

The assistant legislative clerk read as follows:

A bill (H.R. 6586) to extend the application of certain space launch liability provisions through 2014.

There being no objection, the Senate proceeded to consider the bill.

Mr. PRYOR. Mr. President, I ask unanimous consent that the Nelson-Hutchison substitute amendment which is at the desk be agreed to; the bill, as amended, be read a third time and passed; the motion to reconsider be laid upon the table, with no intervening action or debate; and that any statements relating to this measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 3449) was agreed to, as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Space Exploration Sustainability Act”.

#### SEC. 2. ASSURANCE OF CORE CAPABILITIES.

Section 203 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18313) is amended by adding at the end the following:

“(c) SENSE OF CONGRESS REGARDING HUMAN SPACE FLIGHT CAPABILITY ASSURANCE.—It is the sense of Congress that the Administrator shall proceed with the utilization of the ISS, technology development, and follow-on transportation systems (including the Space Launch System, multi-purpose crew vehicle, and commercial crew and cargo transportation capabilities) under titles III and IV of this Act in a manner that ensures—

“(1) that these capabilities remain inherently complementary and interrelated;

“(2) a balance of the development, sustainment, and use of each of these capabilities, which are of critical importance to the viability and sustainability of the U.S. space program; and

“(3) that resources required to support the timely and sustainable development of these capabilities authorized in either title III or title IV of this Act are not derived from a reduction in resources for the capabilities authorized in the other title.”.

“(d) LIMITATION—Nothing in subsection (c) shall apply to or affect any capability authorized by any other title of this Act.”

#### SEC. 3. EXTENSION OF CERTAIN SPACE LAUNCH LIABILITY PROVISIONS.

Section 50915(f) of title 51, United States Code, is amended by striking “December 31, 2012” and inserting “December 31, 2013”.

#### SEC. 4. EXEMPTION FROM INKSNA.

Section 71(B) of the Iran, North Korea, and Syria Nonproliferation Act (50 U.S.C. 1701 note) is amended—

(1) by striking “, or for the purchase of goods or services relating to human space flight, that are”; and

(2) by striking “prior to July 1, 2016” and inserting “prior to December 31, 2020”.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 6586), as amended, was passed.

#### ENDANGERED FISH RECOVERY PROGRAMS EXTENSION ACT OF 2012

#### AUTHORIZING THE SECRETARY OF THE INTERIOR TO ISSUE RIGHT-OF-WAY PERMITS

Mr. PRYOR. Mr. President, I ask unanimous consent that the Energy Committee be discharged from further consideration of H.R. 6060 and the Senate proceed to its consideration and consideration of Calendar No. 269, S. 302 en bloc.

The PRESIDING OFFICER. Without objection, the clerk will report the bills by title en bloc.

The assistant legislative clerk read as follows:

A bill (H.R. 6060) to amend Public Law 106-392 to maintain annual base funding for the Upper Colorado and San Juan fish recovery programs through fiscal year 2019.

A bill (S. 302) to authorize the Secretary of the Interior to issue right-of-way permits for a natural gas transmission pipeline in non-wilderness areas within the boundary of Denali National Park, and for other purposes.

There being no objection, the Senate proceeded to consider the bills en bloc.

Mr. PRYOR. Mr. President, I ask unanimous consent that the bills be read a third time and passed en bloc, the motions to reconsider be laid upon the table with no intervening action or debate, and that any statements related to the bills be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 6060) was ordered to a third reading, was read the third time, and passed.

The bill (S. 302) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 302

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. DENALI NATIONAL PARK AND PRESERVE NATURAL GAS PIPELINE.

(a) DEFINITIONS.—In this section:

(1) APPURTENANCE.—

(A) IN GENERAL.—The term “appurtenance” includes cathodic protection or test stations, valves, signage, and buried communication and electric cables relating to the operation of high-pressure natural gas transmission.

(B) EXCLUSIONS.—The term “appurtenance” does not include compressor stations.

(2) PARK.—The term “Park” means the Denali National Park and Preserve in the State of Alaska.

(3) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(b) PERMIT.—The Secretary may issue right-of-way permits for—

(1) a high-pressure natural gas transmission pipeline (including appurtenances) in nonwilderness areas within the boundary of Denali National Park within, along, or near the approximately 7-mile segment of the George Parks Highway that runs through the Park; and

(2) any distribution and transmission pipelines and appurtenances that the Secretary determines to be necessary to provide natural gas supply to the Park.

(c) TERMS AND CONDITIONS.—A permit authorized under subsection (b)—

(1) may be issued only—

(A) if the permit is consistent with the laws (including regulations) generally applicable to utility rights-of-way within units of the National Park System;

(B) in accordance with section 1106(a) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3166(a)); and

(C) if, following an appropriate analysis prepared in compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the route of the right-of-way is the route through the Park with the least adverse environmental effects for the Park; and

(2) shall be subject to such terms and conditions as the Secretary determines to be necessary.

#### ADOPTIONS OF RUSSIAN CHILDREN BY UNITED STATES CITIZENS

Mr. PRYOR. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 628, submitted earlier today by Senators LANDRIEU and BLUNT.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 628) expressing the deep disappointment of the Senate in the enactment by the Russia 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.

There being no objection, the Senate proceeded to consider the resolution.

Mr. PRYOR. Mr. President, I ask that the Senate proceed to a voice vote on adoption of the resolution.

The PRESIDING OFFICER. Is there further debate on the resolution?

If not, the question is on agreeing to the resolution.

The resolution (S. Res. 628) was agreed to.

Mr. PRYOR. Mr. President, I ask unanimous consent that the preamble be agreed to and the motions to reconsider be made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

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.

#### AUTHORIZING DOCUMENT PRODUCTION

Mr. PRYOR. Mr. President, I ask unanimous consent that the Senate

proceed to the consideration of S. Res. 629, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 629) to authorize the production of records by the Committee on Armed Services.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, the Committee on Armed Services has received a request from the Secretary of the Air Force seeking access to records of the Committee relating to the Committee’s consideration of the 1972 nomination of MG John D. Lavelle to retire at the rank of lieutenant general. That nomination was not confirmed. In 2010, the President nominated Major General Lavelle to be posthumously advanced on the retired list to the rank of general. After the Chairman of the Armed Services Committee requested further information regarding that nomination, the Air Force initiated an independent review of Major General Lavelle’s case. That review is being led by the Honorable William H. Webster.

The Secretary of the Air Force requests that Judge Webster and those assisting him in the independent review be granted access to the Committee’s executive session documents relating to the 1972 Lavelle nomination. The Chair and Ranking Minority Member of the Committee would like to be able to cooperate with this request by providing access to those conducting this independent review to the requested committee records.

This resolution would authorize the Chairman and Ranking Minority Member of the Committee on Armed Services, acting jointly, to provide records, under appropriate security procedures, from the Committee’s 1972 consideration of the Lavelle nomination to those conducting the independent review of Major General Lavelle’s case on behalf of the Air Force.

Mr. PRYOR. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the resolution be printed in the RECORD as if read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 629) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

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.

#### ORDERS FOR TUESDAY, JANUARY 1, 2013

Mr. PRYOR. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Tuesday, January 1, 2013; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks the Senate proceed to a period of morning business until 3:30 p.m. for debate only, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ADJOURNMENT UNTIL 2:00 P.M. TOMORROW

Mr. PRYOR. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 2:31 a.m., adjourned until Tuesday, January 1, 2013, at 2 p.m.