

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-2334. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Financial Report for fiscal year 2012 for the Prescription Drug User Fee Act (PDUFA); to the Committee on Health, Education, Labor, and Pensions.

EC-2335. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Financial Report for fiscal year 2012 for the Medical Device User Fee Act (MDUFA); to the Committee on Health, Education, Labor, and Pensions.

EC-2336. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress on Head Start Monitoring for Fiscal Year 2010"; to the Committee on Health, Education, Labor, and Pensions.

EC-2337. A communication from the Acting Chief Policy Officer, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Parts 4022 and 4044) received in the Office of the President of the Senate on July 9, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-2338. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Coverage of Certain Preventive Services Under the Affordable Care Act" (RIN1210-AB44) received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-2339. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Indirect Food Additives: Adhesives and Components of Coatings" (Docket No. FDA-2012-F-0728) received in the Office of the President of the Senate on July 15, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-2340. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Coverage of Certain Preventive Services Under the Affordable Care Act" (RIN0938-AR42) received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-2341. 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 "Coverage of Certain Preventive Services Under the Affordable Care Act" (RIN1545-BJ60) (TD 9624) received in the Office of the President of the Senate on July 9, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-2342. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled

"Strategic Integrated Management Plan for the Center for Drug Evaluation and Research (CDER), the Center for Biologics Evaluation and Research (CBER), and the Center for Devices and Radiological Health (CDRH); to the Committee on Health, Education, Labor, and Pensions.

EC-2343. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report relative to obligations and unobligated balances of funds provided for Federal-aid highway and safety construction programs for fiscal year 2012; to the Committee on Commerce, Science, and Transportation.

EC-2344. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's Annual Report of the Maritime Administration (MARAD) for fiscal years 2010-2011; to the Committee on Commerce, Science, and Transportation.

EC-2345. A communication from the Acting Under Secretary of Commerce for Oceans and Atmosphere, transmitting, pursuant to law, a report relative to the activities of the Northwest Atlantic Fisheries Organization for 2011; to the Committee on Commerce, Science, and Transportation.

EC-2346. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Heavy-Duty Engine and Vehicle, and Nonroad Technical Amendments" (RIN2127-AL31) received in the Office of the President of the Senate on July 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2347. A communication from the Paralegal Specialist, Federal Transit Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Alcohol and Controlled Substances Testing" (RIN2132-AB09) received in the Office of the President of the Senate on July 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2348. 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 (Roaring Springs, Texas)" (MB Docket No. 12-236, RM-11671) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2349. 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 (Dove Creek, Colorado)" (MB Docket No. 12-352, RM-11686) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2350. 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 (Matagorda, Texas)" (MB Docket No. 13-52, RM-11693) received in the Office of the President of the Senate on July 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2351. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Closed Captioning of Internet Protocol-Delivered Video Programming: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010" (MB Docket

No. 11-154, FCC 13-84) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2352. A communication from the Deputy Chief of the Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Structure and Practices of the Video Relay Service Program; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities" (FCC 13-82) received in the Office of the President of the Senate on July 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2353. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Marine Vapor Control Systems" ((RIN1625-AB37) (Docket No. USCG-1999-5150)) received in the Office of the President of the Senate on July 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2354. 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 (Summit, Mississippi)" (MB Docket No. 12-84, RM-11627) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2355. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations and Safety Zones; Marine Events in Captain of the Port Long Island Zone" ((RIN1625-AA00; AA08) (Docket No. USCG-2013-0447)) received in the Office of the President of the Senate on July 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2356. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Part 95 Instrument Flight Rules; Amdt. No. 507" (RIN2120-AA63) received in the Office of the President of the Senate on July 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2357. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (144); Amdt. No. 3538" (RIN2120-AA65) received in the Office of the President of the Senate on July 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2358. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (94); Amdt. No. 3537" (RIN2120-AA65) received in the Office of the President of the Senate on July 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2359. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Turbomeca S.A. Turbomeca Engines" ((RIN2120-AA64) (Docket No. FAA-2013-0024)) received in the Office of the President of the Senate on July 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2360. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" (RIN2120-AA64) (Docket No. FAA-2012-1162) received in the Office of the President of the Senate on July 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2361. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Cessna Aircraft Company Airplanes" (RIN2120-AA64) (Docket No. FAA-2012-1001) received in the Office of the President of the Senate on July 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2362. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" (RIN2120-AA64) (Docket No. FAA-2013-0426) received in the Office of the President of the Senate on July 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2363. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Bass Harbor, ME" (RIN2120-AA66) (Docket No. FAA-2012-0793) received in the Office of the President of the Senate on July 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2364. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Gillette, WY" (RIN2120-AA66) (Docket No. FAA-2013-0185) received in the Office of the President of the Senate on July 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-2365. A communication from the Inspector General of the Federal Trade Commission, transmitting, pursuant to law, notification that the audit of the financial statements of the Federal Trade Commission for fiscal year 2013 has commenced; to the Committee on Commerce, Science, and Transportation.

EC-2366. 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 for Consumer Products: Test Procedures for Residential Furnaces and Boilers" (RIN1904-AC96) received in the Office of the President of the Senate on July 11, 2013; to the Committee on Energy and Natural Resources.

EC-2367. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 13-092, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible effects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-2368. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Amendment to the International Traffic in Arms Regulations: Canadian Firearms Components Exemptions" (RIN1400-AD07) received in the

Office of the President of the Senate on July 11, 2013; to the Committee on Foreign Relations.

EC-2369. A communication from the Assistant Secretary of the Interior (Indian Affairs), transmitting, pursuant to law, a report entitled "Fiscal Year 2012 Report to Congress Pursuant to 25 U.S.C. 450j-1(c) on the Funding Requirements for Contract Support Costs"; to the Committee on Indian Affairs.

EC-2370. A joint communication from the Deputy Secretary, Department of Veterans Affairs, and the Acting Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to the activities and accomplishments of the Department of Veterans Affairs and Department of Defense Joint Executive Council for fiscal year 2012; to the Committee on Veterans' Affairs.

EC-2371. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Medications Prescribed by Non-VA Providers" (RIN2900-AO77) received in the Office of the President of the Senate on July 18, 2013; to the Committee on Veterans' Affairs.

EC-2372. A communication from the Secretary of Defense, transmitting, pursuant to law, a report for fiscal year 2014 on the Nuclear Weapons Stockpile, Nuclear Weapons Complex, Nuclear Weapons Delivery Systems and Nuclear Weapons Command and Control System; to the Committee on Armed Services.

EC-2373. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report entitled "Fiscal Year 2012 Inventory of Contracts for Services"; to the Committee on Armed Services.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. MENENDEZ for the Committee on Foreign Relations.

*Daniel Brooks Baer, of Colorado, to be U.S. Representative to the Organization for Security and Cooperation in Europe, with the rank of Ambassador.

Nominee: Daniel Brooks Baer.

Post Nominated: Permanent Representative to the Organization for Security and Cooperation in Europe, with the rank of Ambassador.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: \$1000, 5/2012, Obama for America; \$100, 9/2012, Obama for America.
2. Spouse: (N/A).
3. Children and Spouses: (N/A).
4. Parents: Rebecca Van Buren (widowed): \$25, 7/2012, Obama for America; \$25, 10/2012, Obama for America.
5. Grandparents: Nancy Van Buren: None.
6. Brothers and Spouses: Peter Baer (single), \$10, 9/2012, Obama for America; \$10, 9/2012, Gillibrand for Senate. Lyle Baer (single): None.
7. Sisters and Spouses: Merritt Baer (single), \$25, 8/2012, Hirono for Senate; \$25, 8/2012, Gabbard for Congress; \$25, 8/2012, Mikolisi for Congress; \$25, 8/2012, Pace for Congress; \$100, 9/2012, Obama for America.

*Douglas Edward Lute, of Indiana, to be United States Permanent Representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador Extraordinary and Plenipotentiary.

Nominee: Douglas Edward Lute.

Post: Chief of Mission—NATO. Nominated: 5/23/2013.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, Amount, Date, and Donee:

1. Self: None.
2. Spouse: Jane Holl Lute: \$250, 6/28/12, Obama Victory Fund; \$250, 12/31/11, Obama For America; \$250, 11/10/08, DNC Services Fund; \$250, 11/3/08, Obama For America; \$250, 11/3/08, Obama For America; \$250, 11/2/08, Obama Victory Fund; \$250, 11/2/08, Obama Victory Fund; \$250, 10/20/08, Obama For America; \$250, 7/7/08, Obama For America; \$500, 2/1/08, Obama For America; \$250, 10/20/12, Soderberg.
3. Children and Spouses: Amy Lute, None; Kamryn Lute, None; Adellyn Polomski, None.
4. Parents: Phyllis Lute, and John Edward Lute (Deceased).
5. Grandparents: N/A.
6. Brothers and Spouses: John Carl Lute (Deceased).
7. Sisters and Spouses: Patricia Lute and Charles Smith, None; Rebecca Lute, None; Beth and Jack Lyness, None.

*Victoria Nuland, of Virginia, a Career Member of the Senior Foreign Service, Class of Career Minister, to be an Assistant Secretary of State (European and Eurasian Affairs).

*Samantha Power, of Massachusetts, to be the Representative of the United States of America to the United Nations, with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the Representative of the United States of America in the Security Council of the United Nations.

*Samantha Power, of Massachusetts, to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations during her tenure of service as Representative of the United States of America to the United Nations.

*Catherine M. Russell, of the District of Columbia, to be Ambassador at Large for Global Women's Issues.

*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.

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. DURBIN (for himself, Mrs. FEINSTEIN, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. LEVIN, Mrs. BOXER, Mr. REED, and Mr. MURPHY):

S. 1337. A bill to promote the tracing of firearms used in crimes, and for other purposes, to the Committee on the Judiciary.

By Mr. COBURN:

S. 1338. A bill to amend title 5, United States Code, to require that the Office of