

ending inter-country adoptions of Russian children by United States citizens and urging the Russia Government to reconsider the law and prioritize the processing of inter-country adoptions involving parentless Russian children who were already matched with United States families before the enactment of the law; considered and agreed to.

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

S. Res. 629. A resolution to authorize the production of records by the Committee on Armed Services; considered and agreed to.

## SUBMITTED RESOLUTIONS

SENATE RESOLUTION 628—EXPRESSING THE DEEP DISAPPOINTMENT OF THE SENATE IN THE ENACTMENT BY THE RUSSIAN GOVERNMENT OF A LAW ENDING INTER-COUNTRY ADOPTIONS OF RUSSIAN CHILDREN BY UNITED STATES CITIZENS AND URGING THE RUSSIA GOVERNMENT TO RECONSIDER THE LAW AND PRIORITIZE THE PROCESSING OF INTER-COUNTRY ADOPTIONS INVOLVING PARENTLESS RUSSIAN CHILDREN WHO WERE ALREADY MATCHED WITH UNITED STATES FAMILIES BEFORE THE ENACTMENT OF THE LAW

Ms. LANDRIEU (for herself, Mr. BLUNT, Mr. INHOFE, Mr. DURBIN, Mrs. MCCASKILL, Ms. CANTWELL, Mr. WARNER, Ms. KLOBUCHAR, Mr. GRASSLEY, Ms. MIKULSKI, Mr. LUGAR, Mr. LAUTENBERG, and Mr. MENENDEZ) submitted the following resolution; which was submitted and read:

S. RES. 628

Whereas United Nations Children's Fund (UNICEF) estimates that there are 740,000 children in Russia living without parental care;

Whereas the Ministry of Science and Education of Russia estimates that 110,000 children live in state institutions in Russia;

Whereas the number of adoptions by Russian families is modest, with only 7,400 domestic adoptions in 2011 compared with 3,400 adoptions of Russian children by families abroad;

Whereas on December 28, 2012, Russian Federation President Vladimir Putin signed into law legislation entitled "On Measures Concerning the Implementation of Government Policy on Orphaned Children and those without Parental Care", which includes language that permanently bans adoptions of Russian children by United States citizens;

Whereas a spokesman for President Putin, Dmitry Peskov, announced that the law is to take effect on January 1, 2013, thereby abrogating the bilateral agreement between Russia and the United States that entered into force on November 1, 2012, and requires both countries to provide one year notice of intent to terminate the agreement;

Whereas 46, and possibly more, inter-country adoptions of Russian children by United States families have already received a final adoption decree from the Russia judicial system, and hundreds of other United States families are in the process of adopting Russian children;

Whereas United Nations Children's Fund released a statement urging the Russia Government to ensure that "the current plight

of the many Russian children in institutions receives priority attention" and that the Russia Government consider alternatives to institutionalization including "domestic adoption and inter-country adoption";

Whereas the United Nations, the Hague Conference on Private International Law, and other international organizations have recognized a child's right to a family as a basic human right worthy of protection;

Whereas the Christian Alliance for Orphans reports that United States families have opened their homes to more than 179,000 orphans from overseas in the last 20 years;

Whereas after China and Ethiopia, Russia is the third most popular country for United States citizens who adopt internationally;

Whereas adoption, both domestic and international, is an important child protection tool and an integral part of child welfare best practices around the world, along with prevention of abandonment and family reunification; and

Whereas more than 60,000 Russia-born children have found safe, permanent, and loving homes with United States families over the last two decades: Now, therefore, be it

*Resolved*, That the Senate—

(1) affirms that all children deserve a permanent, protective family;

(2) values the long tradition of the United States and Russia Governments working together to find permanent homes for unparented children;

(3) disapproves of the Russia law ending inter-country adoptions of Russian children by United States citizens because it primarily harms vulnerable and voiceless children; and

(4) strongly urges the Russia Government to reconsider the law on humanitarian grounds, in consideration of the well-being of parentless Russian children awaiting a loving and permanent family, and prioritize the processing of inter-country adoptions of Russian children by United States citizens that were initiated before the enactment of the law.

Mr. BLUNT. Mr. President, I come to the floor today to join my colleague, Senator LANDRIEU from Louisiana, to talk about Russian adoptions and the decision by the Russian Duma and the President, President Putin, to sign a law that includes a provision that bans adoption of Russian children by American families. This ban is going into effect tomorrow—tomorrow. This is a ban which would go into effect tomorrow with four dozen American families in the process of bringing a child home from Russia.

My wife Abby and I adopted our son Charlie from Russia a number of years ago now. After visits to Russia and as we were leaving the courthouse the day the court procedures were accomplished, we were in the car with people who had helped us with that adoption who represented an organization here in the United States—in this case, the Gladney organization in Texas—and they got a call that four of their fellow organizations had just been decertified in Russia. They were decertified for some technical reason with their papers. All of the adoptions they had done were reviewed, and at least one error was found in one paper somewhere. Over the course of the next 12 months, as every single agency came up for review—and this was about 6 years ago now—every one of them had

a problem that wound up with their being disqualified.

At the end of that year, there wasn't a single American organization that could be helpful to an American family with a Russian adoption because that was the policy the government decided at that time. They were going to somehow penalize American families who wanted to adopt Russian kids in ways that made that virtually impossible.

At that time, there were families who had met a child, who had bonded with that child, who had taken pictures home, who had talked to doctors in Russia and the United States, and who had done everything a family needed to do, and who had even gotten ready to go to court. I think at that point, if you had gone to court, you probably took your child home with you, but that is not the case right now. But they all were caught in a situation where in some cases it was 2 or 3 more years before that adoption was allowed to be completed, if it was ever allowed to be completed.

Now the Russian Government has decided once again to use Russian kids in orphanages as political pawns to help create some international dispute with the United States. This is not behavior that is worthy of the credit that, frankly, we just gave the Russians whenever we entered into a trade agreement that said: We want to accept you further into the relationships we have.

By the way, I have talked to parents in the last few days who have adopted children from Russia. These are parents who, like every one of us in this room right now on the floor of the Senate, grew up at a time when the Soviet Union was seen as a great adversary. But suddenly the bonding that occurred between our two countries because of this opportunity for Russian kids to become American kids made a big difference in the way Americans looked at Russians and the way Russians looked at Americans. But this is a difference that somehow the Russian Government wants to do away with as they take offense because we—appropriately, I think—put in the Russian trade agreement penalties for people who were involved in the imprisonment and death of Russian attorney Sergei Magnitsky in 2009. We were pretty specific about the narrow group to which this applied. And they are very specific about the 110,000 kids in orphanages in Russia today who cannot be adopted by American families because they have decided to use these kids as a political tool. It is the wrong thing to do.

Russia and the United States have had a tradition now that goes back to the end of the Cold War of working together to find permanent homes for children without parents in our country. As recently as November 1 of last year, we signed a bilateral agreement to strengthen the procedural safeguards for this process so that families who got involved wouldn't get way

down the line or get into the line at all and find out they were not going to let this happen.

We have one family in St. Louis who has adopted, they have gone to court, have been to Russia multiple times, and the court has said they are now the adoptive parents—the Russian court—of this child, but under the new requirement, they have to wait another 30 days before they can come back and take this child home. And now the Russian Government says they can never take this child home. That is totally unacceptable.

Last week Senator LANDRIEU and I, along with at least a dozen other Senators, sent a letter to President Putin urging him not to violate the agreement by signing the law. Mr. President, I ask unanimous consent to have printed in the RECORD the letter to his Excellency Vladimir Putin.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESS OF THE UNITED STATES,  
Washington, DC, December 21, 2012.

His Excellency VLADIMIR PUTIN,  
President of the Russian Federation, The Kremlin,  
Moscow, Russia.

DEAR MR. PRESIDENT: We respectfully ask you to veto the law "On Measures of Coercion on Persons, Involved in the Violation of the Rights of Russian Citizens," which includes language that permanently bans adoptions of Russian children by American families. We are deeply saddened by the events in the Duma over the past few days which have led to the passage of this law, that would abrogate the bilateral agreement between our two countries that you signed earlier this year and which entered into force on November 1, 2012. We fear that this overly broad law would have dire consequences for Russian children.

If the law takes effect, thousands of Russian children living in institutions may lose an opportunity to become part of a family. As you know, our two countries have a long tradition of working together to find permanent homes for unparented children. At any given moment, based on the statistics of the past few years, there are at least 1,000 Russian children in the process of finding supportive and protective families in the United States. They and those who would follow them would become the real victims of a misplaced legislative effort. We share in your desire to ensure the wellbeing and safety of all adopted children and remain steadfast to the commitments we made in the bilateral agreement.

Nothing is more important to the future of our world than doing our best to give as many children the chance to grow up in a family as we possibly can.

We hope that your spirit of compassion for voiceless children will prevail so that this sad turn of events will not lead to harm to so many innocent children.

MARY L. LANDRIEU,  
JOHN BOOZMAN,  
MARIA CANTWELL,  
ROGER F. WICKER,  
JIM INHOFE,  
KAREN BASS,  
JOHN SARBANES,  
JOHN CORNYN,  
JOE LIEBERMAN,  
FRANK R. LAUTENBERG,  
ROY BLUNT,  
CHUCK GRASSLEY,  
DAVE CAMP,

DANIEL LIPINSKI,  
AMY KLOBUCHAR,  
JEANNE SHAHEEN.

Mr. BLUNT. He signed the law anyway. Senator LANDRIEU and I are going to have a resolution that she is going to talk about, asking not only that this position be reversed but that immediately we do whatever is necessary to unite these families who have already bonded with children who are in orphanages in Russia.

I talked to a number of parents just yesterday. Bob and Sandy Davis of St. Louis have been very involved in the efforts for adoptive children from Russia and the Ukraine.

I talked to a young man this morning, Sergei Quincy, from Branson, who is 22, who was adopted by the Quincys in Branson when he was 14. At 14, he came to the United States, didn't speak any English, started the ninth grade, learned English, and at 22 he is now happily married with a couple of young children. He told me the moment of his adoption was the moment that made his dreams possible. He had a bad family situation, institutionalized with his brother and his sister in three different orphanages, and his brother was adopted by the same family who didn't know about his sister.

I talked to Senator John Lamping of Missouri, who adopted a son who is now 14 who had never gone to school. He was adopted at 8 or 9 years old, and he had never been to school anywhere.

I would hope the Senate speaks strongly and that we work as effectively as we can with the Russian representatives in this country to help them right this wrong—the immediate and unbelievable wrong for almost 50 families who know the child they are about to bring into their family and emotionally and psychologically already have.

For all the kids in Russia, the country that is No. 3 in foreign adoptions for the United States—all those kids who are likely to spend their growing-up years in an orphanage and at 15 or 16 be put out of that orphanage with no support system there are families in the United States of America who want to make them part of their family.

I would like to close by saying I continue to appreciate the great leadership on all these adoption issues that Senator LANDRIEU has shown and look forward to working with her and others as we try to help right this tragic wrong.

I would be glad to yield to my good friend from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I am proud to join my friend, the Senator from Missouri, on the floor to add voice to this travesty that has recently occurred.

The Senator from Missouri described the situation accurately; that a country that claims to be a powerful nation on the Earth has decided to take powerful action against the weakest, most

vulnerable individuals on the Earth, and those are children without families.

It makes no sense whatsoever for the country of Russia to take the action they did because they are in a disagreement with us in America—and maybe others around the world—about human rights violations regarding adults.

The Russian Government, in front of the whole world, has taken their anger and frustration out on their own children—their own children who are orphans, their own children who are sick, their own children who, in some cases, are disabled. It makes no sense in the world.

I was trying to think, I say to the Senator from Missouri, of what would ever possess the United States of America or any country to take their anger and their frustrations out on children. That is what the Duma did.

They are hurting their own children, and we would like to urge them strongly in this resolution—which I am going to submit for its immediate consideration on my behalf and Senator BLUNT and Senator INHOFE. We would like to ask the Russian Government to please reconsider—there might be other actions they could take to make it clear they are unhappy with some things we have done, but damning their children should not be one of them, causing children to not have an opportunity for a family or an education or health care or enough food—and to please be considerate of their needs.

The 50 or so families who are in the very end of the process, we also want to ask the government to understand that just as birth parents anticipate the birth of their child, adoptive parents anticipate the coming of that union to their family. Most important, many of these children are not infants. Some of them are, but some of them are older children who know they are about to be adopted, who understand that a mother or a father has already agreed to take them to the United States. It is going to crush their hopes and their dreams and their spirit.

We are hoping the Russian Government will reconsider.

This resolution, I hope, will be joined by our colleagues in a strong vote of support. I know that with the Senator from Missouri, he and I will continue to work in every way we can to see if we can find a better resolution.

But there are a couple other things I wish to say about this quickly. I want everyone to be clear that in the United States of America—and I am very proud of our country in this regard—we adopt over 100,000 children a year. We have 350 million people-plus, but we adopt 100,000 children. Most of those children are American children adopted by American parents, children who have lost their parents, children who have been abandoned by their parents, children who have been grossly abandoned or neglected by their parents and the courts have stepped in and terminated those rights and we immediately

find relatives or people in the community to adopt because we believe, as Americans—and many people around the world—that children shouldn't raise themselves. Every child belongs in a family, in a permanent, loving, supportive, protective family, and it is our job as a government and our job as a faith-based community and our responsibility as a community to make sure there is no parentless child in the world.

So we work very hard, not just government to government but in the churches, in the faith-based communities, working with nonprofit organizations, to make the rules and regulations and systems strong to protect children and also to protect fragile families from disintegrating, reconnecting children with families, trying our very best to do that.

We want to work with Russia to strengthen their internal child protection system. We work on strengthening ours every day. It is not perfect, but it is one of the best in the world. We still make terrible mistakes, but we do want to continue to work to improve our child welfare system. But adoption, both domestic and international—kinship adoption included—is a very important tool of child protection. We want to do a better job in the United States. We want to continue to keep avenues of adoption open for children from Russia, from China, from Romania, et cetera.

Some people may be wondering: Senator, you are so bold speaking about this. Are children from America adopted overseas? The answer is yes—not many, but under the international treaties of the rights of a child to a family, we need to be open to have American children—if they can't find an adoptive home here—to be able to go to other countries.

But the most important thing is to know that Americans step up every day to adopt American children, both infants, teenagers, and I have even known of adoptions of children who were 22 and 23 years of age. When are you ever too old to need a mother and a father?

But the action the Russian Duma has taken is a travesty, and it is incomprehensible that any government would take their anger out on another country against the children of their own country. We hope they will reconsider. We hope the people of Russia will rise and tell their government: Absolutely not. Take out your anger and frustration in another way, not on our own children, and allow these adoptions to be processed.

#### SENATE RESOLUTION 629—TO AUTHORIZE THE PRODUCTION OF RECORDS BY THE COMMITTEE ON ARMED SERVICES

Mr. REID of Nevada (for himself and Mr. PRYOR) submitted the following resolution; which was considered and agreed to:

S. RES. 629

Whereas, the United States Air Force has initiated an independent review of the case of Major General John D. Lavelle, who has been nominated to be advanced posthumously on the retired list to the rank of general;

Whereas, the Committee has received a request from the Secretary of the Air Force that those conducting the independent review of Major General Lavelle's nomination be given access to the Committee's executive session documents relating to Major General Lavelle's 1972 nomination to the rank of lieutenant general on the retired list of the Air Force;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

*Resolved*, That the Chairman and Ranking Minority Member of the Committee on Armed Services, acting jointly, are authorized to provide, under appropriate security procedures, records from the Committee's executive sessions relating to Major General John D. Lavelle's 1972 nomination to those persons conducting the independent review of Major General Lavelle's case on behalf of the Air Force.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 3448. Mr. REID (for himself and Mr. MCCONNELL) proposed an amendment to the bill H.R. 8, providing for comprehensive tax reform, and for other purposes.

SA 3449. Mr. PRYOR (for Mr. NELSON of Florida (for himself and Mrs. HUTCHISON)) proposed an amendment to the bill H.R. 6586, to extend the application of certain space launch liability provisions through 2014.

SA 3450. Mr. PRYOR (for Mr. REID) proposed an amendment to the bill H.R. 8, providing for comprehensive tax reform, and for other purposes.

#### TEXT OF AMENDMENTS

**SA 3448.** Mr. REID (for himself and Mr. MCCONNELL) proposed an amendment to the bill H.R. 8, providing for comprehensive tax reform, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

##### SECTION 1. SHORT TITLE, ETC.

(a) **SHORT TITLE.**—This Act may be cited as the "American Taxpayer Relief Act of 2012".

(b) **AMENDMENT OF 1986 CODE.**—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title, etc.

##### TITLE I—GENERAL EXTENSIONS

###### SUBTITLE A—TAX RELIEF

Sec. 101. Permanent extension and modification of 2001 tax relief.

Sec. 102. Permanent extension and modification of 2003 tax relief.

Sec. 103. Extension of 2009 tax relief.

Sec. 104. Permanent alternative minimum tax relief.

##### TITLE II—INDIVIDUAL TAX EXTENDERS

Sec. 201. Extension of deduction for certain expenses of elementary and secondary school teachers.

Sec. 202. Extension of exclusion from gross income of discharge of qualified principal residence indebtedness.

Sec. 203. Extension of parity for exclusion from income for employer-provided mass transit and parking benefits.

Sec. 204. Extension of mortgage insurance premiums treated as qualified residence interest.

Sec. 205. Extension of deduction of State and local general sales taxes.

Sec. 206. Extension of special rule for contributions of capital gain real property made for conservation purposes.

Sec. 207. Extension of above-the-line deduction for qualified tuition and related expenses.

Sec. 208. Extension of tax-free distributions from individual retirement plans for charitable purposes.

Sec. 209. Improve and make permanent the provision authorizing the Internal Revenue Service to disclose certain return and return information to certain prison officials.

##### TITLE III—BUSINESS TAX EXTENDERS

Sec. 301. Extension and modification of research credit.

Sec. 302. Extension of temporary minimum low-income tax credit rate for non-federally subsidized new buildings.

Sec. 303. Extension of housing allowance exclusion for determining area median gross income for qualified residential rental project exempt facility bonds.

Sec. 304. Extension of Indian employment tax credit.

Sec. 305. Extension of new markets tax credit.

Sec. 306. Extension of railroad track maintenance credit.

Sec. 307. Extension of mine rescue team training credit.

Sec. 308. Extension of employer wage credit for employees who are active duty members of the uniformed services.

Sec. 309. Extension of work opportunity tax credit.

Sec. 310. Extension of qualified zone academy bonds.

Sec. 311. Extension of 15-year straight-line cost recovery for qualified leasehold improvements, qualified restaurant buildings and improvements, and qualified retail improvements.

Sec. 312. Extension of 7-year recovery period for motorsports entertainment complexes.

Sec. 313. Extension of accelerated depreciation for business property on an Indian reservation.

Sec. 314. Extension of enhanced charitable deduction for contributions of food inventory.

Sec. 315. Extension of increased expensing limitations and treatment of certain real property as section 179 property.

Sec. 316. Extension of election to expense mine safety equipment.