

meet the demands of adult life on their own. Only 50 percent earn a high school diploma, barely 3 percent go on to obtain a college degree, and one out of four will experience homelessness at some point in their lives. While we generally recognize adult independence at age 18, children rarely stop needing the stability, support and guidance that families provide. The benefits of being adopted into a loving home extend well into adulthood.

Each year I recognize one South Dakota family as Angels in Adoption in order to highlight the many ways in which exemplary individuals and families across the State have made a positive impact in the lives of children through adoption. I recently had the opportunity to honor Nora and Randy Boesem of Newell, SD, as Angels in Adoption. Nora and Randy have adopted nine children, all of whom are affected by Fetal Alcohol Spectrum Disorders and face a range of physical and mental birth defects that occur as a result of alcohol use during pregnancy. In addition to their adopted children, the Boesems have opened their home to nearly 70 children in foster care over the last 10 years.

As a founding member of the bipartisan Congressional Coalition on Adoption, which sponsors Angels in Adoption, I am committed to assisting children in the United States to find stable, loving and permanent homes. Additionally, I support the goals of National Adoption Day, which encourage others to adopt children from foster care, build stronger ties between local adoption agencies, courts and adoption advocacy organizations, and learn more about children waiting to be adopted and the families looking to grow through adoption.

I was proud to support the Fostering Connections to Success and Increasing Adoptions Act of 2008 and the recent passage of the Child and Family Services Improvement and Innovation Act, which made some of the most important improvements to the foster care and adoption system we have seen in the last 10 years. I am also proud that Members of the Senate continue to support ways to make adoption easier and more affordable. Since the cost of adoption can be very high, we ought to do what we can to minimize this initial burden for the exceptional people who provide caring homes for children. Adoption proceedings and legal fees for some domestic adoptions can cost more than \$40,000. If we ask individuals to care for and adopt children, we must provide some relief from the financial burdens associated with that care. The adoption tax credit is an effective way to help lessen the financial burden families face when adopting a child and I support making the adoption tax credit permanent.

The commitment of adoptive parents in South Dakota and throughout our country to provide children with safe, permanent, and loving homes will, of course, have a positive impact on their

lives. As we celebrate National Adoption Month and National Adoption Day on November 19, 2011, I call on my colleagues to continue finding ways to support the children, parents, and other important players involved in the child welfare system and to work to ensure all children have stable, permanent and loving families.

#### MESSAGES FROM THE PRESIDENT

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

#### EXECUTIVE MESSAGES REFERRED

As 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 nominations received today are printed at the end of the Senate proceedings.)

#### MESSAGES FROM THE HOUSE

At 2:15 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House agreed to the amendment numbered 1 of the Senate to the bill (H.R. 394) to amend title 28, United States Code, to clarify the jurisdiction of the Federal courts, and for other purposes, and that the House agreed to the amendment numbered 2 of the Senate, with an amendment, in which it requests the concurrence of the Senate.

The message also announced that the House has passed the following bill, without amendment:

S. 1637. An act to clarify appeal time limits in civil actions to which United States officers or employees are parties.

#### ENROLLED BILL SIGNED

At 3:49 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 1637. An act to clarify appeal time limits in civil actions to which United States officers or employees are parties.

The enrolled bill was subsequently signed by the Acting President pro tempore (Mr. REID).

#### ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, November 18, she had presented to the President of the United States the following enrolled bill:

S. 1637. An act to clarify appeal time limits in civil actions to which United States officers employees are parties.

#### 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-4016. A communication from the Secretary of the Commission, Division of Market Oversight, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Position Limits for Futures and Swaps" (RIN3038-AD17) received in the Office of the President of the Senate on November 16, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4017. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Management of Manufacturing Risk in Major Defense Acquisition Programs" ((RIN0750-AH30)(DFARS Case 2011-AH30)) received in the Office of the President of the Senate on November 17, 2011; to the Committee on Armed Services.

EC-4018. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Notification Requirements for Awards of Single-Source Task- or Delivery-Order Contracts" ((RIN0750-AG66)(DFARS Case 2009-D036)) received in the Office of the President of the Senate on November 17, 2011; to the Committee on Armed Services.

EC-4019. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Extension of Department of Defense Mentor-Protégé Pilot Program" ((RIN0750-AH44)(DFARS Case 2011-D050)) received in the Office of the President of the Senate on November 17, 2011; to the Committee on Armed Services.

EC-4020. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Transition to the System for Award Management" ((RIN0750-AH46)(DFARS Case 2011-D053)) received in the Office of the President of the Senate on November 17, 2011; to the Committee on Armed Services.

EC-4021. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Loren M. Reno, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-4022. A communication from the Associate General Counsel for Legislation and Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "HUD Debt Collection: Revisions and Update to the Procedures for the Collection of Claims" (RIN2501-AD36) received in the Office of the President of the Senate on November 16, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-4023. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67)(Docket No.

FEMA—2011—0002)) received in the Office of the President of the Senate on November 16, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-4024. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" (44 CFR Part 67)(Docket No. FEMA-2011-0002)) received in the Office of the President of the Senate on November 10, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-4025. A communication from the Deputy Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Syria that was declared in Executive Order 13338 of May 11, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC-4026. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants: Final Rulemaking To Designate Critical Habitat for Black Abalone" (RIN0648-AY62) received in the Office of the President of the Senate on November 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC-4027. A communication from the Chief of the Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Part 15 Regarding New Requirements and Measurement Guidelines for Access Broadband over Power Line Systems; Carrier Current Systems, Including Broadband over Power Line Systems, ET Docket Nos. 04-37 and 03-104" (FCC 11-160) received in the Office of the President of the Senate on November 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC-4028. A communication from the Chief of the Broadband Division, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Implementing the Provisions of the Communications Act of 1934, as Enacted by the Twenty-First Century Communications and Video Accessibility Act of 2010; Amendment of the Commission's Rules to Implement the Communications Act of 1934, as Enacted by the Telecommunications Act of 1996; Accessibility of Phone Options for People who are Blind, Deaf-Blind, or Have Low Vision" ((CG Docket No. 10-213)(FCC 11-151)) received in the Office of the President of the Senate on November 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC-4029. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department of Transportation's fiscal year 2011 annual financial report; to the Committee on Commerce, Science, and Transportation.

EC-4030. A communication from the Secretary of Energy, transmitting, pursuant to law, the Nuclear Energy Advisory Committee's (NEAC) Next Generation Nuclear Plant (NGNP) Phase 2 Recommendation Report; to the Committee on Energy and Natural Resources.

EC-4031. A communication from the Deputy Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the 2009 Annual Report for the Department of the Interior's Office of Surface Mining Reclamation and Enforcement;

to the Committee on Energy and Natural Resources.

EC-4032. 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 "Update List of Areas Included in 'North American Area' Under IRC Section 274(h)" (Rev. Rul. 2011-26) received in the Office of the President of the Senate on November 15, 2011; to the Committee on Finance.

EC-4033. 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 "Accrual of Liability to Unknown Payees" (Rev. Rul. 2011-29) received in the Office of the President of the Senate on November 15, 2011; to the Committee on Finance.

EC-4034. 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 "Generation Skipping Transfers (GST) Section 6011 Regulations and Amendments to the Section 6112 Regulations" ((RIN1545-BG89)(TD 9556)) received in the Office of the President of the Senate on November 15, 2011; to the Committee on Finance.

EC-4035. A communication from the Executive Secretary, U.S. Agency for International Development (USAID), (4) four reports relative to vacancies in the Agency for International Development (USAID), received in the Office of the President of the Senate on November 17, 2011; to the Committee on Foreign Relations.

EC-4036. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, status reports relative to Iraq for the period of June 21, 2011 through August 20, 2011; to the Committee on Foreign Relations.

EC-4037. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from Vitro Manufacturing in Canonsburg, Pennsylvania, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-4038. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from the Y-12 facility in Oak Ridge, Tennessee, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-4039. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from the Ames Laboratory at Iowa State University in Ames, Iowa, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-4040. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from W.R. Grace and Company in Curtis Bay, Maryland, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-4041. A communication from the Secretary of Labor, transmitting, pursuant to law, the fiscal year 2011 Agency Financial Report for the Department of Labor; to the Committee on Health, Education, Labor, and Pensions.

EC-4042. A communication from the Commissioner, Social Security Administration, transmitting, pursuant to law, the Administration's Performance and Accountability

Report for Fiscal Year 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-4043. A communication from the Director, Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, a report entitled "Federal Election Commission 2011 Performance and Accountability Report"; to the Committee on Homeland Security and Governmental Affairs.

EC-4044. A communication from the Administrator of the National Aeronautics and Space Administration, transmitting, pursuant to law, a Statement of Actions with respect to the Government Accountability Office report entitled "Personal ID Verification: Agencies Should Set a Higher Priority on Using the Capabilities of Standardized Identification Cards"; to the Committee on Homeland Security and Governmental Affairs.

EC-4045. A communication from the Executive Director, U.S. Election Assistance Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from April 1, 2011 through September 30, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-4046. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the fiscal year 2011 Agency Financial Report for the Department of the Treasury; to the Committee on Homeland Security and Governmental Affairs.

EC-4047. A communication from the Chairman, Merit System Protection Board, transmitting, pursuant to law, a report entitled "Prohibited Personnel Practices: Employee Perceptions"; to the Committee on Homeland Security and Governmental Affairs.

EC-4048. A communication from the Chairman of the National Endowment for the Arts, transmitting, pursuant to law, the Semiannual Report of the Inspector General, the Chairman's Semiannual Report on Final Action Resulting from Audit Reports, Inspection Reports, and Evaluation Reports for the period from April 1, 2011 through September 30, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-4049. A communication from the President and Chief Executive Officer, Overseas Private Investment Corporation, transmitting, pursuant to law, a report entitled "Annual Management Report of the Overseas Private Investment Corporation for Fiscal Year 2011 Submitted Pursuant to the Chief Financial Officers Act of 1990"; to the Committee on Homeland Security and Governmental Affairs.

EC-4050. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to waiving or partially waiving Section 404(a) of the Child Soldiers Prevention Act of 2008 with respect to Yemen, the Democratic Republic of the Congo, and Chad; to the Committee on the Judiciary.

EC-4051. A communication from the Director of the Regulation Policy and Management Office, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Updating Fire Safety Standards" (RIN2900-AN57) received in the Office of the President of the Senate on November 17, 2011; to the Committee on Veterans' Affairs.

EC-4052. A communication from the Director of the Regulation Policy and Management Office, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Clothing Allowance" (RIN2900—AN64) received in the Office of the President of the Senate on November 17, 2011; to the Committee on Veterans' Affairs.

EC-4053. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral Alan S. Thompson, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-4054. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to internal procedures and processes for addressing ongoing postmarket safety issues identified by the Office of Surveillance and Epidemiology (OSE) and how recommendations of the OSE are handled within the Agency; to the Committee on Health, Education, Labor, and Pensions.

#### 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 Mrs. GILLIBRAND:

S. 1905. A bill to amend the Federal Crop Insurance Act to support crop insurance for specialty crops, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. TESTER (for himself, Mr. BAR-RASSO, Mr. BAUCUS, Mr. ENZI, Mr. GRASSLEY, and Mr. RISCH):

S. 1906. A bill to modify the Forest Service Recreation Residence Program as the program applies to units of the National Forest System derived from the public domain by implementing a simple, equitable, and predictable procedure for determining cabin user fees, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. REED (for himself and Mr. GRASSLEY):

S. 1907. A bill to promote transparency by permitting the Public Company Accounting Oversight Board to allow its disciplinary proceedings to be open to the public, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. GRASSLEY (for himself and Mr. NELSON of Florida):

S. 1908. A bill to amend the Internal Revenue Code of 1986 to clarify the employment tax treatment and reporting of wages paid by professional employer organization, and for other purposes; to the Committee on Finance.

By Mr. ENZI:

S. 1909. A bill to amend title 31, United States Code, to provide for the issuance of Buy Back America Bonds; to the Committee on Finance.

By Mr. LIEBERMAN (for himself and Ms. COLLINS):

S. 1910. A bill to provide benefits to domestic partners of Federal employees; to the Committee on Homeland Security and Governmental Affairs.

By Ms. COLLINS:

S. 1911. A bill to amend the Internal Revenue Code of 1986 to provide recruitment and retention incentives for volunteer emergency service workers; to the Committee on Finance.

By Mr. MCCAIN (for himself, Mr. COBURN, and Mr. ISAKSON):

S. 1912. A bill to prohibit the Department of Energy from subordinating its position in energy loan guarantees to outside investors; to the Committee on Energy and Natural Resources.

By Ms. LANDRIEU:

S. 1913. A bill to require the Administrator of the Federal Aviation Administration to prescribe regulations requiring air carriers to provide passengers with certain amenities and facilities, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. SNOWE (for herself, Mr. BINGAMAN, and Mrs. FEINSTEIN):

S. 1914. A bill to amend the Internal Revenue Code of 1986 to provide a credit for performance based home energy improvements, and for other purposes; to the Committee on Finance.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MENENDEZ:

S. Res. 334. A resolution designating the week of November 6 through November 12, 2012, as "Veterans' Education Awareness Week.": to the Committee on the Judiciary.

By Mrs. GILLIBRAND (for herself, Ms. SNOWE, and Mrs. FEINSTEIN):

S. Res. 335. A resolution honoring the life and legacy of Evelyn H. Lauder; considered and agreed to.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 336. A resolution to permit the collection of clothing, toys, food, and housewares during the holiday season for charitable purposes in Senate buildings; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 436

At the request of Mr. SCHUMER, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 436, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale.

S. 626

At the request of Ms. CANTWELL, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 626, a bill to amend the Internal Revenue Code of 1986 to repeal the shipping investment withdrawal rules in section 955 and to provide an incentive to reinvest foreign shipping earnings in the United States.

S. 810

At the request of Ms. CANTWELL, the names of the Senator from Alaska (Mr. BEGICH) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 810, a bill to prohibit the conducting of invasive research on great apes, and for other purposes.

S. 838

At the request of Mr. THUNE, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 838, a bill to amend the Toxic Substances Control Act to clarify the ju-

risdiction of the Environmental Protection Agency with respect to certain sporting good articles, and to exempt those articles from a definition under that Act.

S. 1277

At the request of Ms. CANTWELL, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 1277, a bill to amend the Internal Revenue Code of 1986 to modify the incentives for the production of biodiesel.

S. 1591

At the request of Mrs. GILLIBRAND, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 1591, a bill to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

S. 1597

At the request of Mr. BROWN of Ohio, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1597, a bill to provide assistance for the modernization, renovation, and repair of elementary school and secondary school buildings in public school districts and community colleges across the United States in order to support the achievement of improved educational outcomes in those schools, and for other purposes.

S. 1680

At the request of Mr. CONRAD, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1680, a bill to amend title XVIII of the Social Security Act to protect and preserve access of Medicare beneficiaries in rural areas to health care providers under the Medicare program, and for other purposes.

S. 1727

At the request of Mr. HELLER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1727, a bill to direct the Secretary of the Army and the Secretary of the Navy to conduct a review of military service records of Jewish American veterans of World War I, including those previously awarded a military decoration, to determine whether any of the veterans should be posthumously awarded the Medal of Honor, and for other purposes.

S. 1776

At the request of Mr. CARDIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1776, a bill to amend title 10, United States Code, to expand the Operation Hero Miles program to include the authority to accept the donation of travel benefits in the form of hotel points or awards for free or reduced-cost accommodations.

S. 1817

At the request of Mr. HELLER, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 1817, a bill to amend the Communications Act of 1934 to provide for