

Joe was a native of Calhoun County and graduated from Oxford High School. He received a bachelor's degree with honor from Auburn University and graduated from the fine Cumberland School of Law at Samford University, cum laude. He was elected district attorney in 1992 and reelected, without opposition, in 1998, 2004 and 2010. Prior to being elected district attorney, Joe was an assistant district attorney for the 7th Judicial Circuit from 1978–1985 and chief assistant district attorney 1985–1993.

Joe was named Elected Official of the Year in 2004 by the National Association of Social Workers, District Attorney of the Year for the State of Alabama, and awarded the Distinguished Service Award for Outstanding Law Enforcement.

Joe was dedicated to the law and always did what was right. As a career prosecutor he was most known for two successful prosecutions: That of Donald Ray Wheat, who was convicted of the 2002 murder of four people in a Blockbuster video store, and the prosecution of Marie Hilley which was the subject of two books and a television movie. He also published a novel entitled "Blood Secrets," a thriller about a trial lawyer who wrestles with inner demons as he pursues the seat of the world's most powerful figure—the presidency of the United States. Proceeds from the sale of that book have been donated to the American Cancer Society.

Joe was a role model for prosecutors. He was greatly admired by his fellow prosecutors throughout the State. I shared that view. He was smart, hard working, and deeply experienced. He knew his business and was a "hands on" leader of his office. Frequently, he was called on to provide leadership and otherwise help with tough issues throughout the State. Prosecutors have a demanding job, but one that is quite fulfilling. It requires strength, tenacity, integrity and, importantly, good judgment. Joe possessed all these qualities and more. He could have left public service for a very successful private practice many times but he didn't. He stayed and served the public interest. He retired from that service on March 15, 2011. He will be greatly missed by family, friends and colleagues.●

ANGELS IN ADOPTION

● Mr. THUNE. Mr. President, today I wish to recognize Jim and Jean Mulder of Eureka, SD, as my nominees for the 2011 Angels in Adoption Award. Since 1999, the Angels in Adoption program through the Congressional Coalition on Adoption Institute have honored more than 1,700 individuals, couples, and organizations nationwide for their work in providing children with loving, stable homes.

Fifty-nine foster children have come to know what it means to have loving parents through the compassion of Jim and Jean Mulder. While some parents

struggle to find a new identity after their youngest child enrolls in elementary school full time, Jim and Jean decided they just enjoyed being parents too much. So, for the past 20 years, this generous couple has opened their home in north central South Dakota to kids who have only known stability and hot meals to be luxuries. The simple things, such as tossing the baseball around or going fishing, have come to mean the world to the Mulders because they can see the joy in their foster children's faces and know the impact their love has had. Jim and Jean included their foster children in all family activities with their biological children, and gave their 59 foster children a sense of what it means to be in a loving, stable family.

With children coming in and out of their home, staying anywhere from months to nearly a decade, one can only imagine the range of emotions Jim and Jean have experienced. From laughter to heartbreak, they both count their God-given role as foster parents as nothing shy of a blessing. With that blessing, they have bestowed a gift onto others in an immeasurable way.

With National Adoption Day just around the corner on November 19, 2011, it is important that we recognize the compassionate families who fulfill the roles of foster and adoptive parents. It brings me great pride to be able to honor South Dakotans Jim and Jean Mulder, my nominees for the 2011 Angels in Adoption Award.●

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages 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.)

MESSAGE FROM THE HOUSE

ENROLLED BILLS SIGNED

At 7:37 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 bills:

H.R. 771. An act to designate the facility of the United States Postal Service located at 1081 Elbel Road in Schertz, Texas, as the "Schertz Veterans Post Office".

H.R. 1632. An act to designate the facility of the United States Postal Service located at 5014 Gary Avenue in Lubbock, Texas, as the "Sergeant Chris Davis Post Office".

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 1660. A bill to provide tax relief for American workers and businesses, to put workers back on the job while rebuilding and modernizing America, and to provide pathways back to work for Americans looking for jobs.

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-3418. A communication from the Director of Congressional Affairs, Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Abnormal Occurrence Reporting Procedure and Handbook" (Management Directive 8.1) received in the Office of the President of the Senate on September 23, 2011; to the Committee on Environment and Public Works.

EC-3419. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Alternative to Minimum Days Off Requirements" (RIN3150-AI94) received during adjournment of the Senate in the Office of the President of the Senate on September 28, 2011; to the Committee on Environment and Public Works.

EC-3420. 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 "Minerals Management: Adjustment of Cost Recovery Fees" (RIN1004-AE22) received during adjournment of the Senate in the Office of the President of the Senate on September 28, 2011; to the Committee on Environment and Public Works.

EC-3421. A communication from the Assistant Administrator for Regulatory Programs, Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Species; Determination of Nine Distinct Population Segments of Loggerhead Sea Turtles as Endangered or Threatened" (RIN0648-AY49) received during adjournment of the Senate in the Office of the President of the Senate on September 29, 2011; to the Committee on Environment and Public Works.

EC-3422. A communication from the Chief of the Endangered Species Listing Branch, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Revised Designation of Critical Habitat for the Sonoma County Distinct Population Segment of California Tiger Salamander" (RIN1018-AW86) received during adjournment of the Senate in the Office of the President of the Senate on September 28, 2011; to the Committee on Environment and Public Works.

EC-3423. A communication from the Chief of the Endangered Species Listing Branch, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for Casey's June Beetle and Designation of Critical Habitat" (RIN1018-AV91) received during adjournment of the Senate in the Office of the

President of the Senate on September 28, 2011; to the Committee on Environment and Public Works.

EC-3424. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Santa Barbara Air Pollution Control District, Sacramento Municipal Air Quality Management District and South Coast Air Quality Management District" (FRL No. 9469-1) received in the Office of the President of the Senate on September 26, 2011; to the Committee on Environment and Public Works.

EC-3425. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Indiana; Prevention of Significant Deterioration Greenhouse Gas Tailoring Rule" (FRL No. 9471-9) received in the Office of the President of the Senate on September 26, 2011; to the Committee on Environment and Public Works.

EC-3426. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Ohio, Kentucky, and Indiana; Cincinnati-Hamilton Nonattainment Area; Determinations of Attainment of the 1997 Annual Fine Particulate Standards" (FRL No. 9472-2) received in the Office of the President of the Senate on September 26, 2011; to the Committee on Environment and Public Works.

EC-3427. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plans; State of Colorado Regulation Number 3: Revisions to the Air Pollutant Emission Notice Requirements and Exemptions" (FRL No. 9290-2) received during adjournment of the Senate in the Office of the President of the Senate on September 29, 2011; to the Committee on Environment and Public Works.

EC-3428. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Significant New Use Rules on Certain Chemical Substances" (FRL No. 8880-2) received during adjournment of the Senate in the Office of the President of the Senate on September 29, 2011; to the Committee on Environment and Public Works.

EC-3429. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, the Uniform Resource Locator (URL) for a report entitled "OSRE: Affiliation Guidance"; to the Committee on Environment and Public Works.

EC-3430. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report entitled "Fiscal Year 2010 Superfund Five-Year Review Report to Congress"; to the Committee on Environment and Public Works.

EC-3431. A communication from the Deputy Chief, National Forest System, Department of Agriculture, transmitting, pursuant to law, a report relative to the boundary for the North Fork Crooked Wild and Scenic River in Oregon; to the Committee on Energy and Natural Resources.

EC-3432. A communication from the Acting Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law,

the report of a rule entitled "Special Regulations; Areas of the National Park System, Grand Teton National Park, Bicycle Routes, Fishing and Vessels" (RIN1024-AD75) received during adjournment of the Senate in the Office of the President of the Senate on September 28, 2011; to the Committee on Energy and Natural Resources.

EC-3433. 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: Compliance Certification for Electric Motors" (RIN1904-AC23) received in the Office of the President of the Senate on September 26, 2011; to the Committee on Energy and Natural Resources.

EC-3434. A communication from the Inspector General, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Review of Medicare Contractor Information Security Program Evaluations for Fiscal Year 2009"; to the Committee on Finance.

EC-3435. 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 "Extension of Replacement Period for Livestock Sold on Account of Drought in Specified Counties" (Notice 2011-79) received during adjournment of the Senate in the Office of the President of the Senate on September 28, 2011; to the Committee on Finance.

EC-3436. 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 "Applicable Federal Rates—October 2011" (Rev. Rul. 2011-22) received during adjournment of the Senate in the Office of the President of the Senate on September 28, 2011; to the Committee on Finance.

EC-3437. 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 "Supplemental Procedures for Church Plan Letter Rulings" (Rev. Proc. 2011-44) received during adjournment of the Senate in the Office of the President of the Senate on September 28, 2011; to the Committee on Finance.

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. CORKER (for himself and Mr. BENNET):

S. 1655. A bill to amend title XI of the Social Security Act to provide for the annual mailing of statements of Medicare beneficiary part A contributions and benefits in coordination with the annual mailing of Social Security account statements; to the Committee on Finance.

By Mr. ISAKSON:

S. 1656. A bill to amend the Internal Revenue Code of 1986 to provide penalty free distributions from certain retirement plans for mortgage payments with respect to a principal residence and to modify the rules governing hardship distributions; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 1657. A bill to amend the provisions of law relating to sport fish restoration and recreational boating safety, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LUGAR:

S. 1658. A bill to reform and reauthorize agricultural programs, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. AYOTTE (for herself and Mr. DEMINT):

S. 1659. A bill to return unused or reclaimed funds made available for broadband awards in the American Recovery and Reinvestment Act of 2009 to the Treasury of the United States; to the Committee on Commerce, Science, and Transportation.

By Mr. REID:

S. 1660. A bill to provide tax relief for American workers and businesses, to put workers back on the job while rebuilding and modernizing America, and to provide pathways back to work for Americans looking for jobs; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. INOUE (for himself and Mr. CHAMBLISS):

S. Res. 286. A resolution recognizing May 16, 2012, as Hereditary Angioedema Awareness Day and expressing the sense of the Senate that more research and treatments are needed for Hereditary Angioedema; to the Committee on the Judiciary.

By Mr. REID (for himself, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. AKAKA, Mr. INOUE, Mr. MENENDEZ, Mr. LAUTENBERG, Mr. SCHUMER, Mrs. MURRAY, Mr. DURBIN, and Mr. HELLER):

S. Res. 287. A resolution designating October 2011 as "Filipino American History Month"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 25

At the request of Mr. KIRK, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 25, a bill to phase out the Federal sugar program, and for other purposes.

S. 164

At the request of Mr. BROWN of Massachusetts, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 164, a bill to repeal the imposition of withholding on certain payments made to vendors by government entities.

S. 227

At the request of Ms. COLLINS, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 227, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 309

At the request of Mr. LUGAR, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 309, a bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Moldova.

S. 382

At the request of Mr. BARRASSO, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 382, a bill to amend the