

tell you what a fixture he is in the local area. They describe him as “a true Henry County hero who represents all that is great about our country.” When asked what the secret to his long life is, Mr. Barnes advised, “No smoking, no drinking, and a lot of country cooking.”

Alabama is thankful for Mr. Barnes’ many contributions to our State and country, and I am proud to recognize him as the June Veteran of the Month.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Kelly, one of his secretaries.

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 RECEIVED DURING ADJOURNMENT

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2023, the Secretary of the Senate, on June 2, 2023, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. McHENRY) has signed the following enrolled bill:

H.R. 3746. An act to provide for a responsible increase to the debt ceiling.

Under the authority of the order of the Senate of January 3, 2023, the enrolled bill was signed on June 2, 2023, during the adjournment of the Senate, by the Acting President pro tempore (Ms. DUCKWORTH).

MESSAGE FROM THE HOUSE

At 3:02 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 and joint resolutions, in which it requests the concurrence of the Senate:

H.R. 835. An act to amend the Securities Act of 1933 to codify certain qualifications of individuals as accredited investors for purposes of the securities laws.

H.R. 1579. An act to amend the Securities Act of 1933 and the Dodd-Frank Wall Street Reform and Consumer Protection Act with respect to the definition of accredited investor, and for other purposes.

H.R. 2593. An act to create an interdivisional taskforce at the Securities and Exchange Commission for senior investors.

H.R. 2608. An act to amend the Federal securities laws to specify the periods for which financial statements are required to be pro-

vided by an emerging growth company, and for other purposes.

H.R. 2610. An act to amend the Securities Exchange Act of 1934 to specify certain registration statement contents for emerging growth companies, to permit issuers to file draft registration statements with the Securities and Exchange Commission for confidential review, and for other purposes.

H.R. 2793. An act to amend the Securities Act of 1933 to expand the ability to use testing the waters and confidential draft registration submissions, and for other purposes.

H.R. 2812. An act to require the Securities and Exchange Commission to carry out a study of the costs associated with small- and medium-sized companies to undertake initial public offerings.

H.J. Res. 62. Joint resolution providing for the reappointment of Michael Govan as a citizen regent of the Board of Regents of the Smithsonian Institution.

H.J. Res. 63. Joint resolution providing for the appointment of Antoinette Bush as a citizen regent of the Board of Regents of the Smithsonian Institution.

H.J. Res. 64. Joint resolution providing for the reappointment of Roger W. Ferguson as a citizen regent of the Board of Regents of the Smithsonian Institution.

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. 43. Concurrent resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

MEASURES REFERRED

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

H.R. 835. An act to amend the Securities Act of 1933 to codify certain qualifications of individuals as accredited investors for purposes of the securities laws; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 1579. An act to amend the Securities Act of 1933 and the Dodd-Frank Wall Street Reform and Consumer Protection Act with respect to the definition of accredited investor, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2593. An act to create an interdivisional taskforce at the Securities and Exchange Commission for senior investors; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2608. An act to amend the Federal securities laws to specify the periods for which financial statements are required to be provided by an emerging growth company, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2610. An act to amend the Securities Exchange Act of 1934 to specify certain registration statement contents for emerging growth companies, to permit issuers to file draft registration statements with the Securities and Exchange Commission for confidential review, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2793. An act to amend the Securities Act of 1933 to expand the ability to use testing the waters and confidential draft registration submissions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2812. An act to require the Securities and Exchange Commission to carry out a

study of the costs associated with small- and medium-sized companies to undertake initial public offerings; to the Committee on Banking, Housing, and Urban Affairs.

H.J. Res. 62. Joint resolution providing for the reappointment of Michael Govan as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

H.J. Res. 63. Joint resolution providing for the appointment of Antoinette Bush as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

H.J. Res. 64. Joint resolution providing for the reappointment of Roger W. Ferguson as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

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-1307. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4057” ((RIN2120-AA65) (Docket No. 31483)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1308. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4058” ((RIN2120-AA65) (Docket No. 31484)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1309. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4053” ((RIN2120-AA65) (Docket No. 31478)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1310. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4054” ((RIN2120-AA65) (Docket No. 31479)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1311. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4051” ((RIN2120-AA65) (Docket No.

Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Ellsworth, Augusta, and Waterville, ME" ((RIN2120-AA66) (Docket No. FAA-2023-0099)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1335. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace, Key West, FL" ((RIN2120-AA66) (Docket No. FAA-2022-1613)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1336. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Class E Airspace, Liberty, NC" ((RIN2120-AA66) (Docket No. FAA-2022-1680)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1337. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Very High Frequency (VHF) Omnidirectional Range (VOR) Federal Airway V-489; Galena, AK" ((RIN2120-AA66) (Docket No. FAA-2023-0512)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1338. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Segments of V-330 and Establishment T-470 Near Boise, ID" ((RIN2120-AA66) (Docket No. FAA-2023-0235)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1339. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace, Calvert, KY" ((RIN2120-AA66) (Docket No. FAA-2023-0138)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1340. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Visalia Municipal Airport, Visalia, CA" ((RIN2120-AA66) (Docket No. FAA-2022-1445)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1341. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus SAS Airplanes; Amendment 39-22415" ((RIN2120-AA66)

(Docket No. FAA-2022-1659)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1342. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes; Amendment 39-22416" ((RIN2120-AA66) (Docket No. FAA-2023-0164)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1343. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; De Havilland Aircraft of Canada Limited (Type Certificate Previously Held by Bombardier, Inc.) Airplanes; Amendment 39-22408" ((RIN2120-AA66) (Docket No. FAA-2022-1403)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1344. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Gulfstream Aerospace Corporation Airplanes; Amendment 39-22418" ((RIN2120-AA66) (Docket No. FAA-2022-1486)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1345. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Airplanes; Amendment 39-22436" ((RIN2120-AA66) (Docket No. FAA-2023-1044)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1346. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; MHI RJ Aviation ULC (Type Certificate Previously Held by Bombardier, Inc.) Airplanes; Amendment 39-22409" ((RIN2120-AA66) (Docket No. FAA-2023-1474)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1347. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation and Revocation of VOR Federal Airways; Eastern United States Amendment and Revocation of VOR Federal Airways; Northeast United States" ((RIN2120-AA66) (Docket No. FAA-2022-1027)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1348. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amend-

ment of Class D and Class E Airspace; Beaufort, SC" ((RIN2120-AA66) (Docket No. FAA-2023-0070)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1349. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Shelbyville, TN" ((RIN2120-AA66) (Docket No. FAA-2023-0189)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1350. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace, and Revocation of Class E Airspace; Quantico, VA" ((RIN2120-AA66) (Docket No. FAA-2022-1233)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1351. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace; Lemoore Naval Air Station (NAS) (Reeves Field), CA" ((RIN2120-AA66) (Docket No. FAA-2022-1455)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1352. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of V-171 in the Vicinity of Roseau, MN" ((RIN2120-AA66) (Docket No. FAA-2022-1586)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1353. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Federal Colored Airway A-9; Bettles, AK" ((RIN2120-AA66) (Docket No. FAA-2022-1267)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1354. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Very High Frequency (VHF) Omnidirectional Range (VOR) Federal Airways V-6, V-338, V-494, and United States Area Navigation (RNAV) Route T-331" ((RIN2120-AA66) (Docket No. FAA-2023-0501)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1355. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Colored Airway Blue 38 (B-38) and Blue 40 (B-40); Haines, AK" ((RIN2120-AA66) (Docket No. FAA-2022-1769)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023;

2023; to the Committee on Commerce, Science, and Transportation.

EC-1399. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus SAS Airplanes; Amendment 39-22393" ((RIN2120-AA64) (Docket No. FAA-2023-0019)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1400. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus SAS Airplanes; Amendment 39-22398" ((RIN2120-AA64) (Docket No. FAA-2023-0023)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1401. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus SAS Airplanes; Amendment 39-22394" ((RIN2120-AA64) (Docket No. FAA-2022-1581)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1402. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; ATR-GIE Avions de Transport Regional Airplanes; Amendment 39-22387" ((RIN2120-AA64) (Docket No. FAA-2023-0012)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1403. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, inc. Airplanes; Amendment 39-22387" ((RIN2120-AA64) (Docket No. FAA-2022-1572)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1404. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, inc. Airplanes; Amendment 39-22390" ((RIN2120-AA64) (Docket No. FAA-2022-1654)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1405. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Dassault Aviation Airplanes; Amendment 39-22384" ((RIN2120-AA64) (Docket No. FAA-2023-0013)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1406. A communication from the Assistant Secretary, Legislative Affairs, Depart-

ment of State, transmitting, pursuant to law, a certification entitled "Certification of Sea Turtles" received in the Office of the President pro tempore; to the Committee on Commerce, Science, and Transportation.

EC-1407. A communication from the Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Federal Communications Commission released a Report and Order entitled The Uniendo a Puerto Rico Fund and the Connect USVI Fund, Connect America Fund" ((RIN3060-AF85) (FCC 23-32) (WC Docket Nos. 18-143, 10-90)) received in the Office of the President of the Senate on May 10, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1408. A communication from the Chief, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Unlicensed White Space Device Operations in the Television Bands; Amendment of Part 15 of the Commission's Rules for Unlicensed Operations in the Television Bands, Repurposed 600 MHz Band, 600 MHz Guard Bands and Duplex Gap, and Channel 37" ((FCC 23-24) (ET Docket Nos. 20-36 and 14-165)) received in the Office of the President of the Senate on May 10, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1409. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Establishing Rules for Digital Low Power Television and Television Translator Stations" ((MB Docket Nos. 03-185 and 22-261) (FCC 23-25)) received in the Office of the President of the Senate on May 10, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1410. A communication from the Chief of the Branch of Coastal and Marine Resources, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Marine Mammals; Incidental Take of Northern Sea Otters During Specified Activities; the Gulf of Alaska" (RIN1018-BG05) received in the Office of the President of the Senate on May 10, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1411. A communication from the Attorney Advisor of the Regulatory Affairs Division, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Pipeline Safety: Safety of Gas Transmission Pipelines: Repair Criteria, Integrity Management Improvements, Cathodic Protection, Management of Change, and Other Related Amendments: Technical Corrections; Response to Petitions for Reconsideration" (RIN2137-AF39) received in the Office of the President of the Senate on May 10, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1412. A communication from the Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Second Report and Order" (FCC 23-31) (WC Docket No. 18-155) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1413. A communication from the Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Advanced Methods to Target and Eliminate Unlawful Robocalls, Call Authentication Trust Anchor" ((RIN3060-AL00) (CG Docket No. 17-59) (WC Docket No. 17-97)) received in the Office of the President of the

Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DURBIN, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 474. A bill to amend title 18, United States Code, to strengthen reporting to the CyberTipline related to online sexual exploitation of children, to modernize liabilities for such reports, to preserve the contents of such reports for 1 year, and for other purposes.

EXECUTIVE REPORT OF COMMITTEE—TREATY

The following executive report of committee was submitted:

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

[Treaty Doc 112-8 Tax Convention with Chile (Ex. Rept. 118-1)]

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

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

Section 1. Senate Advice and Consent Subject to Reservations and Declarations

The Senate advises and consents to the ratification of the Convention Between the Government of the United States of America and the Government of the Republic of Chile for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, signed at Washington February 4, 2010, with a Protocol signed the same day, as corrected by exchanges of notes effected February 25, 2011, and February 10 and 21, 2012, and a related agreement effected by exchange of notes on February 4, 2010 (the "Convention") (Treaty Doc. 112 098), subject to the reservations of section 2 and the declarations of section 3.

Section 2. Reservations

The advice and consent of the Senate under Section 1 is subject to the following reservations, which shall be included in the instrument of ratification:

(1) Nothing in the Convention shall be construed as preventing the United States from imposing a tax under section 59A, entitled the "Tax on Base Erosion Payments of Taxpayers with Substantial Gross Receipts," of the Internal Revenue Code (as it may be amended from time to time) on a company that is a resident of the United States or the profits of a company that is a resident of Chile that are attributable to a permanent establishment in the United States.

(2) Paragraph 1 of Article 23 (Relief from Double Taxation) of the Convention shall be deleted and replaced by the following:

"1. In accordance with the provisions and subject to the limitations of the law of the United States (as it may be amended from time to time without changing the general principle thereof):

a) the United States shall allow to a resident or citizen of the United States as a credit against the United States tax on income applicable to residents and citizens the income tax paid or accrued to Chile by or on behalf of such citizen or resident. For the purposes of this subparagraph, the taxes referred to in subparagraph b) of paragraph 3 and paragraph 4 of Article 2 (Taxes Covered), excluding taxes on capital, shall be considered income taxes; and