During his time in legislature and even after retirement from public life, Mr. Cole has always been a steadfast supporter of responsible energy development, a critical component for the livelihood of many of his friends and neighbors.

His humble efforts to help provide food to the hungry, keep water flowing to farms and ranches ensuring energy was always ready at the flip of a switch make him a great Montanan. It is hard to find a better example of a fellow Montanan that is always ready to offer a helping hand.

I want to express my deep gratitude to Mr. Cole for his dedication and service to Montana and our country.●

##### REMEMBERING BYRON BIRDSALL

• Ms. MURKOWSKI. Mr. President, Alaskans tend to view our State as a

big family, a family whose members come from many places but are united in our love and loyalty for our great land. And like any family, Alaska has been blessed with outstanding sons and daughters, distinguished in their own unique ways.

Today I wish to pay tribute to the memory of one such Alaskan, acclaimed watercolorist Byron Birdsall. Byron's passing on December 4, 2016, just 2 weeks shy of his 79th birthday, leaves a hole not just in the hearts of Alaskans, but in the art world itself. Given the indelible impact that Byron's prolific volume of work has had on Alaskans over the last 41 years, it is all the more impressive, considering that he lived the first half of his life outside the State.

Born in Buckeye, Arizona on December 18, 1937, Byron was raised in the suburbs of Los Angeles. After graduating with a bachelor's degree in history from Seattle Pacific College in 1959, Byron attended Stanford University. Following his 1960 marriage to his beloved Lynn, who succumbed to breast cancer in 1998, the couple set out to travel the world. The couple traveled to Africa to teach English and explored the Pacific, living in American Samoa for a few years. They then returned for a job in Seattle before arriving in Anchorage for a job at an advertising agency, which he soon quit to paint full time.

He recalled that it was 1975, during the pipeline boom that he was painting pictures. "People started buying them so I quit work and started painting." Byron painted Alaska. He later explained to the Anchorage Daily News, "Alaskans love Alaska. That's what they want to buy."

Despite his talent in multiple mediums, including portraiture and oils, Byron will likely be best remembered for his prolific work in watercolor and landscapes, and, perhaps rightly so, as many of the pieces and prints so familiar to most Alaskans were in that format. His work is so highly regarded that one of his prints, "McKinley Moonlight," was selected to serve as a background for Alaska's heirloom marriage certificates. As his wife Billie said, Byron was "inspired by both the scenic beauty of Alaska and its people."

Alaska Dispatch News writer David James described Byron's landscapes for a recent book Byron completed this year as "rich with color and detail. His summer scenes explode with flowers, animals and sunlight, while his images of winter, where snow covers the ground and twilight darkens the sky, are alive with elaborate hues and stellar lighting that belie the notion of Alaska as a desolate wasteland for half the year."

But I would be remiss if I did not take a moment to highlight for the record that Byron's work was not just the beautiful landscapes that Alaskans love so much. Rather, he helped catalog the history of the 49th State.

Among the many honors we have as Senators is adorning our offices with artwork that represent our States. In my case, that includes two of Byron's prints proudly hanging in the hallway leading to my office. While the first is one of his traditional moonlit landscapes, the other is "Anchorage Land Auction, 1915." It features a crowd huddled in what was then no more than a tent city near Ship Creek, in what would eventually become downtown Anchorage. Byron's painting reminds me not just of those pioneers who ventured to Alaska with the promise of a new life waiting to be carved out of the wilderness but, despite how far Alaska has come, how much raw potential still remains.

Despite our rich history and heritage, we are a young State, and many of our founding generation has been—and is now—passing from the scene. However, whether through his capturing of the 75th Annual Anchorage Fur Rendezvous Festival or "Fur Rondy," featuring Rondy 10-time champion George Attla racing his sled dog team down 4th Avenue, or in his painting the historic devastation to downtown Anchorage following the 1964 earthquake, Byron was interpreting and memorializing the highs and lows of our history for generations of Alaskans to come.

I can think of no better way to end than with Byron's own words about his life: "A dream come true. That is what Alaska has given to me. Incredible beauty for subject matter, and a receptive public have combined to allow me to do what I love best, painting all day, every day for more than 41 years."

On behalf of grateful Alaskans and my fellow Senators, I extend my condolences to Billie and Byron's family. With Byron's passing, Alaska has lost a cultural icon, but his substantial body of work lives on forever.●

##### MESSAGE FROM THE HOUSE

At 12:53 p.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 bills, in which it requests the concurrence of the Senate:

H.R. 5. An act to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents, to clarify the nature of judicial review of agency interpretations, to ensure complete analysis of potential impacts on small entities of rules, and for other purposes.

H.R. 39. An act to amend title 5, United States Code, to codify the Presidential Innovation Fellows Program, and for other purposes.

##### MEASURES REFERRED

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

H.R. 5. An act to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents, to clarify the nature of judicial review of agency interpretations, to ensure

complete analysis of potential impacts on small entities of rules, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

#### 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-440. A communication from the Chief of the Planning and Regulatory Affairs Branch, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Supplemental Nutrition Assistance Program (SNAP): Eligibility, Certification, and Employment and Training Provisions of the Food, Conservation and Energy Act of 2008" (RIN0584-AD87) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-441. A communication from the Supervisory Regulatory Analyst, Grain Inspection, Packers and Stockyards Administration, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Fees for Official Inspection and Official Weighing Services Under the United States Grain Standards Act (USGSA)" (7 CFR Part 800) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-442. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to realistic survivability testing of the OHIO Replacement Ballistic Missile Submarine (SSBN) (OSS-2017-0022); to the Committee on Armed Services.

EC-443. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, the quarterly exception Selected Acquisition Reports (SARs) as of September 30, 2016 (OSS-2017-0024); to the Committee on Armed Services.

EC-444. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report entitled "Failure of Contractors, Participating under the DoD Test Program for a Comprehensive Subcontracting Plan, to Meet Their Negotiated Goals"; to the Committee on Armed Services.

EC-445. 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 "Regulatory Capital Rules: Implementation of Capital Requirements for Global Systemically Important Bank Holding Companies" (RIN7100-AE49) received in the Office of the President of the Senate on January 10, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-446. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Energy Conservation Standards for Residential Central Air Conditioners and Heat Pumps" (RIN1904-AD37) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Energy and Natural Resources.

EC-447. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of

Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Efficiency Standards for the Design and Construction of New Federal Low-Rise Residential Buildings' Baseline Standards Update" (RIN1904-AD56) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Energy and Natural Resources.

EC-448. 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 "Refuge-Specific Regulations; Public Use; Kenai National Wildlife Refuge" (RIN1018-AX56) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Energy and Natural Resources.

EC-449. A communication from the Acting Chief of the Branch of Conservation and Communications, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Revisions to the Regulations for Candidate Conservation Agreements With Assurances" (RIN1018-BB25) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Energy and Natural Resources.

EC-450. A communication from the Division Chief of Regulatory Affairs, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Onshore Oil and Gas Operations; Federal and Indian Oil and Gas Leases; Onshore Oil and Gas Order Number 1, Approval of Operations" (RIN1004-AE37) received in the Office of the President of the Senate on January 10, 2017; to the Committee on Energy and Natural Resources.

EC-451. A communication from the Director of Congressional Affairs, Office of General Counsel, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Update to Incorporate FOIA Improvement Act of 2016 Requirements" ((RIN3150-AJ84) (NRC-2016-0171)) received in the Office of the President of the Senate on January 10, 2017; to the Committee on Environment and Public Works.

EC-452. A communication from the Senior Advisor, 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-2017-0026); to the Committee on Foreign Relations.

EC-453. A communication from the Senior Advisor, 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-2017-0025); to the Committee on Foreign Relations.

EC-454. A communication from the Senior Advisor, 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-2017-0021); to the Committee on Foreign Relations.

EC-455. A communication from the Senior Advisor, 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-2017-0018); to the Committee on Foreign Relations.

EC-456. A communication from the Senior Advisor, 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-2017-0017); to the Committee on Foreign Relations.

EC-457. A communication from the Senior Advisor, 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-2017-0019); to the Committee on Foreign Relations.

EC-458. A communication from the Senior Advisor, 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-2017-0016); to the Committee on Foreign Relations.

EC-459. A communication from the Senior Advisor, 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-2017-0020); to the Committee on Foreign Relations.

EC-460. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the establishment of the danger pay allowance for Philippines: Mindanao Regions with Mindanao; Autonomous Region of Muslim Mindanao; Zamboanga Peninsula; Northern Mindanao; Davao Region; and Soccsksargen Caraga; to the Committee on Foreign Relations.

EC-461. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the elimination of the danger pay allowance; to the Committee on Foreign Relations.

EC-462. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "International Traffic in Arms Regulations: International Trade Data System, Reporting" (RIN1400-AE07) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Foreign Relations.

EC-463. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-95; Introduction" (FAC 2005-95) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-464. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Uniform Use of Line Items" ((RIN9000-AM73) (FAC 2005-95)) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-465. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Acquisition Threshold for Special Emergency Procurement Authority" ((RIN9000-AN18) (FAC 2005-95)) received in the Office of the President of the Senate on January 11, 2017; to the Committee on Homeland Security and Governmental Affairs.