S. RES. 543

At the request of Mrs. BOXER, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. Res. 543, a resolution to express the sense of the Senate on international parental child abduction.

S. RES. 574

At the request of Mrs. GILLIBRAND, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. Res. 574, a resolution calling on the United Nations to take concerted actions against leaders in Iran for their statements calling for the destruction of another United Nations Member State, Israel.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 590—SUPPORTING THE GOALS AND IDEALS OF ''CHILDREN'S GRIEF AWARENESS DAY''

Mr. CASEY submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 590

Whereas 1 in 5 children in the United States will experience the death of a close friend or relative by the age of 18 years old;

Whereas in the United States, 1,900,000 children under the age of 18 years old have lost 1 or both parents;

Whereas the death of a loved one can affect a child for the rest of his or her life;

Whereas the death of a loved one causes confusion and distress because the child does not understand why the loved one died;

Whereas a grieving child often feels lonely, fearful, and misunderstood, hindering the ability to face feelings and manage grief;

Whereas children have often been called ''forgotten mourners'' because many people erroneously believe that children are resilient enough to ''just get over'' grief;

Whereas a grieving child needs to have his or her feelings acknowledged, a listening ear, and the support of caring individuals, such as family members, friends, and others who are also grieving a loss;

Whereas Children's Grief Awareness Day began in 2008, through grassroots efforts to help others understand the impact of death on children, and the need for support, and to provide ways for adults and young people to show support and solidarity for grieving children;

Whereas Children's Grief Awareness Day is observed every year on the Thursday before Thanksgiving, immediately preceding the winter holidays, which can be a particularly difficult time for grieving children;

Whereas individuals can participate in Children's Grief Awareness Day by engaging in activities that raise awareness of the needs of grieving children and by wearing blue on that day as a symbol of support for grieving children;

Whereas on November 15, 2012, thousands of children and adults from all walks of life and across the United States will join together to show support for grieving children by participating in Children's Grief Awareness Day; and

Whereas November 15, 2012, would be an appropriate day to designate as ''Children's Grief Awareness Day'' to help the public understand the devastating impact of the death of a loved one on a child, and of the need for support for grieving children: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of Children's Grief Awareness Day to raise awareness of and support for grieving children;

(2) recognizes the hard work that grieving children do every day in creating a new life out of the pieces remaining of their old lives;

(3) applauds the individuals that volunteer to support grieving children;

(4) salutes the Federal, State, and local organizations that work on behalf of grieving children;

(5) recognizes the tireless efforts put forth by the individuals that help grieving children day after day; and

(6) encourages the people of the United States to observe Children's Grief Awareness Day with appropriate programs and activities.

SENATE RESOLUTION 591—EXPRESSING THE SENSE OF THE SENATE REGARDING RAYMOND WEEKS AND HIS EFFORTS IN THE ESTABLISHMENT OF VETERANS DAY

Mr. SESSIONS (for himself and Mr. SHELBY) submitted the following resolution; which was considered and agreed to:

S. RES. 591

Whereas November 11, 2012, is the 65th anniversary of National Veterans Day in Birmingham, Alabama;

Whereas the National Veterans Day in Birmingham is the longest running celebration of Veterans Day in the Nation;

Whereas, on November 11, 1946, World War II veteran Raymond Weeks presented General Eisenhower a program design proposing to replace Armistice Day with a National Veterans Day in 1947;

Whereas the very first Veterans Day celebration was held in Birmingham by the National Veterans Day Organization in 1947;

Whereas President Eisenhower signed into law on June 1, 1954, the Act proclaiming November 11 as Veterans Day (Public Law 380; 83rd Congress);

Whereas in 1954, the National Veterans Day Volunteer Organization, started by Raymond Weeks, expanded to organize a multi-day celebration including, but not limited to, a Veterans Day Parade, a World Peace Luncheon, and presentation during the National Veterans Award Dinner of the National Veterans Award;

Whereas these three events have been held every year since 1954;

Whereas the briefing for President Reagan by Elizabeth Dole for the Presidential Citizens Medals cited Raymond Weeks as the ''Father of Veterans Day'';

Whereas President Reagan recognized Raymond Weeks as the driving force behind Veterans Day while presenting Raymond Weeks with the Presidential Citizens Medal on November 11, 1982;

Whereas Raymond Weeks should be recognized for his push to honor the great men and women who have served their country with a special day of recognition; and

Whereas Birmingham, Alabama, should be recognized for its contributions to the institution of Veterans Day: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes Birmingham, Alabama, as the home to the first and longest running celebration of Veterans Day;

(2) recognizes Raymond Weeks for his pioneering efforts in the establishment of Veterans Day; and

(3) honors the sacrifices of, and pays tribute to, the men and women of the United States in uniform who risk life and limb for their country at home and overseas.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2871. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 3525, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table.

SA 2872. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 3525, supra; which was ordered to lie on the table.

SA 2873. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 3525, supra; which was ordered to lie on the table.

SA 2874. Mr. KERRY (for himself, Ms. CANTWELL, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. BLUMENTHAL, Mr. MENENDEZ, Mr. DURBIN, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill S. 3525, supra; which was ordered to lie on the table.

SA 2875. Mr. REID (for Mr. TESTER) proposed an amendment to the bill S. 3525, supra.

SA 2876. Mr. REID proposed an amendment to amendment SA 2875 proposed by Mr. REID (for Mr. TESTER) to the bill S. 3525, supra.

SA 2877. Mr. REID proposed an amendment to amendment SA 2876 proposed by Mr. REID to the amendment SA 2875 proposed by Mr. REID (for Mr. TESTER) to the bill S. 3525, supra.

SA 2878. Mr. REID proposed an amendment to the bill S. 3525, supra.

SA 2879. Mr. REID proposed an amendment to amendment SA 2878 proposed by Mr. REID to the bill S. 3525, supra.

SA 2880. Mr. REID proposed an amendment to the bill S. 3525, supra.

SA 2881. Mr. REID proposed an amendment to amendment SA 2880 proposed by Mr. REID to the bill S. 3525, supra.

SA 2882. Mr. REID proposed an amendment to amendment SA 2881 proposed by Mr. REID to the amendment SA 2880 proposed by Mr. REID to the bill S. 3525, supra.

SA 2883. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 3525, supra; which was ordered to lie on the table.

SA 2884. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 3525, supra; which was ordered to lie on the table.

SA 2885. Mr. LEE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 3525, supra; which was ordered to lie on the table.

SA 2886. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 3525, supra; which was ordered to lie on the table.

SA 2887. Mr. KOHL (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 2888. Mr. KOHL (for himself and Mr. BOOZMAN) submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2889. Mr. PRYOR (for himself and Mr. BOOZMAN) submitted an amendment intended

to be proposed by him to the bill S. 3525, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2871. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 3525, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. MODIFICATION OF EQUAL ACCESS TO JUSTICE PROVISIONS.

(a) AGENCY PROCEEDINGS.—Section 504 of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)——

(i) by inserting after the first sentence the following: ''Fees and other expenses may be awarded under this subsection only to a prevailing party who has a direct and personal interest in the adversary adjudication because of medical costs, property damage, denial of benefits, unpaid disbursement, fees and other expenses incurred in defense of the adjudication, interest in a policy concerning such medical costs, property damage, denial of benefits, unpaid disbursement, or fees and other expenses, or otherwise.''; and

(ii) by adding at the end the following: ''The agency conducting the adversary adjudication shall make any party against whom the adjudication is brought, at the time the adjudication is commenced, aware of the provisions of this section.''; and

(B) in paragraph (3), in the first sentence—

(i) by striking ''may reduce'' and inserting ''shall reduce''; and

(ii) by striking ''unduly and unreasonably'' and inserting ''unduly or unreasonably'';

(2) in subsection (b)(1)—

(A) in subparagraph (A)(ii), by striking ''$125 per hour'' and all that follows through the end and inserting ''$200 per hour.);''; and

(B) in subparagraph (B)(ii), by striking ''; except that'' and all that follows through ''section 601;'' and inserting ''except that—

''(I) the net worth of a party (other than an individual or a unit of local government) shall include the net worth of any parent entity or subsidiary of that party; and

''(II) for purposes of subclause (I)—

''(aa) a 'parent entity' of a party is an entity that owns or controls the equity or other evidences of ownership in that party; and

''(bb) a 'subsidiary' of a party is an entity the equity or other evidences of ownership in which are owned or controlled by that party;''.

(3) in subsection (c)(1), by striking '', United States Code''; and

(4) by striking subsections (e) and (f) and inserting the following:

''(e)(1) The Chairman of the Administrative Conference of the United States, after consultation with the Chief Counsel for Advocacy of the Small Business Administration, shall report annually to the Congress on the amount of fees and other expenses awarded during the preceding fiscal year pursuant to this section. The report shall describe the number, nature, and amount of the awards, the claims involved in the controversy, and any other relevant information that may aid the Congress in evaluating the scope and impact of such awards. Each agency shall provide the Chairman in a timely manner all information necessary for the Chairman to comply with the requirements of this subsection. The report shall be made available to the public online.

''(2)(A) The report required by paragraph (1) shall account for all payments of fees and other expenses awarded under this section that are made pursuant to a settlement agreement, regardless of whether the settlement agreement is sealed or otherwise subject to nondisclosure provisions, except that any version of the report made available to the public may not reveal any information the disclosure of which is contrary to the national security of the United States.

''(B) The disclosure of fees and other expenses required under subparagraph (A) does not affect any other information that is subject to nondisclosure provisions in the settlement agreement.

''(f) The Chairman of the Administrative Conference shall create and maintain online a searchable database containing the following information with respect to each award of fees and other expenses under this section:

''(1) The name of each party to whom the award was made.

''(2) The name of each counsel of record representing each party to whom the award was made.

''(3) The agency to which the application for the award was made.

''(4) The name of each counsel of record representing the agency to which the application for the award was made.

''(5) The name of each administrative law judge, and the name of any other agency employee serving in an adjudicative role, in the adversary adjudication that is the subject of the application for the award.

''(6) The amount of the award.

''(7) The names and hourly rates of each expert witness for whose services the award was made under the application.

''(8) The basis for the finding that the position of the agency concerned was not substantially justified.

''(g) The online searchable database described in subsection (f) may not reveal any information the disclosure of which is prohibited by law or court order, or the disclosure of which is contrary to the national security of the United States.

''(h) The Director of the Office of Management and Budget shall adjust the maximum hourly fee set forth in subsection (b)(1)(A)(ii) for the fiscal year beginning October 1, 2013, and for each fiscal year thereafter, to reflect changes in the Consumer Price Index, as determined by the Secretary of Labor.''.

(b) COURT CASES.—Section 2412(d) of title 28, United States Code, is amended—

(1) by amending subsection (d)(1)(A) to read as follows:

''(d)(1)(A) Except as otherwise specifically provided by statute, a court, in any civil action (other than cases sounding in tort), including proceedings for judicial review of agency action, brought by or against the United States in any court having jurisdiction of that action, shall award to a prevailing party (other than the United States) fees and other expenses, in addition to any costs awarded pursuant to subsection (a), incurred by that party in the civil action, unless the court finds that the position of the United States was substantially justified or that special circumstances make an award unjust. Fees and other expenses may be awarded under this paragraph only to a prevailing party who has a direct and personal interest in the civil action because of medical costs, property damage, denial of benefits, unpaid disbursement, fees and other expenses incurred in defense of the civil action, interest in a policy concerning such medical costs, property damage, denial of benefits, unpaid disbursement, or fees and other expenses, or otherwise.'';

(2) in paragraph (1)(C)—

(A) by striking ''court, in its discretion, may'' and inserting ''court shall''; and

(B) by striking ''unduly and unreasonably'' and inserting ''unduly or unreasonably'';

(3) in paragraph (2)—

(A) in subparagraph (A)(ii), by striking ''$125'' and all that follows through the end and inserting ''$200 per hour.);'';

(B) in subparagraph (B)(ii), by striking ''; except that'' and all that follows through ''section 601 of title 5;'' and inserting ''except that—

''(I) the net worth of a party (other than an individual or a unit of local government) shall include the net worth of any parent entity or subsidiary of that party; and

''(II) for purposes of subclause (I)—

''(aa) a 'parent entity' of a party is an entity that owns or controls the equity or other evidences of ownership in that party; and

''(bb) a 'subsidiary' of a party is an entity the equity or other evidences of ownership in which are owned or controlled by that party;''.

(4) by adding at the end the following:

''(5) The Director of the Office of Management and Budget shall adjust the maximum hourly fee set forth in paragraph (2)(A)(ii) for the fiscal year beginning October 1, 2013, and for each fiscal year thereafter, to reflect changes in the Consumer Price Index, as determined by the Secretary of Labor.

''(6)(A) The Chairman of the Administrative Conference of the United States shall report annually to the Congress on the amount of fees and other expenses awarded during the preceding fiscal year pursuant to this subsection. The report shall describe the number, nature, and amount of the awards, the claims involved in each controversy, and any other relevant information which may aid the Congress in evaluating the scope and impact of such awards. Each agency shall provide the Chairman with such information as is necessary for the Chairman to comply with the requirements of this paragraph. The report shall be made available to the public online.

''(B) (i) The report required by subparagraph (A) shall account for all payments of fees and other expenses awarded under this subsection that are made pursuant to a settlement agreement, regardless of whether the settlement agreement is sealed or otherwise subject to nondisclosure provisions, except that any version of the report made available to the public may not reveal any information the disclosure of which is contrary to the national security of the United States.

''(ii) The disclosure of fees and other expenses required under clause (i) does not affect any other information that is subject to nondisclosure provisions in the settlement agreement.

''(C) The Chairman of the Administrative Conference shall include and clearly identify in the annual report under subparagraph (A), for each case in which an award of fees and other expenses is included in the report—

''(i) any amounts paid from section 1304 of title 31 for a judgment in the case;

''(ii) the amount of the award of fees and other expenses; and

''(iii) the statute under which the plaintiff filed suit.

''(7) The Chairman of the Administrative Conference shall create and maintain online a searchable database containing the following information with respect to each award of fees and other expenses under this subsection:

''(A) The name of each party to whom the award was made.

''(B) The name of each counsel of record representing each party to whom the award was made.