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Senate

(Legislative day of Monday, December 17, 2012)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the Acting President pro tempore, the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, whose days are without end and whose mercies cannot be numbered, keep us aware of life's brevity and uncertainty. As we bid aloha to the second longest serving Senator in U.S. history, DANIEL KEN INOUYE, we praise You for the beauty of his well-lived life. Thank You, Lord, for the years we shared with him, the good we saw in him, and the friendship we received from him. We are grateful for the dignity of his quiet strength that blazed a trail of significant service sufficient for two lifetimes. May the memories of his bipartisan spirit challenge us to work more harmoniously with each other. Bless Irene, Kenny, and the rest of his loved ones. Surround them with Your love. Now give us strength to leave our beloved President pro tempore in Your care, for he is a sheep of Your own fold, a lamb of Your own flock, and a servant of Your own redeeming. Give him the blessed rest of everlasting peace.

We pray in the Redeemer's Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable CHRISTOPHER A. COONS led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

MOMENT OF SILENCE

Mr. REID. Mr. President, it is tradition in this body to have flowers on the desk of the departed. We have flying in from Hawaii now a lei that will be more Hawaiian than these roses.

I ask unanimous consent that we now have a moment of silence in honor of our departed friend, DAN INOUYE.

The ACTING PRESIDENT pro tempore. The Senate will observe a moment of silence.

(Moment of silence)

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in a period of morning business. The majority will control the first 30 minutes and the Republicans the second 30 minutes.

We are in a unique time in history. The Presiding Officer, Senator COONS from Delaware, is the President pro tempore until 11:30 today. As a result of his being given this charge yesterday morning, it spills over into today. Senator BIDEN is going to come today to swear in Senator LEAHY as the President pro tempore of the Senate.

All things in life are interesting. Senator BIDEN lost his wife when he was a brandnew Senator in a terrible automobile accident. She was killed and his two boys hurt badly and a child lost. He has taken this day off for 30-plus years to think about the tragedy in his life, but he indicated yesterday that he would be able to be here at 11:30. So everybody is sacrificing now, and we appreciate it. I know the Presiding Officer had lots to do this morning, and we thank him for being part of the program. We appreciate it very much.

The Senate will recess from 12:30 to 2:15 to allow for the weekly caucus meetings.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that we be in a period of morning business until 12:30 to allow for tributes to Senator INOUYE and the victims of the Sandy Hook Elementary School tragedy.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, following that recess, we will resume consideration of H.R. 1, the legislative vehicle for the supplemental appropriations bill.

I yield to my friend, the Republican leader, for a few minutes.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. MCCONNELL. Mr. President, I thank my friend, the majority leader.

Today is indeed a day to celebrate the life and extraordinary service to our country of our friend, Senator DAN INOUYE. I will have more to say about that later, but what a remarkable individual he was. It has been our privilege to have the opportunity to get to know him and observe his great work for a very long time.

I thank my friend, the majority leader.

REMEMBERING DANIEL K. INOUYE

Mr. REID. Mr. President, I came to the floor yesterday minutes after Irene—Senator INOUYE's wife—confirmed the death of her husband, my friend, a friend of all of us here.

I was, frankly, very emotional and announced to the Senate and the country the death of one of the Senate's all-time greats. So today, upon contemplation and reflection, I am going to say a little bit more about Senator INOUYE.

His personal friendship I valued so very, very much. He was a colleague

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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but really a friend. He helped me so many times. He helped me to do my best here. My best has been with the help of him.

As I mentioned briefly yesterday, he always had so much confidence in me. Years ago, when I was a Senator struggling, as all Senators here, he told me two decades ago I would be running the Senate someday. I never even contemplated, thought about, or desired that. Things worked out that he was right.

Senator INOUYE, one of the finest men I have ever known, was a real American hero. My friend who is on the Senate floor, the assistant leader, has heard me talk about my mentor, Michael Callahan, who taught me in high school, helped me with money as I was going to law school, and he was on a pension. He was a disabled veteran. He was such a good friend of mine. He and Senator INOUYE were friends. They talked about what it is like to not have a limb. While Callahan's was a leg, INOUYE's was an arm. They talked and they were friends, and Michael Callahan worked back here as an aide to Senators Cannon and Bible in the summers and got to know Senator INOUYE.

My thoughts are, of course, with his family, including his wife Irene, his son Ken, their daughter-in-law Jessica. He has a stepdaughter Jennifer, and a granddaughter Maggie, named after, of course, his first wife. Their loss is the Nation's loss.

Last night we lost a noble soul. DAN INOUYE lived a long productive life. Still, I speak for DAN's Senate family when I say we are devastated by his passing. While we will all miss him, his legacy will live in the Halls of the Senate and the State of Hawaii as long as history is written. His place in the history books will not fade.

As the second longest serving Senator in our history, Senator INOUYE's career in Congress spanned the life of Hawaii's statehood. Elected to the Senate in 1962, only Robert Byrd served longer. But Senator INOUYE's tradition of service began long before he came to the U.S. Senate.

He was working as a medical volunteer when Japanese war planes attacked Pearl Harbor. He was just a boy, a teenager. From the time he was just a kid, he wanted to be a medical doctor. But a different fate awaited DAN INOUYE.

After the attack, as we all know too well, Japanese Americans were deemed enemy aliens and were therefore not subject to the draft. More than 110,000 people of Japanese ancestry were imprisoned in American internment camps. We have seen the pictures. We have heard the stories. They were in prison. Yet DAN INOUYE and other Japanese Americans, in spite of the unfair designation of being an enemy alien, volunteered to fight for this Nation's freedom overseas, although many of their own families were denied freedom at home while they were overseas.

Senator INOUYE fought courageously with the famous 442nd Regimental Combat Team in World War II and was grievously wounded in battle in Italy.

A paragraph or two is written about why a Medal of Honor recipient was given this award. The words for his Medal of Honor are as follows:

> On April 21, 1945, Inouye was grievously wounded while leading an assault on a heavily-defended ridge near San Terenzo in Tuscany, Italy, called Colle Musatello. The ridge served as a strong-point along the strip of German fortifications known as the Gothic Line, which represented the last and most dogged line of German defensive works in Italy. As he led his platoon in a flanking maneuver, three German machine guns opened fire from covered positions just 40 yards away, pinning his men to the ground. Inouye stood up to attack and was shot in the stomach; ignoring his wound, he proceeded to attack and destroy the first machine gun nest with hand grenade and fire from his Thompson submachine gun. After being informed of the severity of his wound by his platoon sergeant, he refused treatment and rallied his men for an attack on the second machine gun position, which he also successfully destroyed before collapsing from blood loss.
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> As his squad distracted the third machine gunner, Inouye crawled toward the final bunker, eventually drawing within 10 yards. As he raised himself up and cocked his arm to throw his last grenade into the fighting position, a German inside fired a rifle grenade that struck him on the right elbow, severing most of his arm and leaving his own primed grenade reflexively ''clenched in a fist that suddenly didn't belong to me anymore.'' Inouye's horrified soldiers moved to his aid, but he shouted for them to keep back for out of fear his severed fist would involuntarily relax and drop the grenade. As the German inside the bunker reloaded his rifle, Inouye pried the live grenade from his useless right hand and transferred it to his left. As the German aimed his rifle to finish him off, Inouye tossed the grenade off-hand into the bunker and destroyed it. He stumbled to his feet and continued forward, silencing the last German resistance with a one-handed burst from his Thompson before being wounded in the leg tumbling unconscious to the bottom of the ridge. When he awoke to see his concerned men of his platoon hovering over him, his only comment before being carried away was to gruffly order them to return to their positions, since, as he pointed out, ''nobody called off the war!''

That is the citation on his Medal of Honor.

His arm was later amputated in a field hospital, and he was sent back to the United States to recover. But it took years for him to recover.

I remember in the LBJ Room over here, after PATTY MURRAY and others talked about what a difficult time returning veterans were having from Iraq, him talking about some of his experiences. They trained him to drive vehicles. He took driver's license tests in more than one State. He became very personal and talked about some of the things they taught him—missing an arm—that he had to do. It was a remarkable presentation that he made.

Senator INOUYE did not talk very much. He was a silent man—did not talk very much at all. He had a dynamic voice. We have not felt that voice in the last few years because he has not been as powerful as he was as he has aged, but what a beautiful voice he had. In that hospital they took him to in Michigan, Senator INOUYE made two lifelong friends: one, Senator Bob Dole who, as we know, became majority leader in the Senate and Republican nominee for President of the United States; his other lifetime friend the late Senator Phil Hart, who was known as the conscience of the Senate. The Hart Building, the massive Senate office building, is named after him.

Asked by his son why, after being classified as an enemy alien, he and the members of the famed 442d fought so heroically, Senator INOUYE said, in his usual calm manner, ''for the children.'' And for the children there could be no finer role model than Senator DAN INOUYE. He was a recipient of the Medal of Honor and the Congressional Gold Medal, the highest honor the Congress can bestow. He received the Distinguished Service Cross, a Bronze Star for valor and, of course, a Purple Heart. DAN INOUYE showed the same dedication in Congress that he displayed on the battlefield.

I want to take a little bit here and talk about a meeting I had—I mentioned it very briefly last night, but it was 10 days ago. I knew Senator INOUYE was not feeling well so I went down to his office. He has a remarkable office. It is a beautiful office. But there is not one single thing on the walls depicting what a great man he is. There are no awards, there are no commemorative statues. All he has in his office are pictures of Washington and Hawaii. That is the humility he showed his entire life.

There was no staff there, just the two of us. We talked for an hour. I would have always remembered it, but his having passed away yesterday, it will be embedded in my mind. As we left, we both lamented the fact that we had not been able to sit down and talk like that enough. He professed at that time—these were his words—how ''lucky'' he had been his whole life. He said, ''I've got a little emphysema now.''

I said: It is not from smoking. I have never seen you smoke.

He said: No, I learned to smoke in the war as a boy, a teenager. He smoked from 1944 to 1967, when they told him he had lung cancer. They were wrong, but in the process they took part of his lung out, half of his lung. He talked about how lucky he had been, surviving what he thought was lung cancer, but also how lucky he had been his whole life. For example, the war. I am sure that most people would not reflect on such massive injuries as being lucky, but he considered it lucky that he lived.

There were other examples he gave. He had been called upon, with three other soldiers, to cross a river in the dark of night to find out what was going on on the other side of the river. He and his companions, in the dark of the night—they didn't have all this fancy gear to see in the dark; they did their best—they crossed that cold, cold

river. It took many hours. They came back, did their report, and he laid down on his bunk. He had an ingrown toenail that hurt every step he took. So he is lying on his bed and he said, ''Here is why I am so lucky. A medic came by, looked at me, looked at my foot, and he said you have gangrene poisoning; we have to get you out of here.

They took him out and he said: How lucky I was I was not in battle that day—when half of his companions were killed.

He also talked about preparing for another battle. He is getting ready to do this. He is a private; he may have been a corporal, I don't really remember. He said a sergeant came to him and he said: ''INOUYE, report to the colonel.'' He doesn't know what is wrong. He goes, reports to the colonel. The colonel says very curtly: ''You have to meet with the General today.'' He said the only reason he would know of to meet with the General was a court martial, because that is what everybody thought. So he goes to headquarters. He sees the General. The General tells Senator INOUYE: ''I am promoting you to be a lieutenant.'' It was a battlefield promotion. But he said: ''I was lucky. I was lucky I became an officer but,'' he said, ''I was lucky I was not in the fight that day because we also had huge losses.''

When he was scheduled to come back to America—another one of his lucky experiences—they had a transport plane to take him back. His arm is gone by then. He is told we don't have room for another litter, for another patient on the airplane. You can't go. He of course was disappointed. The plane crashed and killed everybody on the plane.

So DAN INOUYE was a person who considered himself lucky. Those of us who knew Senator INOUYE consider ourselves lucky, just being able to know the man.

After Hawaii received its statehood in 1959, DAN INOUYE served as its first Congressman. Three years later he was elected to the Senate, and he was a soft but powerful voice for the people of Hawaii ever since.

There are many personal courtesies he extended to me that I will never forget. It may not seem like much, but I was scheduled to be in Florida and I promoted this—I was a new Senator—and the great Senator INOUYE was going to be there. I got a call from Henry Giugni. Most of us who served here knew him. He used to be Sergeant at Arms. For a long time he was Senator INOUYE's chief of staff. He said, ''I checked his schedule and it's his wife's birthday and he is not going to be able to go.'' I said I understand that.

Within an hour I got a call from Senator INOUYE. He said Millie understands that totally. He said we will celebrate the birthday the day after tomorrow, when I come back. He was someone who was so self-sacrificing for other Senators.

As Senator INOUYE's colleague from Hawaii, Senator AKAKA, said last night:

> His legacy . . . can be seen in every mile of every road in Hawaii, in every nature preserve and every facility that makes Hawaii a safer place. He fulfilled his dream of creating a better Hawaii.

He was a strong supporter of the University of Hawaii, a strong supporter of George Washington University Law School. He got his bachelor's in Hawaii, his law degree at George Washington. He was a determined representative of this Nation's fighting men and women, a long-time leader of the Defense Appropriations Subcommittee.

As I mentioned briefly last night, there has been, in my many years in the Congress—I have been here as long as my friend the assistant leader here who is seated next to me today; we have been here 30 years—there has been no one I have ever known in my 30 years who did more and fought more for the fighting men of this country. He believed that the Nation's commitment to the members of his Armed Forces did not end with their service.

For fear it would be lost, and it should not be lost, I want to spread on the RECORD what this good man did at a prayer breakfast a couple of months ago. I can't remember if the Presiding Officer was at the prayer breakfast, but I know my friend the assistant leader was there. Senator INOUYE had never, ever in his 50 years in Congress spoken at a prayer breakfast, but he decided to come. He had great vigor until just recently. He campaigned in this last cycle. He traveled to Alaska to help Senator BEGICH a few months ago. He campaigned in Nevada, in Arizona, all over the country. He had great vigor. But he came to the breakfast and talked to us about his experiences.

When he was a boy, he never, ever had a gun. That was not anything people did in Hawaii. So he was surprised after he got in the Army that he was such a great shot. He was the best—the best. As a result of that he became a sniper in the European theater. With great humility he explained he could remember killing his first person. He could remember they were trying to take a farm house and they shot a bazooka into it and he rushed in and there was a man there. The man reached in his pocket. Of course Senator INOUYE thought he was reaching for a weapon, and the man was killed. And INOUYE saw that he was reaching for a picture of his family. He said he came to the realization at that time that he was not killing enemy soldiers, he was killing other human beings.

Although he had to continue doing what he did, he ended his presentation by saying, ''I know exactly how many people that I killed.'' He said, ''A lot of people go to bed at night counting sheep. Even though I am an old man, I go to bed at night many times counting people.''

He was somebody who, as a result of his experiences, voted against war from then on. He did not support the Vietnam War, Iraq War 1 and 2, Afghanistan—even though he made sure that these people had all the supplies they needed, our military force. They are the greatest fighting force in the world. A lot of that is directly attributable to Senator INOUYE.

Talking about bipartisanship, he lived that. He was a fine Democrat. He was a progressive Democrat and was proud of that. But he never hesitated to cross over and work with other Senators. The best example of that was Senator Stevens, who was killed in an airplane crash fairly recently in Alaska. Hawaii and Alaska—these two fine men representing the two newest States in the Union, became like brothers. That is the truth.

It is really a shame that DAN is not with us anymore. He was never afraid to speak out against discrimination and was an important advocate for Native Hawaiians and Asian Pacific Islanders. He was the Chair of the Indian Affairs Committee. Prior to that time, with all due respect to all the other Chairs, it was not a committee people knew much about. Senator INOUYE made that committee a powerful committee. He traveled the country receiving all the accolades from these tribes that had never been recognized, that had never had someone who became their advocate—and he was. He put the Indian Affairs Committee on the map.

He served as chairman of the Commerce Committee, the Appropriations Committee, the President pro tempore of the Senate, the first Chair of the Committee on Intelligence. He served as a member of the Watergate Committee and was chairman of the Special Committee Investigating the Iran-Contra Affair. I repeat, this man has been one of the greatest Senators in the history of this great country.

He had a deserved reputation as a bipartisan bridge builder. He always put his country first and his party second. In 1968 Senator INOUYE gave a memorable keynote speech at the Democratic National Convention. He spoke eloquently of the country's struggles with racism at a time of deep division. He also spoke from the heart. This is part of what he said:

> I wish to share with you the most sacred word of Hawaii. It is aloha. To some of you who visited us it may have meant hello. To others aloha may have meant goodbye. But to those of us who have been privileged to live in Hawaii, aloha means I love you. So to all of you, my fellow Americans, aloha.

That is what he said those many years ago. So today it is with a heavy heart that those of us who loved Senator INOUYE say ''aloha'' to a great man, a legend of the Senate. His final, dying word was ''aloha.'' He did not mean goodbye. He meant, ''I love you.''

Senator INOUYE, I love you.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in morning business for 1 hour, with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half.

The time for morning business has been extended until 12:30.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

REMEMBERING DANIEL K. INOUYE

Mr. DURBIN. Mr. President, I see my two colleagues from Connecticut on the Senate floor. I know they are here to speak about the horrible tragedy in Newtown last Friday. I will abbreviate my remarks on the floor, and I commend both of them for extraordinary statements last night at a memorial service. I will never forget some of the things they shared with us about this terrible tragedy.

I come to the floor this morning for a few moments to pay tribute to one of my great friends and one of my great colleagues, DANNY INOUYE, who passed away yesterday. The majority leader has done such an extraordinary job recounting his life, and I think back to what it must have meant to him as he witnessed Pearl Harbor at the age of 20. He said that he realized at the time that the pilots in those planes that were bombing his family and others in Hawaii were people of the same ancestry as his father, and it hurt him. It hurt him as well to be branded as suspect because of his Japanese origin and to see literally tens of thousands of Japanese Americans interned in camps because their loyalty was questioned.

He took the opportunity to volunteer and serve our Nation to prove his loyalty and that he was willing to risk his life for America. He served in one of the most highly decorated units in all of World War II, the 442nd Regimental Combat Team, which was comprised of Japanese Americans who fought in the European theater. They recently came to Washington to be honored. Senator INOUYE was there, and it was a great moment to see these men of the ''greatest generation'' who have proven to America their love for this country, and none more so than DANNY INOUYE.

Senator REID has recounted in detail the incredible story of his bravery that earned him the Congressional Medal of Honor, but he was such a humble man. When we look back on his life, there were so many aspects of it that were historic in nature, and one would never know it in conversations with him or working with him.

Senator REID had the same experience I did. I visited Senator INOUYE's office, and it was unusual by Senate standards. I looked across the office, and there were no pictures of DANNY INOUYE on the walls, and there were no awards for this man who served more than half a century in Congress.

I said to him: It is interesting that your office has a lot of artwork and photos but nothing about DANNY INOUYE.

He said: No, I didn't want to put those things up. I wanted everyone to feel at ease coming in here. I didn't want to talk about my party affiliation or what I had done. I want them to feel comfortable and to know this is a welcoming office.

That is the kind of person he was. Time and again, he proved it.

He started off in the territorial House of Representatives in Hawaii. When Hawaii became a State, he served in the Congress and later in the U.S. Senate. He was there from the beginning, and what a dynamic leader he was for his State of Hawaii. He did so many great things over the years.

I was at the same Prayer Breakfast Senator REID recounted. There was one other story he told, which I will only refer to in the most abbreviated form. He talked about his experience as a sniper and how he still had in his mind the images of those enemy soldiers he shot down. After 50, 60 years, he could not get those images out of his mind.

He talked about befriending one of his fellow veterans in the Michigan veterans hospital. He told me this great story he shared at the Prayer Breakfast. He said that when he was an officer, he would spend his weekends in the great city of Chicago at the Knickerbocker Hotel. He said that was the hotel for officers.

He said: I would come into Chicago and have a great time on the weekends and head back to the veterans hospital.

Well, he finally talked one of his fellow Hawaiians—a man whose face had been literally burned off—into joining him on one of his trips to Chicago. The man was embarrassed by his appearance and didn't think anybody would want to be around him or talk to him. DANNY INOUYE prepared all of these different places where they would stop in during their visit, and every one of them greeted Senator INOUYE and his friend in a warm fashion.

The story goes on from there, and I won't go into the details, but he was a man who always looked to help someone else. He talked about how this man who had been so brutally injured in the war returned to Hawaii, raised a family, and was DANNY INOUYE's friend for life, as so many of us were.

I think back as well to Senator Robert C. Byrd's funeral in West Virginia. It was one of the hottest days I can remember. We were up there baking in the sun at this memorial service for Robert C. Byrd. I intentionally picked a seat next to DANNY INOUYE. I had to take off my jacket. I was mopping the perspiration off, and I looked at him in his dark suit without a bead of sweat.

I said: How do you do that?

He said: Well, you know, the Asian religions are very important in my life, and they believe mind over matter can achieve great things. I can visualize myself sitting in a deep freeze now, and I am not hot at all.

I thought, this man is amazing in so many different ways. When he is done with his life, those stories—some serious, some lighthearted—will reflect so well on this man and what he meant.

One of the most important things I have on my agenda is the passage of the DREAM Act. I have worked on it for 11 years, and there was a time on the floor of the Senate—September 21, 2010—when I could not break the Republican filibuster on the DREAM Act, and I was pretty despondent over it. Senator REID came to the floor and said a few kind words about my efforts, but then out of nowhere Senator INOUYE sought recognition. He knew that I was trying to get for millions of these young people living in America a chance to serve their Nation, prove their love, and become legal citizens in America. I will read what he said because it touched me. He said:

> Madam President, I wish to step back in history, if I may. On December 7, 1941, something terrible happened in Hawaii—Pearl Harbor was bombed by the Japanese. Three weeks later, the Government of the United States declared that all Japanese Americans, citizens born in the United States or of Japanese ancestry, were considered to be enemy aliens. As a result, like these undocumented people, they could not put on the uniform of this land.

Senator INOUYE went on to say:

> Well, I was 17 at the time, and naturally I resented this because I loved my country and I wanted to put on a uniform to show where my heart stood. But we were denied. So we petitioned the government, and a year later they said: OK, if you wish to volunteer, go ahead.

Senator INOUYE said:

> Well, to make a long story short, the regiment I served in, made up of Japanese Americans, had the highest casualties in Europe but the most decorated in the history of the United States.

He turned and said:

> I think the beneficiaries of the Senator from Illinois—

And the DREAM Act—

> will do the same.

It was the type of short statement that in a few words captured his life, his sacrifice, and what he had proven by risking his life for this country. There is a reason we honor him this morning.

I close by saying two things. First, Senator AKAKA came to the floor last night—his colleague of so many years—and put in a few words. He said on the floor last night:

> Tomorrow will be the first day since Hawaii became a State in 1959 that DAN INOUYE will not be representing us. He really worked to shape Hawaii and this great country.

He went on to say:

> You will be missed in Washington as much as you will be missed in Hawaii. Rest in peace [Senator INOUYE].

That was DANNY AKAKA's farewell tribute, and it summarizes how much he meant to Hawaii and how much he meant to America. His last word:

''Aloha.'' As Senator REID said, it is so appropriate that this kind and gentle American hero would leave the message of love for everyone else. That was his life.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from California.

Mrs. BOXER. Mr. President, I wish to associate myself with the eloquent remarks made by my colleague Senator DURBIN, Senator REID, and all those who have come to praise a one-of-a-kind Senator and extraordinary human being, my friend DAN'S INOUYE.

I was telling Senator LIEBERMAN that when the Senate put on a little retirement dinner for our retiring Senators—including Senator LIEBERMAN—there was Senator INOUYE. When we look back, it was only 2 weeks ago. We know he could not have been strong, he was not well, but he came to that dinner and sat at that table because of the love and respect for the individual Senators and for this institution.

As for me, I will miss DANNY's sonorous voice, his big heart, his self-effacing manner, his integrity, and his patriotism.

Over the years, so many of us have worked together on so many issues with DAN. I worked on bringing a state-of-the-art, first ever comprehensive casualty care center to my State to take care of the wounded vets who were coming home without their limbs, post-traumatic stress, and all the problems they had. There was no such place on the west coast, and with DAN's help—and we worked with Senator Stevens—we got it done. Now that facility really stands as a tribute to DAN'S INOUYE.

In 2010 I had a very difficult campaign, as most of us did at that time, and DAN's said: I am going to come out there and help you. I was under fierce attack, and we had an event for veterans. DAN's was a speaker, and I was a speaker. As I was speaking, we heard these voices of screaming demonstrators yelling things that were not complimentary toward me, let's put it that way. It was very loud, and I was so humiliated and embarrassed. Here was this amazing patriot, and they would keep screaming when DANNY was speaking about my work and his work for veterans. Sure enough, the demonstrators kept it up, and I was so upset.

I went up to him and I put my arm around him when he was finished and said: DAN, I am so embarrassed. I am so sorry.

He said: BARBARA, they are not going to beat you by screaming. Don't worry about it.

He went on to go to a couple of other events, and he took his wife to them. He was extraordinary.

I loved DANNY with all of my heart. Every time I looked at him, I smiled because he was so good. He was such a good person, and I pay tribute to him today. I don't think we will ever replace him. We will never replace this remarkable American. He personified the meaning of love and the meaning of country.

I send my love to his family.

NEWTOWN, CONNECTICUT TRAGEDY

Mrs. BOXER. In my remaining remarks, I want to talk about what happened in Connecticut.

First, to the Senators from Connecticut, I send all my strength. I have gone through things like this, although not quite the same. As a mom and grandma, I know all of our hearts are broken. So many people are touched by gun violence.

I want to go back to July of 1993. A gunman with an assault weapon walked into a law office in San Francisco and killed eight people and wounded six. Just as we see in Connecticut, the stories of heroism came forward. One of the people who was killed was a brave young lawyer who threw his body over his wife's body, sacrificing his own life to save hers. That young man was one of my son's best friends. This was so long ago, but it feels like yesterday because time stops when these things happen.

I know without a shadow of a doubt how these horrific and senseless tragedies live on with the survivors and all of us forever. The psyche of the parents, the spouses, the children, the families, and the friends is pierced forever.

Yes, as human beings, after these tragedies we come together. We try to find meaning, we try to find justice, and we try to find love in the midst of the mayhem. Some find solace in their faith and their God, some find solace in their communities, and some never find solace.

The slaughter of the innocent must stop. I say to my colleagues in Connecticut how deeply everyone has been touched by this tragedy. In my communities at home, people are running up to me and saying: Our hearts are breaking. He killed babies. They were barely on this Earth. They trusted us, and we failed them.

Some of the people coming up to me are proud gun owners, and they are saying: Why couldn't we stop a sick person like this from getting a high-capacity clip? The gunman didn't even have to reload his weapon until he fired off 30 shots.

There is the whole issue of protecting our schools, which is something I have cared about. I have a school safety act. I have introduced it so many times, and I will introduce it again.

Instead of having an appointment with a mental health professional, this mentally ill young man had an appointment with death. People say: Don't talk about doing anything about this now; it is not the time. To them I say: When is the time?

If we go back to 2009—that is the last year we have records—31,347 people died from gun violence in our Nation.

That is 87 people every day of the year. Another 73,000-plus were injured. So 87 people a day are killed by gun violence. When is the time to speak out? Because every day there is another tragedy.

Without going into specifics, there are certain things we need to do.

First, we have to take the weapons of war and high-capacity clips off our streets; second, we have to ensure that local law enforcement is involved in concealing carried permits; third, we have to close the gun show loophole so background checks are conducted; fourth, we have to keep guns out of the hands of the mentally ill and get them the help they need; five, we need to keep our schools safe by utilizing all the law enforcement tools at our disposal.

We have failed our children. We have to stop worrying about our political skins because judgments will be made about us. So let's pull together. Let's show our children we love them, not just by telling them we love them—we must do that—but by showing them we will protect them.

I send my love to everyone in Connecticut trying to pull themselves together. I send my love and support to my colleagues whom we will hear from now.

I thank the Chair and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I thank the Chair.

I also wish to thank my dear friend and colleague from California for her words of support and comfort and resolve. We appear to be in one of those periods of time where we are walking too often through the valley of the shadow of death. Senator BLUMENTHAL and I have come to the floor to speak about the tragedy that occurred; the senseless, horrific attacks on innocent people in Newtown, CT, last Friday.

Mr. President, I note with extraordinary respect and a sense of loss the death of our truly beloved colleague Senator DAN INOUYE of Hawaii. America, as Senator REID and Senator DURBIN made so clear, has lost a true hero, a patriot. This Senate has lost a great leader—a leader whose accomplishments have been literally historic. I think all of us have lost a friend.

Last evening, Senator AKAKA spoke about how DAN INOUYE's legacy—I am paraphrasing—was all around Hawaii and all he had done for the State. The truth is I think most every State in the country is full of legacies of the service of DAN INOUYE. I know it is true of Connecticut.

It was truly my honor to serve for 24 years with DAN INOUYE. He was exactly the opposite of all the caricature pictures people have of Congress today and particularly about the rabid partisanship and personal incivility. DAN was a great gentleman and the most civil of people, the kindest and most decent of people. As Senator REID said, he was a proud Democrat, a faithful

Democrat but not at all partisan. The relationship he had with the late Ted Stevens on the Appropriations Committee was historic and actually inspirational. They were so different ostensibly in their background and in their temperament, particularly. Ted Stevens, bless his memory, was my neighbor and my dear friend. Let's say he had a—how do I describe it? He was a very emotional person. DANNY INOUYE was more calm. But they formed this remarkable friendship based on shared history, going back to World War II, and probably some sense of shared destiny in the sense they were both from the two last States to join the Union, not part of the continental United States, and came as the first Senators and were here so long. But truly what united them was an enormous dedication to America and patriotism.

I said DAN INOUYE's legacy is in Connecticut and probably most every other State. I could go around the State, and I am thinking of the years and years that DANNY was the chairman of the Appropriations Committee and the Defense Appropriations Subcommittee. There wasn't anything we were able to do for Connecticut in that time that he didn't support, including protecting Long Island Sound, the Connecticut River, improving our transportation systems, making grants to our schools, colleges, and universities, and support of the defense industries in Connecticut which have meant so much to the defense of our country but also to the economy of our State.

I salute his memory. All of us should honor it and all of us should try in our own way to emulate this great man.

NEWTOWN, CONNECTICUT TRAGEDY

Mr. LIEBERMANN. Mr. President, Senator BLUMENTHAL and I come to the floor to thank our colleagues for adopting by unanimous consent S.R. 621, which is exactly mirrored in the words of H.R. 833, condemning the attacks that occurred in Newtown, CT, last Friday and expressing sorrow to all those affected by those attacks. We are still in shock in Connecticut. All of us who know this little town, as America has come to know it, which includes 27,000, 28,000 people, known it is a beautiful town with hard-working people who worked their way to get there. These are tight families, very religious, very much involved in the life of the community, and peaceful. Out of nowhere—and this tragically is the point and the warning—comes this one deranged individual with guns and slaughters 26 innocents, breaking our hearts, and 20 of those being young children.

I am sure everybody now feels as if they are part of the family of those who were killed. We look at the faces of those children, pure and innocent, and I think of the words of one of the clergymen at the interfaith service the other night: These are angels and they are really with the angels in Heaven now.

With the work and response of the first responders and the trauma they have gone through to face what they had to face and the carnage they witnessed there, as we talk to some of them they feel guilty they didn't get there earlier and couldn't have stopped it somehow. Of course, they did more than we could ask of anybody. They ran to the danger. The principal, the teachers—I mean the stories that come out about the heroism.

I remember long ago I heard someone speak who said the definition of courage is grace under pressure. ''Pressure'' is not even the right word here; it is grace in a moment of terror, the single-mindedness and the grace of the principal, the teachers who acted in a way that put their own lives on the line to protect the lives of the children. Let us speak the truth. There were hundreds more children in that building that could have been targets of this madman.

We are wounded, but I will tell my colleagues America is wounded and the world is wounded. A priest said to me the other night at the service he was so touched that he had received a bundle of letters from schoolchildren in Russia. It reminded me there was an incident in Russia years ago where a gunman went into a schoolhouse and wantonly killed children, and monsignor was so touched by it, but that is the way this event has touched the world.

I will tell my colleagues this is a strong town and we can feel the people of this community pulling together to support the survivors and thinking about how they can rebuild the town and its spirit. One woman said so poignantly the other night at the interfaith service that we will not allow this event to define Newtown, CT—and they will not—but the families of those who have been lost have been changed forever.

It is in that regard I particularly want to thank my colleagues for this resolution of condolence and support. I wish to thank my colleague Senator REID for the moment of silence yesterday in this Chamber. In my faith tradition, when a person visits a house of mourning, one of the customs is for the visitor to sit silently with the mourners. It is very awkward. It is actually not the natural thing we want to do, but this tradition has come about as an act of respect to the mourners because they may be in their own mourning internally, and we want to allow them to speak first if they want to speak. The other is that in the face of death, and particularly in the senseless, brutal deaths of these 26 in Newtown, sometimes the best response is silence and all that the silence contains. So I thank my colleague Senator REID for that moment of silence.

Senator BLUMENTHAL and I and our Connecticut congressional delegation convened a vigil last night at which we all spoke, and Father Conroy, the Chaplain of the House, offered prayer. Chaplain Black could not be there because he was at Senator INOUYE's bedside with his family. We thank all our colleagues who came last night. Their presence meant a lot to us and it meant a lot to the people back home in Newtown.

The question is, Can we do anything to stop this from happening again, even once, but hopefully more often. What can we do? As the President said—incidentally, the President's visit to Newtown was so comforting to the families and all the town, all the people of Connecticut. He brought comfort, and I will say he brought resolve, which was very moving and inspiring to everyone there. As he said, these situations are always complicated. We can always say, as we look at all the possible causes of such a tragedy, that even if we did something about that, even if we banned all guns, there would still be violence or even if we provided better mental health treatment, there would still be people who would break through and commit acts of violence, and even if we removed all the stimuli to violence in our entertainment culture, still people would commit these acts. Of course, that is true, but do we not have the capacity to intervene at the different points in the story of this young man to stop this from happening, at least once, again, and probably many more times? Of course we have that capacity.

I keep being taken back, as people say that human nature is violent—of course, there is violence that goes back to the beginning of recorded history. We remember the two children of Adam and Eve. Cain killed Abel in a terribly violent act. But I think we also have to be instructed by what happened after that when God speaks to Cain and says: Where is your brother?

Cain feigns ignorance and asks the question that echoes through the millennia since then: Am I my brother's keeper?

God says to Cain, in Genesis: What have you done? We can hear in our minds' ears the voice of God in anger: What have you done? You have killed your brother. You have killed my creation.

Then God says: Your brother's blood cries out to Me from the ground.

I think in that the Bible instructs us—the words of God instruct us—that we are our brothers' keepers, we are our sisters' keepers and, of course, we are, most of all, our children's keepers. We can never say, oh, people are violent and turn away. We have the capacity—particularly we here, honored and privileged to serve in the Senate, serve in the House, serve in the White House—to do something about this.

Somebody said to me, as the President said the other night, if we save just one child's life by what we will do, it will have been worth it.

We can save a lot more than one child if we work together. I have talked to people since Friday who said to me:

Why will this be any different? Nothing happened after Columbine or Aurora or Virginia Tech or any of the other acts of mass violence in our society. I do not blame people for being skeptical. That is the truth. We should have acted earlier, and we have not.

I went back. I proposed, with Senator MCCAIN, Senator Byrd, Senator JACK REED, and a bunch of others, the creation of a national commission on violence 3 weeks after Columbine in 1999. It passed the Senate, but it did not make it through the House in conference committee.

So I understand why people are skeptical, but that does not mean we should not hear the cries of those children as the guns of that madman turned on them and actually see their blood on the ground on the floor of that schoolhouse until we get something done. We can prevent this from happening to people again. We can certainly prevent it from happening to some people.

I see signs of hope around us; people, colleagues, who have been protectors of gun rights saying, in the last few days: This has to change. We have to come together and reason together and act together, and everything has to be on the table, including our gun laws.

There was a poll in the Washington Post today. It was very striking to note that for the first time, when people have been asked this question—and they have been asked it after a series of acts of mass violence: Columbine, Virginia Tech, Aurora, et cetera—do you think this was an isolated act or does it say something about more troubling conditions in our society—I am paraphrasing—for the first time—every other time people said it was an isolated act of a madman or mad people—this time they said it reflects a deeper problem in our society.

I believe what causes that change is that 20 of the victims in Newtown, CT, were young children, and there is not only a heartbreak across our country about this, not only anger, but I think there is guilt, and we all ought to feel guilty because, as a society, what the attacks in Newtown say to us is that we have failed to fulfill what would seem to be our most natural—natural law, if you will—responsibility, which is to protect the safety and lives of our children.

So I hope we will act. There will be no better tribute, no better source of consolation to the families who have lost loved ones. I have proposed a commission, as I did in 1999, because these are complicated questions. In almost every one of these acts of mass violence, we have a young man who is troubled. Clearly, in hindsight, family, friends, schoolmates say something was wrong with him. Very often—I have heard rumors about this being the case with Adam Lanza in Newtown; I do not know for sure, so I am not saying it is any more than a rumor—very often, these young men have had an almost hypnotic involvement in some form of violence in our entertainment culture, particularly violent video games, and then they obtain guns and they go out and become not just troubled young men but mass murderers.

We need to try to intervene, particularly at the beginning with the troubled young man and get him—or if it is a woman her—help quickly, and to make sure our mental health system is there to protect and offer that help, and perhaps in our health system, insurance is there to guarantee payment will be made for that. It is complicated.

The impact of the entertainment culture is complicated as well. Obviously, not every young person who plays a violent video game becomes a killer. I know because I have spent a lot of time looking at the social science—and it goes back decades—that there is a very clear pattern where young people who are involved in violence in the entertainment culture are more aggressive. Thank God, of course, almost none of them become murderers. But some of them do, and we have to ask why.

Then, of course, we need to strengthen our gun laws. I hope either by executive action or legislative action we will convene such a commission, but I want to make very clear I am not offering this idea as a substitute for any action we can take now, any action that the President can take now, for instance, with regard to the existing laws that are aimed at preventing people who should not have guns from having them, keeping guns that really are military and are not part of hunting or sports shooting off the market—anything the President could do, anything Congress could do.

I would support a restoration of the assault ban today.

These are weapons developed by our military originally, not by private industry for hunting or sports shooting purposes. They should not be sold. We have the background checks in the Brady bill if you attempt to buy a gun from a licensed Federal firearms dealer. Why shouldn't that exist for people who buy a gun at a gun show, where, incidentally, terrorists we know have bought guns?

So anything we can do quickly, we ought to do, but I also think a commission will make sure that we will not let the anger, the hurt, the guilt that we feel now dissipate with time or as a result of legislative gridlock—yes, legislative gridlock again.

Remember Lincoln's words at Gettysburg, that these dead shall not have died in vain. I think that should be our animating emotion and sense of purpose here, as reflected and I think led by the President's very powerful words in Newtown on Sunday night.

I remember after the terrorist attacks of 9/11 all the work we did in Washington to create the Department of Homeland Security, the 9/11 Commission, the legislation, passing the legislation, implementing the 9/11 Commission. A lot of work, bipartisan work, was done in Congress and in the executive branch to make those laws and to keep us a lot safer, to prevent another 9/11 from happening. But I will tell you this, Mr. President, my belief—and I was at the center of all of this—those laws would not have been passed and enacted, and we would not be safer today if it were not for the extraordinary commitment of the families of people who were killed on 9/11 to get involved. They talked truth to power, and when Members of Congress and members of the executive branch were reluctant to act and were falling back in all political ways, self-defensive ways, those families faced them, face to face, and some in power turned their faces away because they could not take it. But, ultimately, those families brought about action.

These families in Newtown who have lost people—loved ones, children—will never be the same. I hope and pray they can come back to some semblance of normalcy. I hope that some of them will have the courage and the strength—which will take an enormous amount—to get involved in forcing our country to do whatever it can to stop anything like this from happening again. But in the larger sense, we are all members of the family. This is the American family. Those 26 people—those 20 children—were our children, our family members, and it is incumbent upon us now to summon not just the remorse and the guilt but the will to act to stop this from happening again and to save the lives of our family members.

I thank the Acting President pro tempore and yield the floor for my colleague and friend from Connecticut.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I thank my colleague from Connecticut for those very moving and important comments on the Senate floor at this profoundly significant time in the history of our State and our Nation.

REMEMBERING DANIEL K. INOUYE

I want to join my colleagues who have expressed their admiration for Senator INOUYE and our sense of loss at his passing. I admired him deeply as a patriot, a warfighter, a public servant, who was unstinting and unwavering in his commitment to our Constitution, the principles of equality and justice, and our national defense.

His loss is a loss for the country, but, particularly, personally, for all of us who serve in this body. I knew him less well than colleagues who have spoken eloquently, such as Senators REID and DURBIN and BOXER and LIEBERMAN, and one of my regrets, as I stand here, is that I did not have the time to know him better because he was such an extraordinary human being.

Perhaps one of the lessons for me personally is that time is short, as we all know, and we should make a greater effort in this body and among us in this profession to know our colleagues and to treasure their friendship.

I want to also thank my colleague from Connecticut for his very perceptive and powerful words on the tragedy in Newtown, CT, which brings me to the floor today with such a heavy heart. I thank my colleagues who have reached out to me, including the Senator from Vermont, a great friend, Senators KLOBUCHAR and DURBIN and BENNET and so many others seeking to help Connecticut. The collegiality of this body has been brought home to me in these days when others have sought to provide not only consolation but also suggestions for action.

One of my reasons for being on the floor today is to talk about action we can take. I want the families who are grieving now to know that my standing here to talk about policy and action in no way means any disrespect or effort to intrude on their grieving and emotional rebuilding. But we know on Friday a tragedy befell the community of Newtown, CT, and that tragedy is expressed in S. Res. 621 and H. Res. 833.

I thank my colleagues in both Houses for condemning the attack and offering their condolences to the people of Connecticut and, more importantly, the people and families who suffered these losses most directly. I have spent the last 4 days—or a better part of them—in Connecticut. Those 4 days are a time that I do not want to relive, ever.

I first learned about this incident on Friday morning in the midst of a normal day. I had events scheduled. I heard there was something wrong in the Danbury area.

As the details mounted, I left Hartford to go to Newtown and to the firehouse in Sandy Hook. I arrived there as a public official, but what I saw was through the eyes of a parent.

The firehouse in Sandy Hook was where parents went to find out if their children were okay. The way they found out was that their children appeared, or they did not. After a while, some of the children came. Some were reunited with their parents there or at the school, and their parents took them home, and others did not.

I will live forever with the sights and sounds of those parents as they emerged—the cries and sobbing, the cries of grief and anguish, the look on those faces.

The murderer blasted his way into the elementary school in Sandy Hook armed with a Bushmaster AR–15, an assault rifle; a 10mm Glock pistol; a 9mm Sig Sauer; and with multiple magazines filled with hundreds of rounds, that he used in an execution-style massacre.

Wayne Carver, who is the State medical examiner for Connecticut, has been in that job for more than 30 years. He has seen it all. But he has said he has seen nothing like this ever. There were 20 small bodies ripped apart, executed en masse.

There is no question evil came to Newtown, as Governor Malloy said that day. Evil came in its starkest, most inhumane terms. But heroism also came to Newtown.

The SWAT teams that went into that building actually saved lives. They saved hundreds of lives of students and staff in the school because the murderer took his own life when he knew they were entering.

There is the heroism, of course, of the principal, teachers, and others who ran toward the sound of gunfire. They ran toward danger to protect their children, children who were 6 and 7, their faces now on the front pages of newspapers with their stories inside.

There is the heroism of the State troopers who had to confirm the identities of the victims for their families and stayed with those families throughout the weekend.

There is the heroism of the community itself. Newtown is, indeed, a quintessential New England town. Everybody knows everybody else, which is a good thing but in a way also a bad thing because everyone's children knew the other children.

At the vigil Sunday night, two of the children who attend that school came up to me to show me some of the necklaces they had made with blue beads, 20 of them. There were 20 blue beads, each one for a child victim, and 6 stars for the adults. This community is not only quintessentially New England, it is quintessentially American in its strength, its resoluteness, its resiliency, its caring and courage.

Part of what has also inspired Newtown is the outpouring of support they have received from all across America and all across the world. Never doubt the messages you have sent, the thoughts and prayers made a difference to them. They truly have.

Newtown is a call for national reflection and for coming together. This tragedy hit Connecticut, but the town of Newtown is supported by the grief shared by all Americans, but it is also a call for action. It is the right time to ask what we can do to stop this sort of tragedy.

In recent years, there have been horrific shootings at Virginia Tech, in Aurora, in Oak Ridge, on university campuses, movie theaters, and in places of worship. There were many other places where unsuspecting Americans, going about their everyday lives, had those lives cut short in a few minutes of slaughter.

In Newtown, a lone gunman was able to kill 20 elementary schoolchildren ranging from 6 to 7 years old. He killed the school's principal, the school psychologist, and four teachers.

Sadly, there have always been and there always will be mentally ill people, mentally deranged or hateful people who want to lash out violently at the world. We will never be able to stop all of them from doing harm. But even if we cannot prevent all these tragedies, we must not surrender and say we will do nothing to prevent any more of them.

In the last few days, everywhere I have gone in Newtown, people have come up to me and said the same words over and over. ''We have to do something.'' People in law enforcement, families of victims, members of the clergy again and again have said those words, ''We have to do something.''

That is my commitment today, to do something; in fact, to do everything I can as a Senator to press and prevent the next tragedy. As a former law enforcement official, and as a father, I cannot do less.

There is no single law, no simple solution that will be a cure-all. But there are sound, sensible steps we can take, some involving new laws, some involving better enforcement of existing laws. Our local and State police, for example, and Federal agencies need more resources and support.

We need to do something to effectively ban assault weapons. I am talking about weapons that are not designed for self-defense or hunting but, rather, for killing and maiming human beings, often as many as possible, as fast as possible. These are weapons that are civilian versions of military weapons. There is no reason any such weapon should be for sale today in America.

We need to do something also to ban high-capacity magazines, also involved in this mass murder. What real hunter uses or needs 30-round clips? What self-defense situation is served by them?

We need to do something to prevent mentally ill people and criminals from having firearms. I don't know whether better laws could have prevented the shooter in Newtown from getting his hands on the weapons he used, but we must look at what we can do to identify such people with serious mental problems before it is too late and provide intervention and treatment to take those weapons out of their hands.

Today, the National Instant Criminal Background Check System has prevented nearly 1.8 million attempted purchases of firearms by mentally ill people or criminals. Clearly, that alone was not enough to prevent a number of tragic shootings. But I think we can all agree it is good those sales were not completed, and right now only 60 percent of gun sales involve a background check. We should ensure that all firearms sales involve a background check, including guns that are not sold by licensed dealers, and that those checks, wherever they are done, are thorough and comprehensive.

Nothing here means we should trample on the second amendment. The Supreme Court has spoken clearly in the Heller case that law-abiding Americans have constitutional rights to own firearms, whether for self-protection, hunting, competitive shooting or any other proper purpose. That is the law.

But the Supreme Court has also made clear the government can appropriately impose sensible regulations, as it can in many other areas of constitutional rights, on how firearms are used and purchased. Everyone would agree criminals and deranged people should not be able to get their hands on firearms.

On all these issues, we have to look for sensible common ground, rooted in common sense, and I believe there is room for people of good will to work together to find it.

Even as I say that, I am mindful that issues involving the second amendment rights and violence in the past fueled deep passions. Suspicion and passions have run deep and wide on both sides of this debate, including in this Chamber, and there is a lot of distrust to overcome.

I am here to keep faith with the people of Newtown who have grabbed my arm and said, ''We have to do something.'' That is my commitment. I will work with the President and my colleagues in the Senate regardless of party or geography. I will work with any organization that is willing to engage in a thoughtful, constructive discussion about what steps to take to avoid tragedy such as the Newtown shootings in the future.

I will work to find a solution to this crisis, because it is a crisis, and I will not be deterred by any organization or campaign that uses scare tactics or intimidation. Because there was nothing more frightening, nothing more horrifying, than looking into the eyes of the parents who came out of that firehouse in Sandy Hook who lost their babies last Friday. That is any parent's worst nightmare.

I know there are some who say we can never do anything about the problem of gun violence; that we are entrenched as a nation and so polarized as a political body that we will continue to wring our hands at every massacre and never take action. Yet sometimes events happen that so horrify our country and our fellow citizens that they change the nature of the discussion. They change the political ground under us. They are a tectonic shift, and I believe the massacre of the innocent children and their loving teachers in Newtown is exactly such an event.

Yesterday, some of my Senate colleagues had the courage to join this call for action and say publicly we cannot go on as before. I wish to thank, particularly, Senator MANCHIN and Senator WARNER. Their heroic stance is an invitation, indeed a challenge, to every other Member of the Senate to join in this common effort to find common ground and at long last do something to stop the killing.

I also wish to thank, particularly, Senator REID, our majority leader, for his leadership in calling for a meaningful and thoughtful debate on gun violence.

''We have to do something. We have to do something. We have to do something.'' That is what people in Newtown have beseeched me over and over. I believe the American people agree. This is our moment, and we are the people to do it. We can. I ask each of my colleagues to listen to those voices and to hear their own hearts.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. LEAHY. Mr. President, first, I wish to join my thoughts on those of the two Senators from Connecticut and the Senator who just spoke, Senator BLUMENTHAL. He and I talked this weekend during these terrible times, and I told him the Judiciary Committee and the Department of Justice, on behalf of all the victims, were standing by to help them in any way they can.

REMEMBERING DANIEL K. INOUYE

Mr. LEAHY. Mr. President, today is the first day since Hawaii became a State that it is not represented by DAN INOUYE, either as a House Member or as Senator.

As I look at my dear friend's desk with the traditional white flowers, I can't tell you how much it pains me. He was one of the greatest Members of this body ever to have served and a dear friend to so many of us. He was perhaps the best role model for public service any American could ask for. Senator INOUYE's story is one of great passion for his people, commitment to his calling of public service, and dedication to finding a better way forward for all Americans, a true patriot.

A soldier in World War II, a veteran of the Armed Forces, he fought for the freedom of the Nation he so loved and believed in. The Nation finally recognized that, making him a recipient of our Congressional Medal of Honor.

As a representative of Hawaii, he dedicated his career to establishing and solidifying a place for his State in Washington so generations of Hawaiians to come might know the benefits of what he did not have, Federal support for such important causes such as higher education, transportation, health care, and security. His advocacy was never in vain, and the people of Hawaii benefited immensely from his service.

But I think his efforts to bring people together is unmatched. The grace with which he conducted his work should inspire all of us, as it does me. He was the man who could reach out to both sides of the aisle, make friends and make peace. He poured his heart and soul into the Senate. He was first and foremost a person of the Senate, and we all felt his passion and concern for the work of this body. There is no doubt he is going to be greatly missed in these halls. He was a mentor. He was a friend. We traveled together. Our wives were friends.

The reason I didn't speak last night, I opened my desk and looked again—the desk I have now, this seat, I inherited from DAN INOUYE—and his name is inscribed in it. As the distinguished Acting President pro tempore knows, we inscribe our names in our desks, and DAN INOUYE's is there. When I looked at that last night I was overcome with emotion and so I did not speak then.

I realize I am delaying things a couple of minutes here, but when I think of my friend and I think of his name, I remember he said he wanted to be remembered as having represented his people and all Americans honestly and to the best of his ability. He filled that. He filled that. We all know he gave his everything to the Senate, and his legacy is for us to continue the work he has done.

Mr. President, I yield the floor.

ADMINISTRATION OF OATH TO SENATOR PATRICK J. LEAHY AS PRESIDENT PRO TEMPORE OF THE SENATE FOR THE 112TH CONGRESS

The VICE PRESIDENT. The senior Senator from Vermont, the President pro tempore elect, will be escorted to the desk for the oath of office by the Senator from Nevada [Mr. REID] and the junior Senator from Vermont [Mr. SANDERS].

The President pro tempore elect, escorted by Senators REID and SANDERS, advanced to the desk of the Vice President; the oath was administered to him by the Vice President; and he subscribed to the oath in the Official Oath Book.

(Applause, Senators rising)

NOTIFYING THE HOUSE OF REPRESENTATIVES OF THE ELECTION OF A PRESIDENT PRO TEMPORE OF THE U.S. SENATE

The VICE PRESIDENT. The majority leader.

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to the consideration of S. Res. 622.

The VICE PRESIDENT. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A Resolution (S. Res. 622) notifying the House of Representatives of the election of a President pro tempore.

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

Mr. REID. I ask unanimous consent that the resolution be agreed to, and the motion to reconsider be laid upon the table, with no intervening action or debate.

The VICE PRESIDENT. Without objection, it is so ordered.

The resolution (S. Res. 622) was agreed to, as follows:

S. RES. 622

Resolved, That the House of Representatives be notified of the election of the Honorable Patrick J. Leahy as President of the Senate pro tempore.

NOTIFYING THE PRESIDENT OF THE UNITED STATES OF THE ELECTION OF A PRESIDENT PRO TEMPORE OF THE U.S. SENATE

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 623.

The VICE PRESIDENT. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A Resolution (S. Res. 623) notifying the President of the United States of the election of a President pro tempore.

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

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, and the motion to reconsider be laid upon the table, with no intervening action or debate.

The VICE PRESIDENT. Without objection, it is so ordered.

The resolution (S. Res. 623) was agreed to, as follows:

S. RES. 623

Resolved, That the President of the United States be notified of the election of the Honorable Patrick J. Leahy as President of the Senate pro tempore.

Mr. REID. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TESTER). Without objection, it is so ordered.

CONGRATULATIONS TO SENATOR LEAHY

Mr. SESSIONS. Mr. President, I first wish to congratulate my friend, the chairman of the Judiciary Committee, Senator LEAHY, who has been honored to receive one of the Senate's highest honors, President pro tempore of the Senate. I congratulate him and join with him in expressing my sadness over the passing of Senator DAN INOUYE.

REMEMBERING DANIEL K. INOUYE

Mr. SESSIONS. Mr. President, I wish to express my sadness over the passing of Senator DAN INOUYE.

DAN INOUYE came to this government, started his government service, at least, 60 years ago in the territorial legislature of Hawaii. He came to Congress when Hawaii became a State in 1959, to the Senate in 1963, and was second only, I guess, in service to Robert Byrd. He was a serious man, a solid man, a patriot, and one who always had a good spirit about how he conducted his affairs and how he related to other Members of the Senate, to his constituents, and to the American people.

DAN had served in the most violent combat and was grievously wounded himself. He was part of the 442d Regimental Combat Team, a 4,000-man unit that served in brutal combat. They were replaced 3½ times in personnel to maintain their strength, with 14,000 having served in that combat team during the brutal combat in Italy. There were 9,500 who received Purple Hearts and 21 Medal of Honors, including Senator INOUYE's Medal of Honor.

It was a remarkable time and a remarkable commitment DAN INOUYE demonstrated to the country he loved.

I know we will talk about his record, and I may do that later myself, but I want to say what I think about DAN INOUYE at his core. He shared with us a few weeks ago at the prayer breakfast—and we don't quote what people say at that meeting—his feelings about war and his participation in it. It was one of the most moving presentations I think any of us had heard, and it was so well received by the people there. The truth is, Senator INOUYE did not like war. He hated war. He knew the destructive power of war and how people suffered as a result of it, and he voted against a number of resolutions that would commit the United States to military action.

But at the same time, there was no doubt, based on his ranking and chairmanship of the Subcommittee on Defense of the Appropriations Committee over a period of years—decades—he was the person who always, at bottom, could be counted on to ensure this Nation was well defended; that we did not make mistakes.

He and Senator Ted Stevens had a unique relationship. When something developed that was important for the Defense Department, and it involved a danger to our government or could do damage to the Department or they seriously needed something—and oftentimes in this government, we can't respond and we don't respond effectively—DAN INOUYE and Ted Stevens would go in and it would be fixed. They understood that peace through strength was the best way to avoid war, and they felt a sense of great responsibility to ensure the Defense Department was not damaged on their watch. Their experience and their judgment was such they could tell the difference between whines and complaints and real danger to America's defense capability.

I would say that DAN INOUYE has established a record that places him among the finest Senators ever to serve here, one of the finest human beings to serve here, and I want to say, as a member of the Armed Services Committee, how much I appreciated his particular commitment to ensuring that America's defense capability remains second to none and his willingness to take the steps necessary to maintain our defense at the level we would want it to be.

Mr. President, I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

NEWTOWN, CONNECTICUT TRAGEDY

Mr. HATCH. Mr. President, to begin, I want to take a few minutes to express my deepest sorrow for the events of last Friday. As a parent, grandparent, and great-grandparent, I was horrified to hear the news of the tragedy in Newtown, CT. My sadness remains for those who have lost their children and loved ones and for the quiet community that saw its sense of peace and well-being shattered through such a terrible act of violence.

I, like almost everyone I know, am at a loss when it comes to making sense of such a horrible tragedy, and I won't try to do so today. All I can do is offer my prayers and sympathies for those who lost their children, friends, and family members, and to the people of Newtown.

In my faith, we believe families are eternal; that those who have lost loved ones will one day be reunited with them. That belief has helped me to cope with losses I have experienced over the years. And while I know nothing can relieve the pain of losing a child, I hope this notion will bring the parents of those sweet innocent children some measure of comfort.

Once again, I offer my heartfelt prayers and deepest sympathy to those in Newtown and throughout the country who have cause to mourn this day.

REMEMBERING DANIEL K. INOUYE

Mr. HATCH. Mr. President, I want to take a moment to pay tribute to a person I loved, appreciated, and worked with for all these years—all of my 36 years in the Senate—and to bid a fond farewell to our dearly departed friend, the senior Senator from Hawaii, DAN INOUYE.

In addition to being a distinguished United States Senator, Senator INOUYE was many things: a Pearl Harbor survivor, a Medal of Honor recipient, a father, a grandfather, and a loving husband to his wife Irene.

As a volunteer with the Red Cross, young DANIEL INOUYE tended to the wounded in the aftermath of the attack on Pearl Harbor.

During World War II, when the Federal Government was placing thousands of his fellow Japanese Americans in internment camps, Senator INOUYE was one of many Asian Americans who petitioned the government for the right to serve their country in the military. His petition was successful, and he served heroically. In fact, the story of Senator INOUYE's military service has become the stuff of legend here in the Senate and throughout the country.

In 2000, Senator INOUYE, along with 21 of his fellow Japanese-American World War II veterans, was awarded the Medal of Honor, our Nation's highest honor for valor.

In 1959, when Hawaii achieved statehood, he was elected the State's first full member of the House of Representatives. Three years later, in 1962, he was elected to the U.S. Senate, where he would serve for five decades, the second longest tenure in this Chamber's history. I am honored to have served with Senator INOUYE throughout my entire Senate service.

While he and I often found ourselves on different sides when it came to

issues, I always knew him to be a man of principle and decency, and I never doubted his commitment to the people of his State and to doing what he believed was right.

One of the few times we found ourselves on the same side came when our mutual friend, the late Senator Ted Stevens, asked us both for help when his character was called into question. Politically speaking, participating in Senator Stevens' trial held no benefit for Senator INOUYE. It would have been easy for Senator INOUYE to deny his friend's request, and few would have blamed him for it. But that wasn't how Senator INOUYE operated. Rather than letting a friend fend for himself, Senator INOUYE showed great loyalty and characteristic integrity in his willingness to testify to his friend's good character, and put his own reputation on the line in service of a friend. And I had a similar privilege.

Both Senator INOUYE and I were mystified by what happened in that trial, and we were justified in our mystification when, finally, they had to admit it was a trial that should never have been brought. All I can say is I remember him testifying and I testified after he did, and I would mention that Colin Powell also testified as to Ted Stevens' character. All three of us felt this was a besmirchment of a truly honorable and decent man.

Once again, I am proud to have been Senator INOUYE's colleague, but I am more proud and more pleased to have been his friend over all these years. He actually showed me a great deal of concern, showed me a great deal of friendship, and spent time with me when I needed particular help, and was there in many ways for not just me but for others as well, one of the kindest, most decent, and honorable people I have ever met. I express my deepest sympathies to his wife and family and their many, many friends.

DANIEL INOUYE left an indelible mark on the Nation he loved so much and he will surely be missed. Aloha, my friend.

SENATOR PAT LEAHY

Mr. HATCH. Mr. President, I wanted to compliment Senator LEAHY, who now is the President pro tempore of the Senate.

I have served with PAT LEAHY all my 35 years. He is a strong, intelligent, hard-working Senator, and I am sure he will fill this position in every way it can possibly be filled.

I know he, like I, is sad that we lost Senator INOUYE, but Senator LEAHY will be a worthy successor and he will have my support. I hope everything goes well for him in this transition and in this new opportunity he has.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

REMEMBERING SENATOR DANIEL K. INOUYE

Ms. MIKULSKI. Mr. President, I too rise to pay tribute to the great Senator DANIEL INOUYE.

First, I want to express my deep and most heartfelt condolences to Senator INOUYE's family, his wife Irene, his daughter Jennifer, his son Ken, Ken's wife Jessica, and their lovely little granddaughter Maggie. And to the people of Hawaii, also our condolences, because he loved them dearly, and they reciprocated by sending him time and time back to the Senate. I also want to express condolences to his very able and capable staff, the other INOUYE family, many of whom were among the longest serving staff in the Senate, who were devoted to helping him help the people of Hawaii and helping the people of America. Hawaii and the Nation have lost a great hero and a true patriot, and I have lost a real good friend.

Senator INOUYE was one of the great men of the Senate who welcomed me and helped me get started when I first came to the Senate. It is well known that I was the first Democratic woman elected in her own right. When I came to the Senate there was only one other woman, Senator Nancy Kassebaum of Kansas. But I said this, and I say today, though I was the only Democratic woman, though I was all by myself: I was never alone because I had great men in the U.S. Senate who helped me get started and mentored me and taught me how to be an effective Senator.

Senator INOUYE was in a group of those men who in the warmest, most generous, most helpful way welcomed me to the U.S. Senate. He helped me get on the powerful Appropriations Committee. He was my teacher. He was my mentor.

He also had a wonderful way of communicating with all of us. And as each new class of Senators—and each new class of women Senators arrived—he welcomed each and every one of us with the same warmth and generosity he showed to me.

We have a saying among us, the women of the Senate, which is that men of quality always stand up for us women fighting for equality. And DAN INOUYE was there every step of the way. When we wanted equal pay for equal work, he was there. When we wanted to be included in the protocols at NIH and establish an Office of Women's Health, he was there, issue after issue.

Last year, I had the wonderful honor of traveling to the Middle East with Senator INOUYE, and he admired the pin that I have on today. It is an eagle that many of the women in the Senate wear. There are those of various styles, of which we have a little collection. This one is from the Smithsonian. He said, I love it. It is so pretty. I want to get one for my wife.

Well, I don't know if Senator INOUYE ever got it for his wife Irene, but I say to my colleagues today, at an appropriate time, on behalf of the women of the U.S. Senate, I will present this pin to Mrs. Inouye in honor of her husband, our gift to her, because he gave so many gifts to us.

He was a lion in the Senate, a real American hero. Although gentle in style, he was a fierce warrior when it came to fighting for his Nation or standing up for Hawaii.

When he received his Medal of Honor, he was rising to the call of the sirens of Pearl Harbor, volunteering to serve his country, putting aside his own dreams to be a physician. But he went on to be a healer of many wounds. He was decorated in World War II for saving his fellow soldiers.

My experience with Senator INOUYE as a friend was that he was a devoted, dedicated public servant. He was Hawaii's first representative of the Nation's newest State. He was the first person of Japanese heritage ever to be elected to the Senate. Imagine, he himself knew what it was like to break barriers and to break boundaries. When he came to the Senate, he cherished his love for Hawaii and its people. He fought tirelessly to improve their lives.

His style was one of absolute civility. He was the one who believed that the decorum of the Senate enabled the Senate to do the people's business. He was the essence of civility, and he showed that often good manners was good politics, and that led to good politics. He did not argue the loudest; instead, he worked diligently. He marshaled his arguments and with quiet determination won the day.

As a fellow appropriator, I saw that he loved his earmarks. He liked earmarks. And what did he do with those earmarks? I can tell you. He made sure that we looked out for Indian tribes. He made sure we looked out for the poorest of the poor in Hawaii. He cleaned up a superfund site that had been left by an old agricultural legacy. And he made sure that children who needed help were able to get the education they needed in a small community setting who might not have been able to do it.

Yes, he was the old school. And it was the old school that should teach us a lesson or two.

As a member of the Appropriations Committee for 41 years, he led us by example. He came in 1971 and became the chairman in 2009. Leading by example, he showed how we can accomplish great things by working together. He saw we could have a stronger country, a stronger economy, and yet have a sense of frugality. He treated the minority party with great respect.

All have spoken about his legendary friendship with Senator Ted Stevens, another World War II hero. But now, as Senator COCHRAN, serving as the ranking member—he called him his vice chairman, and I know he was ready to reach out to Senator SHELBY who assumed the role. He knew we needed the input of all Senators to not only enact our bills but to craft our bills.

He also served as chairman of the Senate Commerce Committee, the Indian Affairs Committee; he was the very first chairman of the Select Committee on Intelligence.

There will be those who will read his résumé. But when the history of Hawaii and this man is written, I hope they say he didn't come here to gain fame, he didn't come here to do press releases or to be on talk shows. He came here to govern. He came here to the U.S. Senate, having fought for his country in World War II while even members of his own family had been held in an internment camp because of their Japanese heritage. But he was loyal and faithful from the day he took his oath to defend the Constitution as a young private all the way to the day here now. He was a fierce defender of our military. For him, it was always about the troops. And he never forgot what it was like to be fighting in a foreign land. That is why he was devoted to our veterans and to our health care. And we are devoted to the memory of Senator INOUYE.

So to an old-school war hero, let us give our final salute and a fond aloha. But let's take the lessons learned from his great life and incorporate them in our very day here today.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, Senator INOUYE told me a story which I wish to repeat for our colleagues.

In 1973, George Gallup, the pollster, asked to come see him. This was at the height of the Watergate hearings. Back then, these investigations into President Nixon's Watergate break-in were consuming the country. Then there were only three major television networks, plus the Public Broadcasting System, and the Watergate hearings were televised from the Senate every single day, for several hours a day, on all four of those networks. So, almost everyone in the country watched the Watergate hearings for weeks. They got to know Sam Ervin, the chairman. They got to know Howard Baker, the ranking Republican. But George Gallup came to see Senator INOUYE. And Senator INOUYE said, I am glad to see you, but why do you come to see me?

He said, Senator, who would you say is the most recognized person in the United States today? Senator INOUYE said, Well, I am sure President Nixon is. And Gallup said, That is right. But the second most recognized person is Senator DAN INOUYE.

INOUYE said, Well, how could that be? George Gallup said, Well, Senator, I suspect so many Americans have never seen a United States Senator of Japanese ancestry with one arm and a distinguished voice and presence, and you have made an indelible impression on the American people.

That was 1973. That was a long time ago. Since then, DAN INOUYE made an indelible impression on a great many people around the world, and especially on the 100 of us who serve here. He commanded our respect in a remarkable way, in part because of his service in the war.

He and Bob Dole, our former colleague, were wounded at about the same time in Europe and were in the same hospital recovering from tremendously serious wounds. Of course, Senator INOUYE was later awarded the Congressional Medal of Honor for that.

Senator PRYOR was telling the story that when Senator INOUYE was finally elected to Congress, he wrote Senator Dole a note and said, I am here, where are you? Because both of them, when they were recovering from their war wounds, had determined that one day they wanted to serve in the United States Congress. INOUYE got here first.

A few years ago, Senator INOUYE and Senator Ted Stevens invited a number of us to go with them to China. It was quite an experience. Senator Stevens—of course, another World War II veteran—had flown the first cargo plane into what was then Peking, in 1944. Of course, Senator INOUYE was well regarded in China for his service. So the group of Senators—there must have been a dozen of us of both parties—got more time with Mr. Hu and Mr. Wu, the No. 1 and 2 leaders of China, than the President of the United States nearly did. We were accorded every courtesy possible because of the presence of Senator INOUYE and Senator Stevens. They were like brothers. They called one another brothers. They acted that way in private. They served that way in the Senate, as chairman and vice chairman of the Defense Appropriations Subcommittee. Over a number of decades, they singlehandedly shaped our American defense posture, and they did it with skill and patriotism and knowledge of our structure that very few could have.

Several Senators mentioned how bipartisan DAN INOUYE was. He was of the old school—not a bad school for today, in my point of view. He treated each Senator with courtesy, even the newer Senators. He treated each Senator with a sense of equality, even those who were in the minority and not on his side of the aisle. He was always fair, he was always courteous, and he always tried to do the right thing. He was a textbook U.S. Senator.

He announced for reelection after his last election. I don't know his exact age at the time—maybe 85, 86. He will not be able to run for that reelection now that he is gone, but he will be well remembered.

Not long ago, he spoke at our Wednesday morning Prayer Breakfast that we have here. Usually we have 20 or 30 Senators. On the day he spoke, we had maybe 60 or 70. We had Senators sitting on the windowsills, standing around the back, just to hear what he had to say. I won't repeat what he had to say because we don't talk about what goes on there in public except to say he talked about his war experiences—and in a quiet way. He stood there for 10 or 15 minutes and explained those experiences to us, most of whom had never had that sort of experience. It gave us a new sense of him, and it increased our respect for him, if that could have been possible.

I join with my colleagues to say Senator DAN INOUYE was a patriot. He set the standard, really, for a U.S. Senator. He set the standard for a man or woman in our military fighting to defend his or her country. And he set the standard as an individual who showed courtesy to everyone he met. We will miss him. We honor him. And we give his family our expressions of grief, but, more important, our great respect for our colleague who today is gone.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. BEGICH. Mr. President, I ask consent to speak until my comments are completed.

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

Mr. BEGICH. Mr. President, I rise today to pay tribute to a mentor of mine in the Senate, Senator DANIEL INOUYE. The histories of my State and Senator INOUYE's are closely connected. We both entered the Union at the same time, in 1959. As a matter of fact, I know as a kid growing up I was not sure if we had two Senators or three Senators because Senator INOUYE's name was so well known throughout Alaska.

When our States were entered in 1959, there was opposition to both of us becoming States, but we have proven our opponents wrong. Thanks to DANIEL INOUYE, Hawaii has become a modern, prosperous State. Many Alaskans have a special fondness for the 50th State, especially, I have to say, at this time of the year when it is 40 below in Fairbanks.

DANIEL INOUYE began his public career and service at the age of 17 when he entered the Army after the attacks on Pearl Harbor. He served with incredible distinction, earning the Nation's highest medal for action in Italy. As a Member of the Senate, Senator INOUYE continued his fierce defense of his State and his partnership with Alaska.

My predecessor, Alaska Senator Ted Stevens, knew Senator INOUYE as his brother. They worked together and produced much good for both our States that will last for generations.

When I was elected to this office, Senator INOUYE was one of the first Members to reach out to me to ask how he could help. The unique thing about Senator INOUYE was always his quiet approach to all the issues. He provided me quiet advice and helped me learn how this place works. Many times I would be down in the well waiting for the vote to be tallied and Members to vote, and Senator INOUYE would come in, stand at the edge there, and look up and just say: How is it going, Alaska? We would have a brief conversation. Usually his words would have incredible insight. They may not even have

been relevant to the topic we were voting on, but he would say something to me about something he knew I was working on and just share a few words.

I know the first people of Alaska will especially remember him for his dedication to their success. He met with Alaskan Native peoples during their visits to Washington as often—and I would say even more often—as the Alaskan Members of the House and Senate. They made a point to stop by his office on a regular occasion to talk to him about what happened in the past and what was going on today and what they looked for in the future.

Earlier this year, Senator INOUYE was in Alaska at my invitation—his last trip to Alaska. He told a memorable story about his support of the trans-Alaska oil pipeline, which was controversial when he supported it and its construction. Senator INOUYE has a unique style of how to tell stories. You have to just pay attention and listen. They are not wordy, just to the point. Senator INOUYE told this story, told by opponents of the pipeline, that it would destroy the caribou that lived in Alaska's North Slope. This is what he was told over and over.

On his last trip, he was in front of a group of people. I was anxious as he started to talk. He said: I have this story to tell you. He talked about this time of controversy about the Alaska North Slope and the oil pipeline, the caribou and what was happening, the destruction that may occur based on what he was hearing. But he was a strong supporter of the pipeline. In his words, here is how he actually said it. In fact, he said, the warm oil going through the pipeline heats the ground, so grass grows year round. The caribou come around to eat the grass and, in his words, ''make love,'' and the caribou population has grown threefold. Who was I to let facts spoil that wonderful story by Senator INOUYE and get in the way of its telling?

But he has done enormous work for our Alaskan people and Alaska in total, the work he did that he described to me when he went out to rural Alaska many years ago and saw the deplorable conditions of our water and sewer, saw an important effort to preserve not only the languages of Alaska but also Hawaii. Yes, like Hawaii, Alaskans loved our earmarks and we still love them. He was an adamant proponent of earmarks, making sure that, as mentioned by Senator MIKULSKI, they went for the right reasons. As was also mentioned, in his defense of this country and his personal heroic actions, his ongoing everyday work he did to shape the national defense and really international defense, it was an incredible sight to watch him in action.

I will always remember DANIEL INOUYE for his truly hearty laugh, ready smile, his partnership with my State of Alaska, and his dedication to his State—truly a silent giant.

My condolences go to his wife Irene and the entire Inouye family. We will miss him greatly. When we come down to the Chamber every day, we get the calendar of business, this one dated today. You look on the list of all the committees, and you see the chairman and the Members. But today his name is not there after 41 years.

My heart goes out to him—truly the silent giant.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I come to the floor to pay tribute to an American hero, a great Senator, an amazing man, and a dear friend, Senator DANNY INOUYE.

Senator INOUYE dedicated his life to public service, and through his hard and faithful work, he has left his Nation and the State that he loved so dearly far better in so many ways.

We will all hear a lot in the days ahead about the barriers DANNY broke down during the course of his life. We will hear about his service in times of war and in peace, about his heroism, about his love for his family and State and country. We will hear about the admiration and respect he earned from so many of us here in the Senate, on both sides of the aisle, over the course of a long and very historic career.

What I want to focus on for a minute today is the DANNY INOUYE who has been there for me as friend and mentor for the past 20 years, who has been a shining light in this Chamber and has set an example for all of us who measure our work not simply in words but in actions.

Senator INOUYE was certainly not the loudest Member of this Chamber. He was certainly not the most verbose. He was not a Senator who spent his time making long-winded speeches. But through his quiet resolve, his understated strength, and his commitment to do the right thing no matter what, he was able to accomplish so much.

Senator INOUYE led the Appropriations Committee through difficult times with grace and incredible effectiveness. The partisan rancor that too often dominates this city was unacceptable to him, and he made that clear to all of us. DANNY'S focus was on people, on the infrastructure on which they depended in their communities, on the most vulnerable, on our military families, and on the State of Hawaii, for if DANNY INOUYE was a giant here in the Senate, he was a mountain back home. Hawaii would not be Hawaii without DANNY INOUYE. He fought for his State. He would not allow it to be ignored, and he made it a better place to live and work for generations to come.

As the Senator of another State far from Washington, DC, I learned a lot from Senator INOUYE about how to advocate for the people who elect you and how to make sure they never get lost in the mix. Through his quiet and shining example, we all learned a bit more about bipartisanship.

I so remember DANNY huddling here on the floor, working closely with his good friend Senator Stevens from Alaska. We all learned a bit more about effectiveness. He knew how to get things done, more than anyone I have seen before or since. We all learned a bit more about humanity.

You would never hear DANNY talk about himself. We all learned a bit more about respect, about kindness toward all, not just those who agree with you.

DANNY helped us all remember every single day why he came here in the first place. I cannot tell you how many times DANNY would stand his ground on issues that others would have given up on, simply because he knew the impact it would have on real people. He knew this was about so much more than politics or legislative games; it was about helping people and solving their problems and delivering for our communities and our Nation.

DANNY INOUYE impressed me every day for 20 years, but nothing impressed me more than his love and commitment to his family. I just got off the phone a few minutes ago with his wife Irene and expressed my condolences. She is such a gracious lady.

DANNY will be missed terribly, but he has left so much for us to remember him by: his legislative achievements, of course, the roads that would not have been built had he not been here, the military bases that wouldn't have existed had he not fought so hard for them, the ports and bridges and trains that would have been less safe had he not been there to move legislation that strengthened them—so much more. But DANNY will be remembered far beyond his many tangible achievements. He will live on through the values he embodied and spread; through the principles he stood for and shared; through his family, who loved him dearly; through the people who will never forget his advocacy; through the country he sacrificed so much for; and of course through all of us who are forever better simply for having served with the greatest Senator of all, Senator DAN INOUYE.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, on behalf of the people of Georgia, the United States of America, and the 99 Members of the Senate, I want to pause to pay tribute to the family of DAN INOUYE. When a great football coach passes away and players are interviewed and asked what kind of coach he was, they will say he was a player's coach. When great generals are lost and the people who go to the funeral ask what kind of general he was, they say he was a soldier's general.

I am here to pay tribute to a Senator's Senator. He was a great role model for me. He came here when Hawaii first became a State, and he was here ever since. He influenced the lives of not a few but of many.

I got an e-mail from Mike Mattingly, a U.S. Senator who was elected in 1980.

He said: Please remember when you are on the floor of the U.S. Senate to express the love and affection my wife Leslie and I have for a great American, DAN INOUYE.

I share that same affection. I know I owe a lot of whatever success I have had in the Senate to learning from his patience, guidance, temperament, and also his determination. Yesterday, I was told his last word was aloha, but we have to remember that was always the first word we heard from DAN INOUYE as well because he meant it in a welcoming, friendly way.

I want to follow up on what Senator ALEXANDER said earlier. I too was at the Prayer Breakfast when DAN INOUYE was there. It was the largest crowd we ever had, and it was not because invitations went out but because DAN INOUYE was going to be there. Everybody there was mesmerized by his candor, by his life, and by his commitment. We don't discuss what goes on inside those rooms, and I will not here, except to say that when DAN INOUYE opened his heart, it was as big and rich a heart as the one we have all seen in the Senate.

To his loved ones, the State of Hawaii, and the people of America, we have lost a great man. We have all been better off for knowing him, loving him, and serving with him. I pay tribute to the life and times of a great American hero, DAN INOUYE.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, let me associate myself with the remarks of Senator ISAKSON. I thank him and all of my colleagues who have come to the floor to eulogize Senator DANNY INOUYE. The Senate and our Nation has lost an unsung hero. He was heroic in military valor, receiving the Nation's highest honor, the Medal of Honor. He was heroic as the one chosen to lead with dignity in inquiries seeking the truth during our most challenging times. He was a tireless guardian of our national security and champion to the men and women who put their lives at risk to protect the United States and whose legislative achievements have been simply remarkable. All this from a man who always gave others credit and never sought the spotlight.

Yesterday Senator JOHN MCCAIN from Arizona—a hero in his own right—reflected on the passing of Senator INOUYE: Today, the Senate, America, and especially his beloved citizens of Hawaii, lost a unique, brave, and wonderful legislator. He was a man who brought the most unique credentials to this institution—I would argue—of probably anyone who has ever served in this very diverse body.

Senator MCCAIN certainly hit the nail on the head.

He went on to say: In Hawaii there was a group of young Japanese Americans who decided they wanted to serve their country in uniform. One of the most well-known, famous, and highly decorated units of World War II was the battalion in which DAN INOUYE served.

DAN INOUYE was a proud member of his battalion. In fierce combat, he was gravely wounded on the battlefield and was brought home. He, as we all know, lost his arm as a result of one of the wounds he sustained.

Senator MCCAIN went on to point out that he went to the Veterans Hospital in Chicago where a person in the same ward was an American Army second lieutenant who had also been wounded seriously in combat in Italy, 2LT Bob Dole of Kansas. Bob Dole is a man who still represents the very best we have in Kansas, our country, and he did such a great job as leader of this body. Their friendship has lasted to this day.

Both men were gravely wounded, both were certainly dedicated to serve their country, and both served with distinction. The friendship and the bonds of friendship that were forged in that hospital between Bob and DAN were unique and also enduring.

Yesterday, Senator DANNY AKAKA also pointed out that his colleague from his native State was a true patriot and American hero in every sense and at this time in Hawaii, the greatest leader.

Then DANNY AKAKA said that it is an incredible understatement to call him an institution. This Chamber will never be the same without him. He also said DANNY INOUYE leaves behind a list of accomplishments unlikely to ever be paralleled. His lifelong dedication and hard work in the name of his beloved country, the United States of America, influenced every part of his life and set him apart—even in the Senate.

Today will be the first day since Hawaii became a State in 1959 that DANNY INOUYE will not be representing us in the Congress. Every child born in Hawaii will learn of DANNY INOUYE, a man who changed the islands forever.

Senator AKAKA then went on to say he was praying for his wife Irene, his son Ken, his daughter-in-law Jessica, his stepdaughter Jennifer, and granddaughter Maggie, who was the apple of his eye.

Like so many, with DANNY'S untimely passing, I have lost a very dear friend. In truth, as an institution, every Senator in the Senate lost a dear friend. We lost one of the last institutional flames of the Senate.

Upon reflection, the occasions I have had the privilege to be with DANNY also represented my personal career highlights. There were codels with Senator Ted Stevens, affectionately called Uncle Ted. DANNY always had T-shirts made that said ''I survived Codel Stevens.'' He took us to Antarctica, North Korea, the Russian Far and wild East, and any number of places of national interest that nobody else would go. As the song says, through the bushes and brambles where a rabbit wouldn't go.

DANNY was the personification of those who get things done the effective way. He stayed in the background until it was time to take charge and then gave others the credit. I will always remember his sonorous, basso profundo voice advising the North Koreans at one point during a trip to make P'anmunjom and the 38th parallel a tourist site—not a shooting gallery.

In the Russian Far East we traveled to Sakhalin Island, with mountains and raw materials that rivaled Alaska and where locals say there are still saber-toothed tigers north of the island. DANNY, while visiting with staff, went into detail about his many travels, with a little fact and fiction mixed in, all with a twinkle in his eye.

I also remember while in the city of Khabarovsk in the Russian Far East—we were at a hotel. Of all the hotels in the Russian Far East, this one had to be one of the last on the list.

As we went into our rooms, I discovered that my bed was a wooden frame with just straps—no mattress, one blanket, and no pillow. I thought, being a junior member of this codel, this was something they assigned to me. So I went down the hall with my special key in hand and my special ID that was required in that part of the world and knocked on DANNY'S door. He said: How can I be of service to you, dear friend?

I said that I wanted to look at his accommodations, thinking, of course, he would have a bed. There was a wooden bed with the same kind of accommodations—no mattress, straps, and just one blanket. He said: Why are you interested in that bed?

I said: Well, I thought being a junior Member that things might be better in your quarters.

He got a big kick out of that. He always reminded me of that at various times when I would get a little upset about anything.

At any rate, it is not an understatement with regard to his leadership, bipartisanship, integrity, and achievement. It would serve every Member of this Senate to ask: What would DANNY INOUYE want us to do?

In today's Washington Post there was a reference to the keynote speech that Senator INOUYE gave in Chicago. It was a period of unrest after the assassinations of Senator Robert Kennedy and Rev. Martin Luther King—troubling times, indeed. Speaking not as a Democrat but as a citizen disturbed by unprecedented violence, Senator INOUYE described a ''troubling loss of faith among Americans.''

He went on to say: I do not mean a loss of religious faith, I mean a loss of faith in our country, its purposes, and its institutions. I mean a retreat from the responsibilities of citizenship.

DANNY called for Americans to rebuild their trust in government—an extraordinary statement from a man whose people had suffered grave injustices at the hands of government.

The article went on to say that Senator INOUYE's remarks were immediately overshadowed by events at that convention, but his speech was truly remarkable. It was a speech that drew

little attention then and is even less remembered now.

My colleagues, DANNY'S speech should be required reading today given the recent tragedies. It was just last week that I was asked to speak on Senator INOUYE's behalf at an event concerning the proposed Eisenhower Memorial. It is a joint bipartisan effort that has taken far too long to bring to fruition. In the cloakroom the day before we had one of our many discussions where he grabbed my hand and looked me in the eye and said: You and I probably vote differently 80 percent of the time, but in all of our mutual efforts and all of our travels, I have considered you a brother.

I didn't know what to do. I responded with a tear in my eye, and I said: I love you, DANNY INOUYE.

And he said: I love you too.

What a wonderful thing to hear from a true American hero in every respect. It has been a privilege and an honor to serve with such a remarkable and truly humble man.

I also want to thank his wonderful staff in working with my staff on so many mutual projects.

Aloha, my dear friend. I will miss you every day.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I ask unanimous consent to speak for 5 minutes.

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

Mr. MENENDEZ. Mr. President, there are few times in the history of this institution when one Senator, a singularly iconic leader, comes along and reminds us of what it means to be a U.S. Senator and what it means to represent the very best of what this Nation stands for and to do it, as he always did, with the utmost dignity, honor, pride, and integrity.

I am deeply saddened to have to speak to the passing of a true American hero. He was someone who inspired so many of us in the Senate. His ideals and sense of justice were always on display.

The passing of Senator INOUYE leaves a painful void in the leadership of this body. In so many ways, the life and sacrifice of Senator INOUYE embodies the essence of the ''greatest generation.''

Even when faced with the suffering, indignity, and humiliation of an internment camp, he did not allow his heart to be turned or his love and commitment to his country to be diminished. Justice was a constant theme in his life. He represented the challenges faced by his Hawaiian people since statehood, when he became its first representative in the U.S. Congress.

We had a close bond when it came to our concern for minorities in our country. Because of the struggles in his life, he understood the struggles in both of our communities. He felt a kinship to the Hispanic community and shared the community's hopes and aspirations. In recent conversations, I know from his comments that he understood the growing importance of the Hispanic community and the benefit of advancing their interests within American society. He lived it, he understood it, he knew.

We worked together on the recognition of Filipino veterans—something he was very passionate about—and he thanked me most graciously, as always, for my interest and for my commitment to working with him on an issue so dear to his heart.

These are just a few stories of a man who led a quintessentially American life. I know there are thousands more stories to be told, some of which have already been told on the Senate floor, but the real story is that this was a man who sacrificed for his country, met the challenges it presented, but ultimately, because of a kind heart and loyalty to the ideals we profess as Americans, he became one of the most important, yet most humble, leaders in the U.S. Senate.

Senator INOUYE and his life and deeds remind us what it means to be an American hero, a war hero who carried the burden of his service with him all of his life. His courage, his patriotism, and his respect for the values he fought for informed his views and his votes in this Chamber.

The Senate is sadly diminished today with the passing of one of our most respected and iconic leaders—a hero, a powerful voice for reason, rationality, and common sense when reason, rationality, and common sense are too often in short supply. He will be missed not only by all of us who had the privilege to serve with him but by a nation that needs more leaders like him.

We, all of us, remember his lasting influence, his way of making us look into the heart of the matter without prejudice or preconceived political impressions. He knew how to get to the crux of an issue, and he led the way so many times for the rest of us. We followed his lead, and the Nation is better for it.

All of us who worked with him as chairman of the Appropriations Committee respected his word and his commitment to fairness. He was always willing to listen, always willing to hear your side, always willing to reach out across the aisle for what he believed was right.

Most recently, he was the voice of support and wisdom in our efforts to secure disaster relief for my home State of New Jersey. He empathized with the needs of New Jerseyans, just as he addressed the needs of Hawaiians for decades. There is no more gracious man than DAN INOUYE, no one who was as dignified and respectful than the senior Senator from Hawaii.

Our thoughts and prayers go out to his wife and his family and to the people of Hawaii today. We have lost an incredibly great man.

Mahalo, my friend, until we meet again.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:33 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. WEBB).

The PRESIDING OFFICER. The Senator from Maryland.

EXTENSION OF MORNING BUSINESS

Mr. CARDIN. Mr. President, I ask unanimous consent to extend morning business until 3 p.m., with Senators permitted to speak therein for up to 10 minutes each.

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

The Senator from Texas.

REMEMBERING DANIEL K. INOUYE

Mrs. HUTCHISON. Mr. President, I rise this sad day to comment on the passing of a great patriot, Senator DANIEL INOUYE. He fought for his country as part of the Greatest Generation and served his State with distinction for more than 50 years.

We were all honored to know him and blessed by his sacrifice in defense of American freedom. We served together on the Armed Services Committee and later on the Appropriations Committee as well. DANNY'S insight was invaluable to our Nation's defense and military policy. He did make America stronger.

I had the pleasure of working with him when we traveled together to Bosnia to visit our troops in the very early stages of that conflict. We later went to the Middle East on a CODEL with Senator Stevens as well. One of the pictures in my office is of Senator Stevens, Senator INOUYE, Senator SNOWE, and myself in our helmets and flak jackets the first time we flew into Sarajevo in the early 1990s, when the Serbs had still been shooting from the hills into the airport.

In 1995, on the 50th anniversary of the end of World War II, Senator INOUYE and a number of other World War II veterans gathered at the Smithsonian to reminisce about their time in battle.

Senator INOUYE recalled the morning of December 7 at Pearl Harbor, when he recognized that the men in the Japanese planes looked like him, and he said he knew then his life would never be the same.

As soon as the Army permitted Japanese Americans to volunteer, he signed up and ventured to the mainland of the United States for the first time in his life. He and his fellow Hawaiians of Japanese descent worried about how they would be treated in the United States but, as he recalled it, they encountered kindness and respect at every stop their train made.

By the time he finished his training and prepared to depart for Europe, he said he had learned this was truly a country worth dying for and certainly one worth sacrificing an arm in order to preserve our freedom and our way of life. He did lose his arm, and it was during this time that he also distinguished himself to earn the Congressional Medal of Honor, the highest military award in our country for valor.

There is often talk of partisan acrimony in Washington, but we know strong friendships can form across party lines. Senator INOUYE and Senator Ted Stevens had such a friendship. They were both war heroes from the last two States to join the Union, and they both recognized and guarded the congressional prerogatives under our Constitution to play the primary role in determining appropriations to fund the government.

When they were the two senior Senators on the Appropriations Committee and on the Commerce Committee, they considered themselves as cochairs and officially designated each other as that. When control of the Senate changed hands, it was not unusual for one to retain key members of the other's staff.

So today, I add mine to the many voices mourning his passing and say to his family: You are in our thoughts and prayers.

DANNY INOUYE was someone in our Senate whom I think we should all strive to be; that is, he was a warrior, but he was a gentleman. He was a man who was loyal to the core for not only his beliefs but also his friends, and if he gave his word, his word was good. He is someone whom every one of us who knew him cared for and regarded as a giant among us. In fact, I would say the Senate has lost a gentle giant.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I join with Senator HUTCHISON in paying tribute to Senator DANIEL K. INOUYE.

I rise to pay tribute to our dear colleague. Senator INOUYE was not one of the tallest Senators; in fact, he had a slight build and a quiet demeanor. But he was a giant. He will be missed by all in the Senate. The people of his beloved Hawaii will miss him. All Americans will miss him.

In the immediate aftermath of the attack on Pearl Harbor, Senator INOUYE was declared an enemy alien because of his Japanese ancestry. But in 1943, when the U.S. Army dropped its enlistment ban on Japanese Americans, he enlisted in the Army and volunteered to be part of the 442nd Regimental Combat Team.

The 442nd became the most highly decorated infantry regiment in the history of the U.S. Army. The 442nd, known by its motto, ''Go for Broke,'' was awarded eight Presidential Unit Citations and 21 of its members, including Senator INOUYE, were awarded the Medal of Honor for their heroism during World War II.

Following World War II, Senator INOUYE finished his undergraduate studies at the University of Hawaii and then earned a law degree from George Washington University. In 1953, he was elected to the Hawaii Territorial House of Representatives and was immediately elected majority leader. He served two terms there and was elected to the Hawaii Territorial Senate in 1957. Midway through his first term in the Territorial Senate, Hawaii achieved statehood. He won a seat in the House of Representatives as Hawaii's first full Member and took office on August 21, 1959, the same date Hawaii became a State, and he was reelected in 1960.

Then, in 1962, he was elected to the Senate and was reelected eight times, only once with less than 69 percent of the vote. Senator INOUYE had been in the Congress since Hawaii became a State. He was the second longest serving Senator in our Nation's history, and he served with distinction, just as he served with distinction in the U.S. Army.

Others on this floor have already detailed his bravery in battle, his service on the Watergate and Iran-Contra Committees and his accomplishments as the first chairman of the Senate Select Committee on Intelligence and as chairman of the Commerce and Appropriations Committees. I would like to highlight his work on behalf of the victims of racial and economic and social inequality and his commitment to making the Senate operate as the Founding Fathers envisioned.

A statement on Senator INOUYE's Web site says: ''DAN INOUYE was always among the first to speak out against injustice whether interned Japanese Americans, Filipino World War II veterans, Native Americans and Native Hawaiians.'' How true.

A few hundred yards from this Chamber is the Smithsonian's magnificent National Museum of the American Indian. Senator INOUYE introduced the legislation to create that museum and fought for Native American and Native Hawaiian and Pacific Islander recognition and rights and restitution as chairman of the Senate Committee on Indian Affairs.

In the Senate, Senator INOUYE treated all his colleagues with respect and courtesy and always reached across the aisle to forge bipartisan solutions to our Nation's biggest challenges. His friendship with former Republican leader Bob Dole, whom he met while the two of them were recuperating from grievous combat injuries—along with, I might say, another wounded veteran who became a giant in the Senate, Senator Philip Hart of Michigan—serves as an example we should strive to emulate. He was a member of the so-called Gang of 14, again reaching across the aisle at a time when partisan tempers were particularly high.

There are few—if any—Americans who have been more heroic in battle, more accomplished as a public servant, more dedicated to family and country and humanity than DANIEL K. INOUYE. Yet he was also one of the most humble and self-effacing people. What a tremendous example of a life well lived he has left for all of us as we mourn his death, celebrate his life, and give thanks for his service to the people of Hawaii, the Senate, and the United States of America.

To Senator INOUYE we say aloha.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. HARKIN. Mr. President, the Senate—both as a legislative body and as a family—is in mourning today after the passing of its most senior and revered Member, Senator DANIEL INOUYE of Hawaii.

In his final days, Senator INOUYE was asked how he wanted to be remembered. He replied, with characteristic modesty:

> I represented the people of Hawaii and this nation honestly and to the best of my ability. I think I did OK.

With similar understatement, speaking about the extraordinary act of heroism in combat for which he was awarded the Congressional Medal of Honor, he explained that it was ''a case of temporary insanity.''

Modesty and reserve were trademark qualities of our beloved DANNY INOUYE. But we can speak more forthrightly about this very extraordinary person.

Yes, Senator INOUYE represented the people of Hawaii and this Nation honestly and to best of his ability. But he did not do just ''OK.'' DANIEL INOUYE was a truly great American, a public servant of extraordinary accomplishment. His qualities of character and conscience and steadfastness have set the standard in the Senate for over five decades.

Think about this. In 1973 and 1974, as a Senate Select Committee investigated the crimes of Watergate, which Senator did we count on to take charge with tough but fair questioning of those involved?

In 1976, after revelations of abuse of power by the CIA and the FBI, which Senator did we count on to oversee reforms as first chairman of the Select Committee on Intelligence? Of course, we counted on Senator INOUYE.

In 1987, as the Iran-Contra scandal rocked the Reagan administration, which Senator did we count on to lead a tough but fair inquiry as chairman of the select committee appointed to investigate the affair? Of course, we counted on Senator INOUYE.

Time and again, over seven decades, the United States of America has counted on DANIEL INOUYE, and he always delivered. He always responded to

the call of duty with courage, selflessness, and excellence.

As we all know, during the Second World War, DAN served in the famed, all-Nisei 442nd Regimental Combat Team. After losing his right arm and sustaining other grave injuries in combat, he spent 2 years in Army hospitals. At one of those hospitals he met two other wounded veterans: a soldier from Kansas named Bob Dole and a Michigan boy named Philip Hart. All three would go on to become giants of Senate history.

It is difficult to imagine, but after returning from the war, LT DANIEL INOUYE was wearing an empty right sleeve pinned to his Army uniform and was denied service at a San Francisco barbershop. The barber dismissed him with the words, ''We don't serve Japs here.'' One of DANIEL INOUYE's great legacies in his successful fight to defeat that brand of racism and discrimination was his successful fight against any form of discrimination against anyone, especially people with disabilities. Throughout his political career, he fought for civil rights and social justice not only for Japanese Americans but for all Americans.

Mr. President, I have lost not only a friend of nearly four decades but also my chairman on the Committee on Appropriations and its Subcommittee on Defense. Senator INOUYE was well known as a stalwart advocate for national defense and for veterans. He also fought very passionately to advance education, the National Institutes of Health, and other programs in the jurisdiction of my Appropriations Subcommittee on Labor, Health and Human Services, and Education.

I will never forget what Senator INOUYE said one time in a meeting in which my bill on labor, health and human services, education, NIH, the Centers for Disease Control—all of the things that are in that bill came forward. Remember, Senator INOUYE was at that time the chairman of the Defense Appropriations Subcommittee, and he said something I will never forget.

He said:

> I chair the Defense Appropriations Subcommittee. That is the subcommittee that defends America.

He said:

> Senator HARKIN chairs the Subcommittee on Labor, Health and Human Services, and Education. That is the subcommittee that defines America.

So Senator INOUYE was not a one-dimensional person. He was not just someone who fought for our veterans and fought for the strong defense of our country. I also remember him saying one time—repeating the famous words of President Truman—that the strength of America comes not just from the number of tanks, guns, and war planes we have but from the health, welfare, and education of our people.

In tributes on the floor yesterday and today, colleagues are remembering DAN INOUYE as one of the greatest Senators of our time, and indeed he was. But knowing DAN and the values he held dear, he would want no greater tribute than to be remembered as a loyal friend, a man of honor, decency, and humility. Senator INOUYE was that and much more.

Senator INOUYE was the finest of men. For half a century, the Senate has been graced by his dignified and noble presence. It will not be the same without him. We will miss our friend DANIEL INOUYE very, very much.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

TRIBUTES TO DEPARTING SENATORS

OLYMPIA SNOWE

Mr. HARKIN. Mr. President, I come to the floor now to bid farewell to one of the Senate's most respected Members, Senator OLYMPIA SNOWE from the great State of Maine. She chose to retire this year after a distinguished career in public service spanning nearly four decades, first in the Maine Legislature, 6 years in the U.S. House, and the last 18 years here in the U.S. Senate.

Throughout this remarkable career, she has been respected for her independence, always putting her values and country ahead of party and partisanship. She can, of course, be a very persuasive advocate for the conservative causes she holds dear, but, as we all know and appreciate, she is willing to buck party loyalty when she believes it is in error or when she believes in what is better for our country. And our future depends on bipartisanship. I cite, for example, when she voted in favor of the Recovery Act and the Dodd-Frank reform of Wall Street.

I especially admire Senator SNOWE's talent for reaching across the aisle and building bridges in order to get things done. On that score, she has represented the United States and her State of Maine at her very best, and that is just one of the many reasons why we are sad that she has chosen, voluntarily, to retire.

OLYMPIA SNOWE has been a wonderful colleague and friend, always congenial, always willing to listen, always willing to examine different sides of an issue. What more could we ask of any U.S. Senator? We have been fortunate to have had a Senator of her high caliber, intelligence, and character in this body for the last 18 years. I join with the entire Senate family in wishing her and John the very best in the years ahead.

JEFF BINGAMAN

Mr. President, in these closing days of the 112th Congress, the Senate is saying farewell to one of our most popular and respected Members, Senator JEFF BINGAMAN of New Mexico.

When JEFF came to this body 30 years ago, he had already led a life of accomplishment. Raised in smalltown New Mexico, Silver City, he was an Eagle Scout. He graduated from Harvard College and Stanford Law School, where he met his future wife Anne. While at Stanford, he worked on Senator Robert F. Kennedy's campaign for President. At the age of 35, he was elected New Mexico attorney general in 1978. Four years later, at the age of 39, he was elected to the U.S. Senate.

During his three decades in this body, JEFF BINGAMAN has been a classic workhorse Senator as opposed to being a show horse Senator. He is truly remarkable and distinctive among Senators for his willingness to shun the limelight and share the credit in order to get important work done for his State and for his country.

Senator BINGAMAN has been a much-valued colleague of mine on the Health, Education, Labor and Pensions Committee, but he has really made his mark in the Senate—a lasting mark—in his role as chair of the Energy and Natural Resources Committee. As chair and also at times ranking member of that committee, he has played a leading role in shaping energy policy for our Nation, authoring bipartisan legislation promoting a balanced energy portfolio encompassing all energy sources.

Senator BINGAMAN worked closely with his New Mexico colleague, Senator Pete Domenici, to pass the landmark 2005 Energy Policy Act, signed into law by President George W. Bush. This was signed, I might add, appropriately at Sandia National Laboratories in Albuquerque, NM. That comprehensive law established groundbreaking policies on many fronts, including a renewable fuels standard for biofuels, support for alternative vehicles, loan guarantees for new energy technologies that reduce greenhouse gases, establishing policies to upgrade the electrical grid, plus a whole range of measures to promote energy efficiency.

In 2007 he again collaborated with Senator Domenici in securing passage of the Energy Independence and Security Act. This act included an ambitious increase in vehicle fuel efficiency standards—from 25 miles per gallon to 35 miles per gallon by the year 2020—as well as significantly greater commitments to the use of biofuels. These two provisions are largely responsible for the significant decrease in oil imports that we have seen over the past several years.

More broadly, Senator BINGAMAN has played a critical role in ensuring the vitality of America's energy research and development community, championing energy programs at all levels, including universities, national laboratories, and in private industry.

I can't close without mentioning a great living legacy of the Senator from

New Mexico: his 2009 public lands management bill that set aside more than 2 million acres in nine States as protected wilderness, including a 5,300-acre national monument to protect Paleozoic fossils located north of Los Cruces, NM. I can say that Senator BINGAMAN stands in line with those great heroes of America who set aside public lands for all future generations, people such as Theodore Roosevelt and others. Senator BINGAMAN takes his rightful place there.

For the last three decades in this body, Senator BINGAMAN has been a tireless advocate for the people of New Mexico and a determined champion of the future of clean and renewable energy for the United States. He has been an outstanding Senator and a wonderful friend. I join with my colleagues on both sides of the aisle in wishing Jeff and Anne the very best in the years ahead.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. GILLIBRAND. Mr. President, I rise today to urge my colleagues on both sides of the aisle to support our efforts to come to the relief of millions of Americans who are suffering in the wake of Superstorm Sandy.

I thank my fellow Senators from the Northeast, especially Senators LAUTENBERG and MENENDEZ, as well as my colleague, Senator SCHUMER, for all their leadership. Senator SCHUMER and I have been working in unison with many of our colleagues. We have been testifying at hearings and talking to our other colleagues since the storm hit.

I also give special thanks to Senator LANDRIEU, who, because her State has suffered so much, has had not only deep experience in advocating for families who are suffering but she has demonstrated extraordinary leadership in bringing together a bill that can begin to meet some of those needs.

I also thank Senator BOXER for holding a hearing in the Environment and Public Works Committee. That hearing allowed all of the Senators to speak on behalf of their States, the members of our delegations, to bear witness to what actually took place.

Superstorm Sandy was a storm unlike anything we had ever seen in the Northeast before. The sheer magnitude and force struck the most densely populated parts of the region. As you can see here on this chart, the purple is where the storm hit hardest, then the red and on to the yellow. In Sandy's wake, more than 40 New Yorkers lost their lives and hundreds of thousands more have lost their homes or seen significant damage to their neighborhoods and their businesses, and their families are currently still suffering.

I wish to share just one story that indicates the depth of the challenge these families are facing.

This one man, whose name is Pedro Correa, is from Staten Island. Pedro is a lifelong New Yorker. When he saw the Twin Towers fall on 9/11, he answered the call of duty. He has been to Iraq and served our country. Since returning home to his family, he has continued to serve in public service. He and his wife are raising two kids, ages 2 and 6, in their Oakwood Beach home. As Sandy approached, Pedro was very smart. He got his family and children out to higher ground and a safer place. Unfortunately, he stayed. The brutal winds hit his home and his community so hard—winds of unbelievable force—that it blew his roof off and collapsed the structure of his house, allowing floodwaters in. With the rising water, he literally felt his life was at risk. He called his wife and kids to say goodbye, but he was a strong man and he endured. He actually was able to fight the storm waters and swam to safety to a neighbor's house.

One might think that was going to be the worst for Pedro and his family, but it is not. It is actually not. His house was completely destroyed. And as he has begun his effort to rebuild, he has found roadblock after roadblock, challenge after challenge, and a great deal of difficulty in that small effort of beginning to rebuild. He called his insurance company and discovered his insurance is capped at half the value of his home. He called FEMA, and FEMA offered him $2,800.

This is a man any of us would be proud to call our own son. He lived through 9/11, he went to fight for our country, and he continues public service. Now he is literally in the fight for his own life and for his own family's well-being and safety. His only choice currently is bankruptcy.

Americans watching us might ask: Are we going to come together to help these families? Will we stand as one body and do the right thing by these families, these communities, these businesses that are just trying to get back on their feet? One thing is clear: There are too many of these stories for any of us to bear.

After spending time in the communities that were hardest hit—from New York City to the Hudson Valley to Long Island—I can tell you the images of the devastation are worse than any I have personally ever witnessed. I spent day after day meeting with families whose lives have been shattered, homes destroyed, such as this one. Many of them are worried because, obviously, as winter sets in, they do not think they can return to their homes. How will they get their kids back in school? How will they rebuild their lives?

But amid all this destruction, one story continues to emerge: neighbors helping neighbors, and unbelievable acts of generosity and kindness. I have met volunteers from every State in this country who came to help Sandy's victims—young kids who want to do their part. I met a bunch of kids—veterans—who had already served in Iraq and Afghanistan who were there just to help people clean out their basements. They put on some gloves and work boots and they shoveled out basements for days and days.

I met one gentleman who, as with this house, had a boat in the middle of his restaurant. He said to me: KIRSTEN, we will rebuild and we will rebuild better. And we agreed we would have dinner at that restaurant a year from now. So that resolve, that determination to rebuild, is something that is never in short supply in New York. We New Yorkers are very tough. We can get knocked down, but every single time we will get up. We may be forced to bend, but we will not break. But we can't do it alone. We need the rest of this body, the rest of Congress, to come to our support.

I know there has been a lot of discussion, and I have been involved in some with my colleagues, over the past few days about the bill, that we are moving too quickly, that it costs too much. But please, for a moment, think of devastation in your own States, think of talking to a family with children with no place to go. Imagine what it would be like to be without a home, particularly during these holidays. Families need just a small amount of support to begin to rebuild.

In New York, because of where the storm hit, a lot of our infrastructure was damaged, and a lot of these projects are extremely expensive. But these projects are emergency spending. This is major transportation infrastructure, such as the Brooklyn Battery tunnel. This is the subway, but the Brooklyn Battery tunnel alone would take $700 million to rebuild. So when we are talking about a bill and that we could fund a little today and fund the rest tomorrow, that is not how business works. It is not how a contract works. You either contract to rebuild the tunnel or you don't. You either make the changes to rebuild it or you don't. You voluntarily, to retire. can't say: We will put down a little now. No State or city can operate that way. If you don't know the funds are there in advance, you can't start to rebuild.

The same is true for our houses. We have estimates that there is $10 billion worth of damage to these homes. If you say, we will give a little now, how is that homeowner going to know if they are even going to be able to rebuild if no one is there to help them?

We have always funded disaster projects when they are needed. We have not asked for offsets, we have not asked for them to be paid for in advance. That is what a disaster is. That is what disaster funding is about. So I think it is important we look to New York and say: We will be there for you. We will stand with you. New York has

stood by every other State, every other region in the country when they have had disasters come to their doorsteps.

Another concern my colleagues have brought up is this issue of what portion of the bill is for future prevention. We call it mitigation. The reality is, if you are going to rebuild a subway such as this, and you don't do it in a way that protects against flooding the next time, then you are wasting your money. Mitigation is attached to each and every project it is going to be used for, so when we fix the tunnel, when we fix the subway, when we fix any part of our city, it will be done in a way that is smart and not blind to future risks.

Some have also asked the question about Army Corps of Engineers projects. For those who are not familiar with Washington speak, the Army Corps of Engineers funds a lot of projects related to our coastal shorelines or to any kind of waterway. They do the engineering required and then the work that has to be done to make sure a beach isn't vulnerable after a massive storm, such as the ones we have seen. Because of Sandy, much of the Army Corps's infrastructure that provided this critical protection was washed away or significantly damaged, leaving a lot of our shoreline exposed. So even if a minor storm hits, lives will be at risk.

When we look at the history of Hurricane Katrina, Congress and the Bush administration immediately provided the Army Corps with $3.3 billion for repair and mitigation with no offsets. Even funds appropriated in 2008 for the gulf coast hurricanes, 3 years after the storms hit, were designated as disaster and emergency funding. In fact, since 1989, Congress has passed 36 emergency appropriations for disasters without any specifically dedicated outside offsets.

It has been 50 days since Superstorm Sandy hit our shores. We need to act swiftly. When Hurricane Katrina battered the gulf coast, the Members of this body and the House united. We passed two emergency spending relief bills worth $60 billion within 10 days. Congress did the same for Hurricane Andrew, and within weeks of the Twin Towers falling on 9/11. I know the Members of this body can come together. When disaster strikes, we always find a way to do the right thing. It is time to do the same today.

It is the fundamental role of government to protect people, to help rebuild communities when disaster strikes. When so many lives have been destroyed and so many communities lie in rubble, when businesses don't know how to begin to rebuild, that is when we have to stand strong and we have to come together.

No doubt we have serious challenges ahead of us, but none of us was sent here to Congress to do what is easy. We serve to do what is right, especially when it is hard, especially when families are counting on us. So I ask my colleagues to find good will, to open their hearts and stand by those families who have suffered so much in the Northeast.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REED. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

REMEMBERING DANIEL K. INOUYE

Mr. REED. Mr. President, I rise, as so many of my colleagues have, to mourn and pay tribute to Senator DANIEL INOUYE of Hawaii.

He was a giant of the Senate. He was an individual whose courage, whose compassion, and whose commitment to this country has never been exceeded by anyone who served here—indeed, by any American I can think of.

A few years ago, I was asked to introduce the Senator at an event. I wrote down some points on a card that I kept on my desk, and will forever keep on my desk:

> Second Lieutenant Daniel K. Inouye, E Company, 442nd Regimental Combat Team, San Terenzo, Italy, April 21, 1945.

That was the day he was wounded leading his platoon against an enemy pillbox, the day for which he would be ultimately awarded the Congressional Medal of Honor for his actions.

Then I have another date: May 8, 1945. That was VE Day, the end of the war. Seventeen days before the end of the war, when Berlin was encircled and collapsing, when American forces were rushing and the end was clear, and indeed every soldier recognized that the war was coming to an end, Senator INOUYE didn't stop serving, didn't stop sacrificing, didn't stop giving his all to protect his soldiers and accomplish his mission. Indeed, that spirit of never giving up, of never failing to do his duty, animated his service in the Senate, animated his service to this country, and to the State of Hawaii.

At the time I gave these remarks, he was 1 of 90 living holders of the Congressional Medal of Honor. Today we mourn his passing, his contributions to Hawaii, his contributions to this Senate which he held in the highest esteem and which he personified so grandly.

I think one of the factors that led him to a career in public service and led him to such distinguished service was the recognition—not theoretically but practically—that despite his great suffering and sacrifice, he was lucky because there were many other young men and women who perished in that war and in subsequent wars; that he had sacrificed much but had not given his life, although he very nearly gave his life.

At the outset of the war, the Librarian of Congress Archibald MacLeish, wrote:

> They say, We were young. We have died. Remember us.
>
> They say, We have done what we could but until it is finished it is not done.
>
> They say, We have given our lives but until it is finished no one can know what our lives gave.
>
> They say, Our deaths are not ours: they are yours: they will mean what you make them.
>
> They say, Whether our lives and our deaths were for peace and a new hope or for nothing we cannot say: it is you who must say this.

In everything DAN INOUYE did, he spoke for those soldiers. He gave their lives meaning by his selfless service and sacrifice to this Nation. He gave it every day by making this place—this country—live up to its highest ideals, a place of opportunity for all, a place of fairness and decency. He did it as few did.

So those voices that were stilled in 1945, and in the Korean War and in the war in Vietnam and subsequent wars, always had a voice here; and it wasn't just words, it was actions. His life gave meaning, and that might be one of the highest achievements anyone can reach in this life.

We all know his extraordinary service in so many different ways. We know also, in one of the great coincidences, three young men were in an Army hospital in Michigan: DAN INOUYE, Phil Hart, and Bob Dole, American heroes; and that later they would come to this Senate and serve with distinction. I think it was particularly meaningful that just a few days ago Senator Robert Dole—another great American—was on the floor of this Senate, still serving, still emblematic of the ''greatest generation.''

We will miss Senator INOUYE. There are few words and not enough eloquence to describe the loss. I, too, particularly want to thank and extend my condolences to his wife Irene, to his son Ken, to his daughter-in-law Jessica, to his granddaughter Maggie, and to his stepdaughter Jennifer Hirano. They have lost more than any of us because they have lost a husband, a father, and a grandfather.

Let me just conclude with the words uttered centuries ago by Thucydides:

> The bravest are surely those who have the clearest vision of what is before them, glory and danger alike, and yet notwithstanding, go out to meet it.

DAN INOUYE knew the dangers. DAN INOUYE knew that the glory was fleeting, and in fact combat wasn't particularly glorious at all. But he knew it was honorable to serve. He knew it was honorable to sacrifice for his soldiers and for his comrades. He knew it was honorable and decent to serve his State and his Nation, and he never failed to go forth to meet the challenges of his time.

Now it is our time. Now we must give words and meaning to the voices that have been stilled in the service to this Nation. One of those giants and one of those powerful voices was Senator DANIEL INOUYE. The test will be whether we can measure up to what he did, and I hope for the sake of this country we can.

EXTENSION OF MORNING BUSINESS

Mr. REED. Mr. President, I ask unanimous consent that morning business be extended to 4 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER (Mr. FRANKEN). Without objection, it is so ordered.

Mr. REED. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

LAKE PONTCHARTRAIN BASIN RESTORATION ACT

Mr. VITTER. Mr. President, I rise today to thank my Senate colleagues.

Yesterday, we passed a reauthorization of the Lake Pontchartrain Basin Restoration Act. That is very significant for my State of Louisiana, particularly southeast Louisiana. Today I expect that package will be similarly approved by the U.S. House and passed into law to fully reauthorize this important restoration program.

In a minute I will get into why it is important and positive and noteworthy. Let me mention in passing its significance to me. It happened to be the first bill I ever passed in Congress. I came to the U.S. House in a special election in 1999, and very soon after that we passed into law in my freshman term this legislation in 2001. More important, it has been a very positive, productive program cleaning up a big part of Louisiana and parts of Mississippi.

The Lake Pontchartrain Basin is about 16 parishes in Louisiana, four counties in Mississippi and southeast Louisiana. Lake Pontchartrain and the areas surrounding Lake Pontchartrain are the most populated part of our State—at least 1.5 million residents.

When I was a kid, unfortunately Lake Pontchartrain had come into a sad state and was visibly dirty. Nobody would have thought of swimming there at the time. Soon after that, however, a positive grassroots effort started to clean up the lake. It wasn't some big government program, it wasn't some edict from the EPA or anyone else. It was a grassroots citizens effort. It was embodied by a great organization that was founded and still exists: the Lake Pontchartrain Basin Foundation. That nonprofit, private foundation, that group of active citizens and stakeholders got together around the need to clean up the lake and make it a suitable lake once again and clean up all the surrounding parishes in that watershed.

That effort had great success from when I was in high school for the next several decades. Then, as I was coming to the Congress, we wanted to take the next step and amplify those efforts. So with an enormous amount of input from that citizens group and other local stakeholders, we came up with a model, a completely voluntary, proactive cleanup effort housed in the EPA focused exclusively on the Lake Pontchartrain Basin. That is when we acted, 1999 and 2000, and passed that legislation in 2001.

It has had an enormously positive impact. It created a real partnership—again, built from the ground up, from local stakeholders, from that local group of civic activists—and it generated restoration efforts, similar statuses, and other important restoration efforts around the country, and over the last many years it has had real impact.

As Carlton Dufrechou, then head of the Pontchartrain Basin Restoration Executive Committee, said:

> It's been the catalyst for over 100 projects that have reduced pollution from sewage plants, dairy operations, and helped preserve Louisiana's fragile coast. And the results are quantifiable. Lake Pontchartrain is again fishable and swimmable.

That is really the ultimate test. That is the ultimate measure, when citizens can go out and swim in the lake as they can now; when they can go out and actively fish in the lake in a way they never did to that extent a decade and two decades ago. That is the ultimate validation. That is the ultimate measure.

We did reauthorize the program in 2006. Now, in 2012, we are reauthorizing it, basing it on the same continuing model, a from-the-ground-up enterprise, a proactive voluntary effort; not some Washington bureaucrat throwing a huge cumbersome rule book at local stakeholders but building from the ground up through voluntary proactive restoration efforts, getting those stakeholders together, the people who know the lay of the land the best, and acting based on their priorities and their recommendations.

That was the model from the beginning. That was the model before this legislation, with the grassroots effort that preceded it and that continues. That is the model we will continue to use. I hope, in some small way, that can be the model we use more and more actively in environmental cleanup around the country. Certainly, that is the positive perspective I will bring as the new ranking Republican on the Environment and Public Works Committee.

So I again thank my colleagues—Democrats and Republicans—for passing this reauthorization. It is important and productive and positive and will continue to be on the ground in southeast Louisiana.

I very much look forward to that reauthorization passing the U.S. House and being signed into law so that those activists and stakeholders and citizens on the ground in southeast Louisiana can help lead that important continuing work.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MERKLEY. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

REMEMBERING DANIEL K. INOUYE

Mr. MERKLEY. Mr. President, I rise for a few moments to share a few thoughts about our friend and colleague who passed away yesterday, Senator DAN INOUYE. It was a shock to me here on the floor yesterday when his passing was announced and it is still a shock today to see that it is indeed real—the beautiful bowl of white roses on his desk.

I want to share a remembrance or two. When I was 19 I was struggling with what direction to take in life and thought public policy might be something worth pursuing. I asked my father. My father read the newspaper every day and watched the evening news and would run a commentary on the world. I asked him, if I were to try to get a summer internship in Washington, DC, to see how government really works, who should I apply to. Of course he noted I should apply to my home State Senators, Senator Packwood and Senator Hatfield. I asked him if there were any national Senators who stood out. He said there are four I think you should try to talk to: Senator Kennedy, Senator Humphrey, Senator Church, and Senator INOUYE.

I proceeded to write letters to see if I could get an internship with any of my home State Senators or any of those four. I did not succeed outside my State. I did get an internship with Senator Hatfield, which changed the course of my life. But when I was elected to the Senate, Senator Hatfield asked me to bring greetings to his old colleagues, those who served with him, particularly Senator INOUYE, because Senator Hatfield had chaired Appropriations and Senator INOUYE was chairing Appropriations. That was a tremendous introduction because it led to one of my first conversations with Senator DAN INOUYE when I came to the Senate. He showed me his spectacular view down The Mall, looking toward the Washington Monument, and said anytime you want to come and use the balcony you should come and use it. It is one of the best places in Washington.

We shared the joy he took in just the beauty of that space. We shared stories about the old days, the days when Senator Hatfield and Senator INOUYE worked together on appropriations. We also had a chance to talk about some of the challenges that have occurred in the committee. In recent times, we discussed how much harder it is to get appropriations bills to the floor and have them considered in a bipartisan nature.

I indicated to Senator INOUYE at that time how interested I was in serving on the Appropriations Committee and how

important it would be to Oregon. This began a series of dialog over the last 4 years. It was a tremendous honor to have a chance to share these last 4 years with Senator DAN INOUYE. I think all who have spoken about him have recognized he did an extraordinary job of commanding folks.

He took on the difficult tasks in World War II and received the highest recognition for doing so. He did so in a context that was extraordinary. Japanese Americans had been relegated to a second-tier status during the war, and he chose a path that led to first-tier recognition for the leadership and bravery he exemplified.

He did no less of a spectacular job in the U.S. Senate, just days away from completing 50 years of being on the floor of the Senate, advocating for working people, advocating for his home State, and working for a vision of America where all families can prosper. His life was extraordinarily well lived.

It has been an honor to know him, and we will miss him. This Senate will not be the same without Senator DAN INOUYE.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. NELSON of Florida. Mr. President, I wish to speak about our friend DANNY INOUYE. It has been a week of emotion. When we look at that black-draped desk with the white flowers, it is hard to believe that such a big part of this institution is gone, not just a living, breathing part of the institution is gone but a part of its history, its memory, its institutions, and its values. DAN epitomized all that.

He was a gentleman first. Actually, we would have to say he was a patriot first. All we need do to see how much of a patriot he was is consider the fact that he had one arm missing because, as an Army lieutenant, he singlehandedly charged a German machine gun nest. He took them out, lost his arm, and ended up in the hospital for 20 months. Of course, we all know he was deservedly recognized with the Medal of Honor years later.

He was a patriot, not only because he served as a young lieutenant but also by being a public servant for well over a half century. He was elected as the first territorial legislator of Hawaii in 1954 and then elected as its first Congressmen when it became a State in 1959. Since 1962, he has been a public servant serving his State.

He was the first Japanese-American Senator. His name is synonymous with Hawaii, and so it is fitting, as told by his staff, that his last word was ''aloha.'' Patriot first but second he was a gentleman. That is a value which all of us in the Congress ought to remember.

This all emanates from some of the greatest moral teachings on planet Earth. It is what those of us refer to in the New Testament as the Golden Rule: Treat others as you want to be treated. To say it in Old English, do unto others as you would have them do unto you. That is a moral principle which runs throughout every major faith on the face of the planet.

DANNY INOUYE exemplified that uniquely American value, and somewhere along the way we seem to have gone astray. We go astray from what we have learned in Newtown, CT, and we go astray when we see how some of us treat each other in this Chamber. The old adage is not just to go along but to get along. We would get along a lot better if we get along or to say it in the context of old country boy wisdom: We can attract a lot more flies with honey than we can with vinegar. That is the life our colleague led.

Some people call it a throwback to the gentlemanly days of the Senate, when there was courtliness and deference. I hope it is not a throwback. I hope we are not throwing back anything.

I hope we will remember the life of DANNY INOUYE. He felt so strongly about this that when he was the chairman of a committee, he didn't refer to the ranking Republican as the ranking member, he called the ranking member the vice chairman. Of course, that was uniquely Senator INOUYE, but it was also practical because he could get more done if he was sitting there as chairman and his vice chairman was sitting right next to him.

We have a lot to learn from these emotional times of losing a valued friend and colleague, but his life exemplified the best part of the Senate. We can sure get a lot more done if we start coming together just like DANNY INOUYE taught us.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

REMEMBERING DANIEL K. INOUYE

Mr. MCCONNELL. Mr. President, the U.S. Senate has been conducting its business here in Washington for just over 200 years, and for more than a fifth of that time, Senator DAN INOUYE of Hawaii stood in its ranks. It was just one of the many astonishing feats for a man who so rarely called attention to himself but who had every reason in the world to do so. In a life of honors he was never drawn to fanfare, and that always made him a different kind of Senator. So today we mourn not only a friend and a colleague but also everything he represented to a nation that will always need courageous and principled men such as DAN INOUYE if it is to flourish and succeed.

The people who worked with DAN INOUYE might have known he served in World War II, but they could have gone years without knowing he was one of the most decorated soldiers of his time. To DAN, his achievements were simply part of the job—and they were many. They start with his military heroism, of course, and they continue throughout his long career of public service. He was the iconic political figure of the fiftieth State.

Until his death, he was the only original member of a congressional delegation still serving in Congress, and there is scarcely an acre of Hawaii or a person in the State that DAN hasn't affected or influenced.

Over many years of diligent committee work, he helped ensure an entire generation of uniformed military went into battle well prepared and that they were well cared for when they returned. Yet despite all this, DAN's quiet demeanor and strict adherence to an older code of honor and professionalism made him a stranger to controversy throughout his many decades in public office. He was the kind of man and the kind of public servant, in other words, that America has always been grateful to have, especially in her darkest hours—men who lead by example and expect nothing in return.

One of my favorite DAN INOUYE stories took place right here in the Capitol back in 1959. The memory of a hard-fought war against the Japanese was fresh in many minds as the Speaker of the House, Sam Rayburn, prepared to administer the oath to a young war hero who was not only the first Member from Hawaii but the first American of Japanese descent ever elected to Congress.

''Raise your right hand and repeat after me . . . '' Rayburn said.

And here is how another Congressman would later record what followed:

> The hush deepened as the young Congressman raised not his right hand but his left and repeated the oath of office. There was no right hand. It had been lost in combat by that young American soldier in World War II. And who can deny that at that moment, a ton of prejudice slipped quietly to the floor of the House of Representatives.

It is a perfect image of how DAN led by example throughout his long career—with quiet dignity and unquestioned integrity.

It started early for DAN. As a young boy growing up in Hawaii, he and his

friends always thought of themselves as Americans. Yet after Pearl Harbor they suddenly found themselves lumped in with the enemy. It was one of the reasons so many of them felt such an intense desire to serve. Their loyalty and patriotism had been questioned, and they were determined to prove their allegiance beyond any doubt.

When the Army lifted its ban on Japanese Americans, DAN and his friends jumped at the chance to serve. An astonishing 80 percent of military-age men of Japanese descent who lived in Hawaii volunteered—80 percent. Mr. President, 2,686 of them were accepted, including DAN, who was an 18-year-old student at the University of Hawaii.

Together, they formed what would become the most decorated military unit in American history, the famed 442nd Regimental Combat Team. As platoon leader, DAN spent 3 bloody months in the Rome Arno campaign and 2 brutal weeks rescuing a Texas battalion that was surrounded by German forces, an operation military historians often describe as one of the most significant battles of the 20th century.

After the rescue, DAN was sent back to Italy, where on April 21, 1945, in a ridge near San Terenzo, he displayed the extraordinary bravery for which he would later receive the Medal of Honor. Dan then spent nearly 2 years in a Michigan Army hospital where he also met Bob Dole and Philip Hart.

DAN had always wanted to be a surgeon, but that dream faded away on that ridge in Italy. Instead, he became a very fine Senator and one of the most impressive and effective public servants of our time.

DAN never let narrow party interests stand in the way of friendship or cooperation on matters of real national importance. His friendship with former Republican Senator Ted Stevens was one of the most storied in all of Senate history. I know I never hesitated to call on DAN when I thought something truly important was at stake. As DAN always said: ''To have friends, you've got to be a friend.''

It is a good principle. It is one he always lived up to. And it is one that is needed now more than ever.

Elaine and I extend to Irene and the entire Inouye family our deepest sympathy on their loss, which is also the Nation's loss. It was a privilege to have worked alongside this good man and to call him a friend. We will miss him. Yet we are consoled by the thought that he has now finally heard those words he longed to hear: ''Well done, good and faithful servant . . . enter into your master's joy.''

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. SHAHEEN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRASSLEY. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. GRASSLEY. I ask unanimous consent to speak as if in morning business.

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

Mr. GRASSLEY. Madam President, I would like to speak, as many of my colleagues have, about Senator INOUYE.

When I was a new Senator, the first encounter I had with Senator INOUYE was when he invited me to go with him to the University of Hawaii to debate some issue—and I don't remember exactly what the issue was. Obviously, I didn't know what I was getting into because he had been in the Senate by then a quarter of a century, I believe, and I was new. But I was glad to be invited and felt honored to be invited. So I suppose every Senator here is going to be able to have a lot of memories of Senator INOUYE.

I come to the floor to pay tribute, as we ought to, to our friend. I have heard the tributes paid to Senator INOUYE by his fellow Senators, and that has gone on over the past several hours since his passing. It is a strong testament to the character of Senator INOUYE that his loss as a friend and colleague is so deeply felt. Senator INOUYE impressed many of us with his quiet determination, his dedication to right and wrong, and his sheer decency.

He was a gentle force in the Senate, with emphasis upon ''force,'' but that adjective ''gentle'' is very legitimate. He had a strong work ethic and was very productive on behalf of the entire United States. Also, of course, as all of us do, we have to look out for the people in our States, so he looked out for his beloved State of Hawaii as well.

Because he was restrained in his demeanor, when he spoke he commanded real attention. He was well respected in the Senate for his life-long statesmanship and for his early displays of courage and sacrifice for our country.

Barely out of his teens, Senator INOUYE confronted more tests of his bravery than the vast majority of us will face in a lifetime. He passed those tests with flying colors, and his representation of American interests in the heavy combat theaters of World War II was something he had to pursue. For him, it was not a perfunctory act. Even though he was an eyewitness to the Japanese warplanes flying overhead in their assault on Hawaii, he could not enlist in the U.S. military at the time because he was Japanese American. He and others petitioned our government, and when they were allowed to enlist, he certainly did.

He and his fellow Americans of Japanese descent went on to serve with tremendous skill and heroism. I encourage everyone to read about Senator INOUYE's wartime experience, the medals he won and the bravery he established to win the Medal of Honor.

He teaches all of us about answering the call to duty with determination and without hesitation, just as he did. His example of selflessness and his elevation of common cause over individual interest are especially relevant in these trying times.

In Congress, if we all sacrifice more and worry about self-preservation less, we can accomplish a lot for the country Senator INOUYE fought to save and to serve his people afterwards in the Senate. I am glad to have served with and learned from Senator INOUYE.

I yield the floor, and I suggest the absence of a quorum.

Mr. LEAHY. I ask unanimous consent that the order for the quorum call be rescinded.

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

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senate is in a period of morning business.

Mr. LEAHY. I thank the distinguished Presiding Officer. I assume that we are going back and forth.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Madam President, I would be happy to accommodate other Senators, but I came to the floor to speak for about 10 minutes on the supplemental. I see Senator MCCAIN. I don't know if he came to speak on Senator INOUYE or on the supplemental.

Senator MERKLEY and Senator STABENOW now want to introduce an amendment. Is that appropriate?

The PRESIDING OFFICER. The Senator is correct. That is appropriate.

The Senator from Arizona.

Mr. MCCAIN. Madam President, I would request we do as usual in morning business, back and forth, if that is all right, and I could follow the Senator from Louisiana.

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

Ms. LANDRIEU. If the Senator would yield, the Senators here, the Senators from Oregon and Michigan, just wanted 1 minute to get in their amendment, and then I would speak for a few minutes and then Senator MCCAIN. Would that be all right?

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

CONCLUSION OF MORNING BUSINESS

Mr. LEAHY. Madam President, I am seeing the distinguished Senators from Arizona and others who may wish to speak in morning business.

May I suggest that we close morning business, go back on the bill, and then if somebody wishes to speak, as many do, for our departed colleague, they can always ask consent to go back as in morning business.

I would request that morning business be closed and we go back to H.R. 1.

The PRESIDING OFFICER. Morning business is closed.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 1, which the clerk will now report by title.

The bill clerk read as follows:

A bill (H.R. 1) making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes.

Pending:

Leahy (for Inouye) amendment No. 3338, in the nature of a substitute.

Leahy (for Inouye) amendment No. 3339 (to amendment No. 3338), of a perfecting nature.

The PRESIDING OFFICER. The Senator from Oregon.

AMENDMENT NO. 3367 TO AMENDMENT NO. 3338

Mr. MERKLEY. I ask unanimous consent the Senate set aside the pending amendment and call up my amendment No. 3367.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside.

The clerk will report.

The bill clerk read as follows:

The Senator from Oregon [Mr. MERKLEY], for himself, Ms. STABENOW, Mrs. MCCASKILL, Mr. BAUCUS, and Mr. WYDEN, proposes an amendment numbered 3367, to Amendment No. 3338.

Mr. LEAHY. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To extend certain supplemental agricultural disaster assistance programs)

At the end of title I, add the following:

GENERAL PROVISIONS—THIS CHAPTER

SEC. 101. (a) Section 531 of the Federal Crop Insurance Act (7 U.S.C. 1531) is amended—

(1) in subsection (c)(1), by striking ''The Secretary shall use such sums as are necessary from the Trust Fund'' and inserting ''Of the funds of the Commodity Credit Corporation, the Secretary shall use such sums as are necessary for fiscal year 2012'';

(2) in subsection (d)(2), by striking ''The Secretary shall use such sums as are necessary from the Trust Fund'' and inserting ''Of the funds of the Commodity Credit Corporation, the Secretary shall use such sums as are necessary for fiscal year 2012'';

(3) in subsection (e)(1)—

(A) by striking ''The Secretary'' and inserting ''Of the funds of the Commodity Credit Corporation, the Secretary''; and

(B) by striking ''per year from the Trust Fund'' and inserting ''for fiscal year 2012'';

(4) in subsection (f)(2)(A), by striking ''the Secretary shall use such sums as are necessary from the Trust Fund'' and inserting ''of the funds of the Commodity Credit Corporation, the Secretary shall use such sums as are necessary for fiscal year 2012''; and

(5) in subsection (i), by striking ''September 30, 2011'' and inserting ''September 30, 2012 (except in the case of subsection (b), which shall be September 30, 2011)''.

(b) This section is designated by Congress as being for an emergency requirement pursuant to—

(1) section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)); and

(2) section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111-139; 2 U.S.C. 933(g)).

SEC. 102. (a) Section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—

''(A) COVERAGES.—In the case of an eligible crop described in paragraph (2), the Secretary of Agriculture shall operate a noninsured crop disaster assistance program to provide coverages based on individual yields (other than for value-loss crops) equivalent to—

''(i) catastrophic risk protection available under section 508(b) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)); or

''(ii) additional coverage available under subsections (c) and (h) of section 508 of that Act (7 U.S.C. 1508) that does not exceed 65 percent.

''(B) ADMINISTRATION.—The Secretary shall carry out this section through the Farm Service Agency (referred to in this section as the 'Agency').''; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in clause (i), by striking ''and'' after the semicolon at the end;

(II) by redesignating clause (ii) as clause (iii); and

(III) by inserting after clause (i) the following:

''(ii) for which additional coverage under subsections (c) and (h) of section 508 of that Act (7 U.S.C. 1508) is not available; and''; and

(ii) in subparagraph (B)—

(I) by inserting ''(except ferns)'' after ''floricultural'';

(II) by inserting ''(except ferns)'' after ''ornamental nursery''; and

(III) by striking ''(including ornamental fish)'' and inserting ''(including ornamental fish, but excluding tropical fish)'';

(2) in subsection (d), by striking ''The Secretary'' and inserting ''Subject to subsection (l), the Secretary'';

(3) in subsection (k)(1)—

(A) in subparagraph (A), by striking ''$250'' and inserting ''$260''; and

(B) in subparagraph (B)—

(i) by striking ''$750'' and inserting ''$780''; and

(ii) by striking ''$1,875'' and inserting ''$1,950''; and

(4) by adding at the end the following:

''(l) PAYMENT EQUIVALENT TO ADDITIONAL COVERAGE.—

''(1) IN GENERAL.—The Secretary shall make available to a producer eligible for noninsured assistance under this section a payment equivalent to an indemnity for additional coverage under subsections (c) and (h) of section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) that does not exceed 65 percent, computed by multiplying—

''(A) the quantity that is less than 50 to 65 percent of the established yield for the crop, as determined by the Secretary, specified in increments of 5 percent;

''(B) 100 percent of the average market price for the crop, as determined by the Secretary; and

''(C) a payment rate for the type of crop, as determined by the Secretary, that reflects—

''(i) in the case of a crop that is produced with a significant and variable harvesting expense, the decreasing cost incurred in the production cycle for the crop that is, as applicable—

''(I) harvested;

''(II) planted but not harvested; or

''(III) prevented from being planted because of drought, flood, or other natural disaster, as determined by the Secretary; or

''(ii) in the case of a crop that is produced without a significant and variable harvesting expense, such rate as shall be determined by the Secretary.

''(2) PREMIUM.—To be eligible to receive a payment under this subsection, a producer shall pay—

''(A) the service fee required by subsection (k); and

''(B) a premium for the applicable crop year that is equal to—

''(i) the product obtained by multiplying—

''(I) the number of acres devoted to the eligible crop;

''(II) the yield, as determined by the Secretary under subsection (e);

''(III) the coverage level elected by the producer;

''(IV) the average market price, as determined by the Secretary; and

''(ii) 5.25-percent premium fee.

''(3) LIMITED RESOURCE, BEGINNING, AND SOCIALLY DISADVANTAGED FARMERS.—The additional coverage made available under this subsection shall be available to limited resource, beginning, and socially disadvantaged producers, as determined by the Secretary, in exchange for a premium that is 50 percent of the premium determined for a producer under paragraph (2).

''(4) ADDITIONAL AVAILABILITY.—

''(A) IN GENERAL.—As soon as practicable, the Secretary shall make assistance available to producers of an otherwise eligible crop described in subsection (a)(2) that suffered losses—

''(i) to a 2012 annual fruit crop grown on a bush or tree; and

''(ii) in a county covered by a declaration by the Secretary of a natural disaster for production losses due to a freeze or frost.

''(B) ASSISTANCE.—The Secretary shall make assistance available under subparagraph (A) in an amount equivalent to assistance available under paragraph (1), less any fees not previously paid under paragraph (2).

''(C) ADMINISTRATION.—For assistance provided under this subsection for the 2012 crop year, the limitation in subsection (i)(2) shall be $250,000.''.

(b)(1) Effective October 1, 2017, subsection (a) and the amendments made by subsection (a) (other than the amendments made by clauses (i)(I) and (ii) of subsection (a)(1)(B)) are repealed.

(2) Effective October 1, 2017, section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) shall be applied and administered as if subsection (a) and the amendments made by subsection (a) (other than the amendments made by clauses (i)(I) and (ii) of subsection (a)(1)(B)) had not been enacted.

(c) This section is designated by Congress as being for an emergency requirement pursuant to—

(1) section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)); and

(2) section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111-139; 2 U.S.C. 933(g)).

Mr. MERKLEY. Madam President, I want to be very brief in respect for my colleagues who wish to speak.

This amendment addresses an important disaster that occurred in many places across our country this year; that is, extensive drought and extensive fires.

I have come to this floor a number of times to describe those extensive fires and the damage they did to farmers and ranchers in my home State of Oregon, and I know many others have come to the floor to share their stories.

As we address this extraordinarily important bill to respond to the devastation of Hurricane Sandy, it is only right and well that we also address the disasters that occurred elsewhere in the country earlier in the year. There are five provisions of this program that I am going to leave in the hands of our distinguished chair of Agriculture to address, but I will come back at a further point and speak to them at greater length.

Just suffice it to say, our farmers and ranchers have waited patiently while we have attempted to complete the farm bill. The Senate did extraordinary bipartisan work on the farm bill, but the House has not taken it up. We have not gotten these emergency provisions reauthorized. Now, in the context of the bill before us, it is appropriate that we take action.

I yield for my colleague from Michigan.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Let me just take a moment and thank Senator MERKLEY, Senator BAUCUS, Senator WYDEN, and Senator MCCASKILL for joining, and I know others will join us as well. We are still working very hard to complete the farm bill and have the House take action. But in the meantime we have disasters that have occurred, and these provisions are lifted directly from what we have already passed in the farm bill that addressed what has happened in terms of livestock, drought, fires, and assistance for fruit tree growers. We will be speaking at a later time about this, but these are essential to be included for thousands and thousands of farmers and ranchers across the country.

I thank my colleagues for allowing us to step in.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Madam President, I am going to truncate my remarks to 5 minutes. I came to speak on the supplemental and the great needs in the Northeast.

Generally, because I know there are other Senators who have other items to discuss, I will come back at a later time for extended remarks. I wanted to come to the floor just to say to all of my colleagues that I hope we can be patient with one another, supportive of the tragedy that is unfolding in the Northeast related to Superstorm Sandy, which I think has caused greater destruction than maybe many people in this Chamber and this Capitol realize.

While Katrina—something that I am very familiar with, a storm that hit us over 7 years ago, in August of 2005—received headline after headline after headline, week after week after week, television station after television station, Superstorm Sandy, because it hit a more dense area that is potentially not as—I don't know—as camera friendly, and maybe because of some of the other things that have subsequently happened, the terrible shooting and other issues in the country, I am not sure the public quite understands how devastating this storm has been for a very important part of our country. I will try to frame it with just a few statistics that might grab people.

In my State, when Katrina hit, in one weekend we lost 18,000 small businesses. To us, it was a nightmare. We have about 1.2 million people in our metropolitan area and 18,000 small businesses represented a tremendous loss. But the businesses that have been lost in New York and New Jersey exceed 300,000. As to homes, we have lost 275,000 homes along the gulf coast. In New York alone we have lost over 350,000 homes, and those numbers are still coming in for New Jersey.

While it is not on the television every night, and CNN is not filming from New York or from New Jersey or any of these communities on a nightly basis like they did from New Orleans and the gulf coast for weeks and weeks, it would be wrong for us in this Congress to underestimate the damage that has been caused to this area.

One thing I wanted to say today is—and I will come back for extended remarks—it is not only the resources that we need to get to this region, $60 billion is not all that the region requested. They requested $90 billion and had good justification for asking for that. The President trimmed back those responses to get to the real core of what was needed for family, for flood insurance, for the Corps of Engineers, for mitigation, for transportation, so that the recovery could get underway in a very balanced and robust way.

It is not all that the region wanted, but it is a large enough package, Madam President, to give hope to people in New Jersey and New York, and, yes, Connecticut, Maryland, and a few other places that were hard hit as well. Then they could begin making plans for recovery.

There are whole towns, portions of towns, communities. I was able to actually get on the ground with Senator MENENDEZ and visit one of the Long Beach communities in New Jersey—I think it was the Long Beach community there—and saw just miles and miles and miles of shuttered businesses, one after another, along that Jersey shore. I just saw a small portion of it that day. It goes on for miles and miles and miles.

Now, just for the next minute or two, yes; insurance is going to cover some of these losses, but insurance is not going to cover it all. In the bill that we are about to talk about, and are talking about now, there is an authorization for $9 billion more for flood insurance. If we don't authorize this $9 billion, which is part of the 60, there will not be flood insurance claims paid to people who have paid into the flood insurance program. They will not be able to get out their legitimate claims. So that is one of the important reasons we should pass the supplemental.

In the final 30 seconds I have—and I will come back and speak longer—there is the mitigation part of this. After Katrina, one of the smartest things we did was to send to the communities on the gulf coast, to mitigate against future storm damage—it was about $14 billion total for several of our large Corps projects. It was a lot of money. People grumbled and complained, but, you know what. They sent it.

The Corps built the project on time and underbudget, and in this last storm that we had, Isaac, which just hit, which people don't even remember—we had a storm in August, the same date as Katrina—there wasn't a drop of water in Orleans Parish or Jefferson Parish except for lower parts of Jefferson, not even in Saint Bernard. Why? Because the mitigation worked.

So the two points I want to make and then, in turn, yield to Senator MCCAIN and others who are on the floor, are this bill is not everything that was requested, but it is robust enough to do the job. No. 2, it has tools in it to help the recovery move faster, more streamlined, more efficiently. And, No. 3, mitigation works.

So as this debate goes on, I know some people are getting hardened hearts about this bill already, but I am asking you to understand that in a catastrophic disaster such as this, regular process won't work, regular appropriations won't work. Supplemental disaster funding is essential, and not just for FEMA but for transportation, for the Corps, et cetera.

I thank Senator LEAHY for his leadership at a very difficult time. I will come back and speak more about this later, but I wanted to get some of these statements in the RECORD as we begin this debate, and I will come back and talk more about the Homeland Security portion of this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

TRIBUTES TO DEPARTING SENATORS

JON KYL

Mr. MCCAIN. Madam President, it is customary in the days before Congress adjourns—and I am still hopeful this Congress will eventually, mercifully adjourn—for Members to offer farewells and testimonials to departing colleagues. I rise today to say a few words about a Senator who is leaving us and whose example I esteem and friendship I have relied on for many years.

Senator JON KYL and I have served the State of Arizona together for a quarter of a century since Jon was first elected to the other body and I to the Senate in 1986. We have worked together in this body for the last 18 years. That is a long time to get to know someone with whom you share responsibilities to the State we are honored to represent, and I have gotten to know Jon very well over these many years. I can also say in all honesty that my admiration for him has grown

every single day I have been privileged to serve with him.

I share that admiration for Jon with the people of Arizona, who elected him to the Senate three times, and would have, I am sure, comfortably elected him to a fourth term had he sought reelection. Arizonans hold him in very high regard for a very obvious reason: He has been a very diligent, very effective advocate for their interests.

I have observed him closely as we tended to issues that might seem arcane and unglamorous to Senators from other States but are among the most important and often the most contentious issues to Arizonans—issues such as land exchanges and water rights settlements. I have never failed to be impressed by the qualities Jon brings to these matters—his unflappable patience, his tireless work ethic, his careful attention to detail, his determination to be fair to all parties involved, and to achieve results that are in the best interests of our State of Arizona.

I have tried to learn from his example, and I wish I could say I have emulated him, but, regrettably, as Arizonans and my Senate colleagues can attest, I still possess a short supply of some of Jon's most conspicuous leadership qualities. His patience, for example, his meticulous preparation and thoroughness are, I am sorry to say, not qualities I will be remembered for, but they have been indispensable to the people of our State. It is fortunate for them and for me that States are represented by two Senators and that Arizonans have had JON KYL here to compensate for my shortcomings.

Jon works harder than almost any Member of Congress I know. We all joke about how we are often required to vote on legislation before we have had time to read it. But it is a poorly kept secret that we rarely, if ever, read from preamble to conclusion any of the bills we consider, even if we have had months to do so. Jon does, though. He reads them. When you debate with him over legislation, you better know what you are talking about, because he does and he is almost always better prepared than you are not only to explain his argument but to explain yours as well. He often writes the bills he sponsors, work that most of us almost happily rely on staff to perform. He takes his responsibilities as the author of legislation literally, rather than figuratively, as most of us do.

It is hard to imagine where he finds the time to hold himself to such exacting standards of responsibility, but he does, often working late into the night after the rest of us have gone home, when he reads bills and writes them and tends personally to the concerns of his constituents. He is a Senator's Senator. He is principled, purposeful, informed, collaborative, and able to get things done by cooperation and compromise without ever sacrificing the principles that motivate his public service. He would rather reason with opponents than insult them. He prefers accomplishments to acclaim.

It is little wonder then why our caucus elected and reelected him to our leadership. He has the complete confidence of every one of us. He is an easy man to trust with leadership responsibilities. He is scrupulous in his attention to his responsibilities and fair-minded in use of authority. He has strong views on issues and advocates for them effectively. But if he can't persuade some members of our caucus to agree with him, he will do all he can to defend our rights to be heard and have our position considered fully by the Senate.

I think Members on both sides of the aisle would testify to Jon's fairness, collegiality, and effectiveness. I think we would all testify too to the credit his service has reflected on the Senate, a place we all love but which we must admit doesn't always function as well or as congenially as we would like, a failing that has not escaped the notice of the American people. Were Jon the kind of politician who worried more about his press than his responsibilities to his constituents, his colleagues, and his country, I think many Americans would recognize him as the kind of Senator they wished there were more of here.

It has been my privilege to work with JON not only on issues of unique importance to the State of Arizona but on many of national importance. We worked together on comprehensive immigration reform in 2007. None of the sponsors of the legislation, including myself and my friend, the late Senator Kennedy, was more instrumental in forging the compromises necessary to put that bipartisan bill together or more diligent and effective in defending it in debate.

I was running for President that year and often away from the Senate. In addition to all the work JON did to write the bill with Senator Kennedy and others, and seek support for it in both Houses, he had to assume many of my responsibilities as well. He did a better job with them than I did, and though we fell short of success, JON deserves none of the blame for failure and much of the credit for making the bill as broadly bipartisan as it was and for providing the framework for what will be the kind of compromise I hope and believe we will get to the President's desk in the next Congress.

Longevity in public office isn't always that important a distinction. I have served one term more than JON and for that minor accomplishment I am referred to as the senior Senator from Arizona. But honestly, I have always looked up to JON as my senior. He has been my leader, my senior partner in much of the work we have done in Arizona, my friend, and one of the people I most look up to in this place, an example of selfless, capable, honorable public service.

He is leaving the Senate, and he will have time now to spend with his lovely wife Caryll, his son and daughter and his grandchildren. He will have more time too to hike his beloved White Mountains. I envy him that. But I think we would all concede the Senate will miss him, and I will miss him particularly.

Thank you, my friend, for your service, your example, and your friendship. It has been a privilege.

I yield the floor.

The PRESIDING OFFICER. The other Senator from Arizona.

Mr. KYL. Madam President, if my colleagues would indulge me for just a moment so I may respond.

I am deeply moved and very appreciative of the remarks of my colleague JOHN MCCAIN. The people of Arizona have been so fortunate to be represented by a very few remarkable people in the State's history—only 10 United States Senators. JOHN MCCAIN is the ninth of those Senators and is as distinguished, if not more distinguished, than any who have served and represented the State of Arizona.

He has set a standard for modern representation after being elected to the House of Representatives. None of the representatives from Arizona were ever the same in their representation. He came home every week, maintained very close contact with his constituents, and set a pace that no one has since matched, let alone exceeded. So in many respects, JOHN MCCAIN has set a new standard for representation.

But he didn't leave it at the State of Arizona. He is a national figure of the first magnitude—one of our great national leaders of the day—and it has been an incredible honor for me to serve with him both in representing the people of our State but also working on the significant issues of the day.

I will confess that some of the more mirthful moments have also occurred on some of the sojourns that Senator MCCAIN has led abroad with our colleague LINDSEY GRAHAM, sometimes Senator JOSEPH LIEBERMAN, and others, and these occasions also will bring great joy to me in my reminiscences, because, obviously, at the end of the day it is friendships probably more than almost anything else we think of when we get toward the end of both career and the end of our life.

Senator MCCAIN was far too generous in his description of my capabilities. I want to thank him for, among other things, the responsibilities he did enable me to undertake, things which, as the senior—and yes, he is senior both in age and seniority—he could have taken unto himself but which he allowed me to do on behalf of the people of Arizona. He was interested in dividing responsibilities in a way the two of us could represent our State and our constituents to the maximum advantage, and I have always not only admired his approach—and the people of Arizona, I would say, should be grateful for that—but it enabled me to be involved in things and to have some extra responsibilities in areas I otherwise would not have. Not all of these

were things Senator MCCAIN wanted to deeply get into, such as the water rights settlements he mentioned. But nonetheless, he has been enormously cooperative on behalf of the people of Arizona in all of those endeavors.

So as I near the end of my time here in the U.S. Senate, I have a lot of different emotions and a lot of things I would like to express. I regret one thing I won't be able to do is to speak on the Senate floor extolling the virtues of my colleague JOHN MCCAIN when he is about to leave, but I assure you and assure him that I will do that from some other place, and that my deep respect for him, my appreciation and my gratitude for what he has said here today, I will try to reciprocate at the time he finally completes his service not only to the people of the State of Arizona but to this Nation of ours, and frankly also to so many people around the world.

For me to have served with him in this body for 18 years is truly an honor, and I thank him for his comments today.

JEFF BINGAMAN

Mr. LEVIN. Madam President, over his time in this body, JEFF BINGAMAN has worn many hats: champion of education, expert on energy policy, steward of our nation's nuclear arsenal, thoughtful voice on national security.

He has approached each of these varied responsibilities with an attitude aimed not at attention-grabbing or point scoring, but at practical, fact-driven problem solving. In the accurate description of the Washington Post, ''Bingaman isn't one to grab the spotlight, but this six-term senator's logical, cerebral approach tends to get things one.''

He has indeed gotten things done, for the people of New Mexico first and foremost, but his practical approach has benefitted Americans from every State. I know first-hand that the people of Michigan have benefitted from his leadership.

I have worked closely over the years with Senator BINGAMAN to preserve programs that are vital to America's manufacturing sector, the heart of my State's economy. His support for the Manufacturing Extension Partnership Program and the Technology Innovation Program has made a major difference in the ability of American manufacturers to research and develop new technologies, to increase efficiency, to improve supply chains and to out-innovate our overseas competitors.

The people of Michigan also have benefitted from Senator BINGAMAN's leadership of the Energy and Natural Resources Committee. He worked with me to enact legislation that has brought significant improvements to Michigan parks and recreational lands. With Senator BINGAMAN's assistance, we have established the River Raisin National Battlefield Park, preserving the site of one of the most important battles of the War of 1812; made major progress toward completion of the North Country National Scenic Trail; enhanced wilderness protection at Pictured Rocks National Lakeshore; and made many improvements at Keweenaw National Historical Park. So, he has played a major role in helping preserve and protect numerous jewels of our State's rich history, culture and natural beauty.

From his post on Energy and Natural Resources, Senator BINGAMAN has been one of our Nation's most influential voices on energy, an issue that affects nearly every aspect of economic and environmental policy. He has worked with skill, intelligence and determination to find practical, bipartisan solutions in an issue area too often dominated by politics and powerful interests. As we seek to strengthen our Nation's competitiveness, his advocacy on renewable energy, energy efficiency and other important topics will yield important advantages.

While we have not had the benefit of his service in this Congress, Senator BINGAMAN served in the past with distinction on the Armed Services Committee. In his committee tenure he chaired the Emerging Threats and Capabilities and Strategic Forces subcommittees. His deep knowledge of science and technology issues was of great value in committee deliberations, in particular during the difficult debate over the Bush administration's determination to invade Iraq. His expertise on energy and nuclear issues gave heft to his skepticism over claims that Iraq had sought to acquire uranium from Niger, claims that turned out to be false.

As the son of two educators, it only makes sense that Senator BINGAMAN would be careful, detail-oriented, and reliant on facts rather than assumptions. And it's no wonder that in addition to his work on energy, defense and natural resources, he has been one of the Senate's most consistent and effective advocates for quality education.

On all of these issues, and so many others, JEFF BINGAMAN has sought solutions and consensus rather than attention and division. His careful, deliberate style, his focus on facts, and his determination to find practical answers to difficult challenges have been of enormous value to the Senate, to the people of New Mexico, and to the Nation. They will be missed in the Senate, and so will he. I wish Jeff and Anne all the best as the move on from the Senate.

RICHARD LUGAR

Madam President, the Senate has traditionally been seen as a moderating force in American politics, as a place where partisan interests give way to practical problem-solving, and where men and women of good will could, while they might often disagree and debate, find agreement on the challenges our nation must face.

RICHARD LUGAR has, for more than 30 years, upheld that Senate tradition. All of us, regardless of party, have great respect for his intelligence, his integrity, and his concern for the good of our country.

We have worked together on many matters. Manufacturing is a vital sector in the economies of both our states, and Senator LUGAR has been a strong supporter of federal programs that benefit manufacturing, including the Manufacturing Extension Partnership, which helps U.S. manufacturers research and develop new technologies, increase efficiency, improve supply chains and out-innovate our overseas competitors. We have worked together on other issues of mutual interest to Indiana and Michigan, including preservation of the Great Lakes and strengthening America's agricultural sector.

These are important contributions. Senator LUGAR's most lasting legacy, however, is likely to be his work protecting Americans, and people all over the world, from the threat of proliferation of weapons of mass destruction. As a Midwestern Senator, he has followed in the finest tradition of Arthur Vandenberg, a Republican Senator from Michigan who famously coined the concept that ''politics stops at the water's edge.''

In 1992, Senator LUGAR joined with Senator Sam Nunn in a bipartisan effort to deal with a pressing national security challenge arising from a major national security success: the collapse of the Soviet Union. While the end of the Cold War made the world a safer place, the splintering of a superpower meant the fearsome Soviet arsenal of nuclear and chemical weapons was now in the possession of 15 separate nations. Many worried, with good reason, that these newly independent nations, struggling in the aftermath of the Soviet collapse, might be unable or unwilling to prevent the misuse or diversion of these weapons.

The answer was the Cooperative Threat Reduction program, more commonly known as Nunn-Lugar, and widely hailed as one of the smartest investments America has ever made in our security. Nunn-Lugar has eliminated more than 7,000 former Soviet nuclear warheads, and nearly 2,500 nuclear-capable missiles. It has secured two dozen nuclear weapon storage sites, and significantly strengthened controls over remaining weapons of mass destruction (WMD) and their deadly materials. As the WMD proliferation challenge has evolved, Senator LUGAR has worked hard to ensure that the Nunn-Lugar program has adapted to meet that challenge, in new regions such as Africa, Asia, and the Middle East. It has, in short, been an integral part of our national security strategy ever since the end of the Cold War, making our nation more secure, keeping us safe.

This is a legacy of which any Senator would be justifiably proud, and it is one on which Senator LUGAR has continued to build. We saw the value of his leadership as the Senate debated and

passed the New START Treaty, and we've seen it in the countless instances when Senator LUGAR has advocated for and helped the Senate approve international agreements that have made our nation, our allies and our planet a safer place.

The Senate will miss RICHARD LUGAR's leadership. I hope that each of us who will return to the Senate in the New Year can keep in mind his legacy of bipartisan leadership and practical problem solving as we confront our nation's challenges.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Madam President, I appreciate the words of the Senator from Arizona about the Senator from Arizona, and let me say I look forward to sharing some words on the floor at some point in the next few days about my friend Senator KYL. We have disagreed on things in some ways, but, boy, have we gotten to know each other. I respect his service enormously, and I look forward to having a chance to share some thoughts about that.

REMEMBERING DANIEL K. INOUYE

Madam President, I think all of us are aware that too often in public life words like ''good friend'' or ''remarkable colleague'' are used so often they lose a little bit of their impact. But I think we all share powerfully—ever since the majority leader announced the sad news last evening, and we have seen so many come to the floor to talk about Senator INOUYE—in the knowledge that Senator DANNY INOUYE really was all those things and so much more.

He was a quiet man, a humble man, a soft-spoken public servant, but those of us who were privileged to serve for so long with DAN INOUYE know we truly got to know him. I had the privilege of sitting beside him and listening to some of the stories talking about things that were happening in the Senate, and we truly did get to love him and revere him.

It was more than his uniquely American journey—from the trenches of World War II to the Halls of Congress—more than his leadership and moral authority on everything from civil rights to the Watergate and Iran-Contra hearings. It was more than the DAN INOUYE we could read about on paper. It was the man himself, in the flesh, who was bigger than the legend. That is why the Senate is going to feel his loss for a long time.

We often hear the words ''greatest generation.'' Before Tom Brokaw coined the phrase, we knew what it referred to, particularly in the Senate where some of us were privileged to serve with people such as Bob Dole, John Glenn, Fritz Hollings, and so many others.

DANNY was a bridge to that generation—a generation that I revered growing up in the shadows of World War II. I remember talking with my dad and hearing how he had volunteered for the Army Air Corps as war loomed over Europe. He was a pilot flying DC–3s, paratroopers, preparing to go over for the invasion, and he shared with me his regret that he came down with tuberculosis and he was released from Active Duty and, in his perception, never got his chance to defend his country.

I think about just how much more complicated the prospect of going to war must have been for a young DANNY INOUYE—just 21 years old with dreams of becoming a surgeon, dreams interrupted by Pearl Harbor. Here he was, the son of immigrants who came to work in Hawaii's pineapple fields, his entire life he had thought of himself as a patriotic American. Then, suddenly, at a time when across the country young men were heeding the call to duty, DAN INOUYE's own Nation declared him and his family alien enemies. But DAN INOUYE's response was not to pull inward or to leave or forsake his country. His response was to sign up and fight for the country he loved so deeply, even at a time when his government's vision was clouded by the horror of Pearl Harbor.

Fight for his country he did. He put on the uniform and showed us what both he and our country are all about. We know DAN was a hero. We know he lost his arm on the battlefield in Italy. But I never once heard DAN talk about the details of that action that would ultimately result in him being awarded the Medal of Honor. He was a quiet man who never bragged and rarely spoke of himself. But the citation speaks volumes about him and who he became on that bleak April day when Second Lieutenant INOUYE and his platoon mounted a defense of a ridge guarding a critical road junction in San Terenzo, Italy. The citation says, very simply:

> With complete disregard for his personal safety, Second Lieutenant Inouye crawled up the treacherous slope to within five yards of the nearest machine gun and hurled two grenades, destroying the emplacement. Before the enemy could retaliate, he stood up and neutralized a second machine gun nest. Although wounded by a sniper's bullet, he continued to engage other hostile positions at close range until an exploding grenade shattered his right arm. Despite the intense pain, he refused evacuation and continued to direct his platoon until enemy resistance was broken and his men were again deployed in defensive positions.

That was DAN INOUYE. He was a hero whose entire life's lesson was a victory over discrimination and anger. Despite the sting of bigotry at home—he lost his arm for his country and almost his life—rather than being consumed by rancor, he became a voice for reconciliation.

Because of what he had experienced growing up as a Japanese American in what was still a heavily segregated country, DAN always fought to make sure that no Americans ever felt unsafe or unwelcomed. ''This is our country,'' he famously said in his keynote address at the Democratic National Convention in Chicago in 1968.

I still remember that speech. I was riveted watching it on television. I was in the Navy, serving then. I was training before departing for Vietnam. It was strange, the juxtaposition of DAN INOUYE's words and the hope and what he represented to the carnage in the streets, watching what seemed to be a country coming apart at the seams. But there was this young Senator, this decorated World War II veteran who spoke words that were as chilling as they were prescient. He said:

> The true dimension of the challenge facing us is a loss of faith. I do not mean simply a loss of religious faith . . . I mean a loss of faith in our country, in its purposes and its institutions. I mean a retreat from the responsibilities of citizenship.

He went on to say famously:

> This is our country. Its future is what we, its citizens, will make it. . . . Putting aside hatred on the one hand and timidity on the other, let us grow fresh faith in our purpose and new vigor in our citizenship.

Those words would serve us well as we think about the challenges we face right now in the Senate. That is the kind of citizenship and patriotism that DAN INOUYE stood for, not just in 1968 but every day we were tested.

After 9/11, DANNY was as determined as anyone to bring to justice the terrorists who attacked us on that fateful day. The media said it was our Pearl Harbor. DAN INOUYE remembered better than anybody the first Pearl Harbor. He was there. He lived through it. But he also had deep convictions about the historic lessons learned the hard way after the first Pearl Harbor—mistakes he refused to see repeated 60 years later. In the aftermath of September 11, DAN INOUYE sounded a warning. He said:

> I hope that the mistakes and suffering imposed upon Japanese Americans nearly 60 years ago will not be repeated again against Arab Americans whose loyalties are now being called into question.

It was a forceful defense. I think it was heard across the Nation. DAN understood our values aren't just talk. They are about the choices we make, the causes we champion, and the people we fight for. As Dan reminded us in Chicago in 1968, this is our country, and its future is what we, its citizens, make of it.

He was an incredible person. During his long painful recovery at Percy Army Hospital in Michigan, Dan was down to 93 pounds and exhausted. He knew he would never be a surgeon as he once dreamed. He struggled then even to light a cigarette and he wanted to curse at his nurse. Unbowed, she taught him how to light a cigarette with one hand and said simply: ''From now on, you're going to be learning.'' DAN INOUYE did learn. Happily, we can say he also taught. He taught all of us with the power of his example.

During his convalescence at Percy Jones Army Hospital, he met another young lieutenant, a man by the name of Bob Dole. They became fast friends and nursed themselves back to health.

About 2 short weeks ago, two ''greatest generation'' brothers, ailing and approaching their 90th birthdays, DAN

INOUYE and Bob Dole were still here teaching us, teaching us what is worth fighting for. I will never forget seeing DANNY with his oxygen tube walking up to Bob Dole before casting his vote in the hopes of helping disabled veterans when they travel overseas. Here were these two older citizens telling the Senate, through actions and not words, that we have to be better than this place has sometimes been in recent days.

Bob Dole said something about DANNY that has deeper meaning now that he has left us. Bob said, over there in that corner near the door, looking at DANNY:

> He was wounded a week from the day I was and a mile from the place I was wounded, and we ended up in the same hospital. He's a Democrat and I'm a Republican, but parties didn't make any difference.

Those are bonds we ought to learn something from. Those are bonds we ought to do a better job of honoring today in this institution DAN INOUYE loved so deeply.

DAN INOUYE was a special kind of public servant. He walked his own path. He got out of that hospital bed, returned to college under the GI bill, and went on to George Washington University for his law degree. He got himself elected to the Hawaii Territorial Legislature at the ripe old age of 30 and then on to the House of Representatives as Hawaii's first full member after it won statehood in 1959. Just 3 years later, DANNY INOUYE was a Senator, and eventually he would rise to become the highest ranking public official of Asian descent in U.S. history.

I will never forget the critical role he played on the special committees that investigated Watergate in the 1970s and Iran-Contra in the 1980s. I was here during Iran-Contra, a freshman who approached those investigations with a certain zeal. I was in a hurry to find out the truth. But I learned from DAN INOUYE that a good Senator can navigate the path to truth while taking extraordinary care to protect and nurture the national interests. So when DAN famously warned at the Iran-Contra hearings that there exists a ''shadowy government'' that can ''pursue its own ideas of the national interests, free from all checks and balances and free from the law itself,'' we all understood the gravity and truth behind those words because we respected the integrity of the statesman who spoke them.

DAN had a special sense of his own responsibilities as the first Member of Congress from Hawaii. He believed in the Federal Government's ability to make a difference in people's lives. He was chairman of the Senate Appropriations Committee, as we all know. For all the talk in the media about earmarks and pork-barrel spending, we saw in DAN how one Senator could actually advance the interests of their State and articulate a vision for that State which didn't violate anybody's sensibilities about how we ought to be spending a Federal tax dollar. He used his position unapologetically to bring home investments in Hawaii to build roads and bridges and classrooms, all of which changed people's lives on an island that most of us only thought of in the context of a vacation destination. To DAN, it wasn't a resort. It was home. It was people. As the son of a Japanese immigrant who came to work in those pineapple fields, DAN needed to make no apologies about using the Federal Government to make life for the people he represented better.

It was a perspective that endeared him to his colleagues on both sides of the aisle—and no one more so than Republican Senator Ted Stevens. They became like brothers. Theirs was a friendship that stood the test of time. I often heard the stories from DAN or from Ted—whom I got to know well—about how they would travel to various parts of the world to see how America was investing its funds and how their friendship simply grew during the course of those journeys together. Theirs was a friendship that stood the test of time. This place would be a lot better off if we could forge bonds the way DAN and Ted did since the 1960s. They didn't capitulate. They didn't lose their values. They compromised, and they always put what was best—in the case of DAN, Hawaii, and in the case of Ted, Alaska, and in both their cases, the country—ahead of any kind of partisan squabbling.

DANNY INOUYE lived a full and remarkable life, and we will miss him dearly. He was proud of his Japanese heritage, proud of his roots, and proud of his service as a champion of veterans and veterans' rights. He loved our troops. It is fitting that a building at the Walter Reed Army Institute of Research now bears his name.

I often marveled at how hard he fought to regain his health in the face of mounting odds.

He died with no regrets. ''Aloha'' was his last word.

Hawaii misses DANIEL INOUYE, America misses him, and our thoughts are with his wife Irene and his son Daniel Ken, Jr., who is a great friend of my stepson Johnny Heinz, and also the rest of his family at this difficult time.

I yield the floor.

The PRESIDING OFFICER (Mr. CASEY). The Republican leader.

Mr. NELSON of Nebraska. Mr. President, I rise today to recognize the great Senator DANIEL INOUYE. Senator INOUYE was a fine colleague and a good personal friend of mine.

While Congress occasionally drifts without direction, Senator INOUYE was a steady rudder in the Senate. He was the consistent source of quiet, but purposeful and effective leadership.

In an age where the loud crowd often demands center stage, Senator INOUYE was a reminder that the truth is generally seen, rarely heard. He was a man who communicated concisely and precisely just exactly what he intended. Through his actions, Senator INOUYE demonstrated time and time again that he would lead legislative efforts, pool necessary support, and do what needed to be done to best represent Hawaii and advance all Americans.

While he chaired the Select Committee on Intelligence and the Commerce Committee, I worked with Senator INOUYE most during his time as Chairman of the Senate Appropriations Committee. I can attest that during most of our hearings, his very presence drove much of our activity. Through thick and thin, he reliably led many an effort.

Senator INOUYE's addition to the bipartisan group that later became known as the Gang of 14 helped others start to view us as a body with legitimacy and true purpose. DANIEL INOUYE carried the Senate's respect and attention toward us, for which I remain incredibly grateful.

Years back, I was fortunate to travel with Senator INOUYE to Italy as part of a Congressional delegation trip. It was during our time together there that I had one of the strongest emotional responses of my life. In Tuscany near the location where Senator INOUYE was wounded, he visited the gravesites of many of those who served alongside him. Seeing Senator INOUYE mourn and pay tribute to those who had fallen beside him in battle taught me something I could never learn from a book or a classroom. Without saying a word, Senator INOUYE gave me a heightened respect for the shared purpose and camaraderie among those who serve in America's Armed Forces.

Yet while Senator INOUYE had the utmost appreciation for what happened in the past, he did not allow it to stop him from thoroughly enjoying the present. It was on that same trip that the Senator also taught me an appreciation for a solidly-built, handsome pair of shoes. He advised me on the purchase of a pair of oxfords that are as comfortable today as the day I bought them.

Senator INOUYE was a source of personal, policy, and even fashion advice for me, and I cherish the time I spent with him.

America is stronger today because of DANIEL INOUYE. He will be sorely missed by all.

TRIBUTES TO DEPARTING SENATORS

KAY BAILEY HUTCHISON

Mr. MCCONNELL. Mr. President, I rise today to pay tribute to Senator KAY BAILEY HUTCHISON, who will be retiring at the end of the year. Senator HUTCHISON has been a dear friend and colleague for a long time. She has always been ready to offer wise counsel, and I have usually listened.

It is truly bittersweet saying goodbye to KAY. On the one hand, I understand her desire to spend more time with Bailey and Houston; we are all glad she will now be able to cheer from the sidelines at their soccer games. On the other hand, we will miss seeing them practice their corner kicks on the second floor of the Russell building.

By the way, if you have ever been with KAY on one of her early morning power walks, you know where her kids get their energy. I am told KAY has worn out multiple Members of Congress, several staffers, and quite a few others on those walks. And it is a fitting metaphor for her career. There are so many talents in the Senate, it is easy to forget what remarkable stories many of them have. And Senator HUTCHISON's is without question one of the most impressive.

Raised in an era when women were a rarity in politics, KAY forged her own path, kicking open the door of opportunity wherever she went. In the process, she has come to personify Texan independence; which is entirely fitting, since one of KAY's great-great-great grandfathers signed the Texas Declaration of Independence.

KAY's many successes in life are a testament to her personal toughness and determination in the face of what would have seemed like insurmountable obstacles to many lesser talents. Though she was ''brought up,'' as she once put it, ''to be a lady, to have good manners—and to be ready to get married,'' she always excelled in school. And she was one of just a handful of women, out of a class of hundreds, to graduate from her University of Texas law school class in 1967.

KAY hit what she called her ''first brick wall'' after graduation. Law firms in Texas just were not hiring women back then, so she turned to an industry that would give her a chance, becoming Houston's first female news reporter. Indeed, thanks to KAY's success, two competing Houston networks hired female reporters within 6 months of her arrival at KPRC–TV, the NBC affiliate, in 1967. Appropriately, KAY was assigned to cover the Texas Legislature, and she gave it her all.

Having inherited her dad's work ethic, she was soon being encouraged to run for office herself. At the time, few women served in the Texas legislature, and not a single female Republican had ever been elected to the State House. But KAY had an idea: if those law firms were not going to let her interpret the law, she might as well ask her neighbors if they would elect her to make the law. So, at the age of 28, KAY ran for the Texas House. She dispatched her male opponents with ease, becoming one of just 13 Republicans elected that year to the 150-member Texas House. It was a tough transition. KAY says that as a cheerleader at UT, she was not really prepared for the combat of politics. As a cheerleader, she said, she wanted everybody to like her. But she overcame that too. KAY has engaged in a lot of tough battles over the years, and she has won most of them.

One story along those lines relates to KAY's office over in Russell. Anybody who has ever been there knows that it is at the end of on a dead-end hallway, and that at the very end stands a very large flag of Texas. Apparently, when KAY put the flag out, the staff director of the Rules Committee did not like it. He thought it violated a rule, so he mentioned it to his boss, Senator John Warner. Legend has it that Senator Warner nodded gravely—gravely—at the young man and told him he was free to approach Senator HUTCHISON, but that he had no intention of taking on the mission himself. She is tough.

Following her service in the State legislature, KAY worked as a businesswoman before winning election as State treasurer in 1990. Three years later, when Senator Lloyd Bentsen accepted an offer to become President Clinton's treasury secretary, KAY jumped into the race to replace him. Once again, she bested another all-male field to advance to a runoff against Bentsen's appointed successor, trouncing the incumbent Democrat with nearly 70 percent of the vote, and becoming the first woman to represent the Nation's second-largest State in the U.S. Senate.

KAY came to Washington ready to work. She established herself early on as a leader on transportation and NASA, and as a fighter for lower taxes, and smaller, smarter government. KAY won acclaim as an advocate for science and competitiveness, helped secure bipartisan support for the landmark America COMPETES Act, and she became known throughout the State for the close attention she paid to constituents.

Shortly after her election to the Senate, KAY began a tradition—imitated by many others since—of holding weekly constituent meetings over coffee whenever the Senate is in session. The groups usually range in size from about 100 to 150, and at any given coffee you might come across families in Bermuda shorts, bankers in pinstripes, or college football players. Over the years, KAY has hosted about 50,000 people in her office through these coffees, but her attention to constituent service goes well beyond that. Back home, she is one of few politicians in Texas who have actually visited all 254 counties, some of which are home to more cattle than people. And during KAY's tenure, her office has helped broker the rescue of a Texan from atop Mt. Everest, evacuate an oil worker and students during a revolution in Albania, evacuate tourists from Machu Pichu after a flood, and help evacuate workers and missionaries from Haiti after the devastating hurricanes of 2008.

All of us are grateful to Senator HUTCHISON for her work in finally recognizing the hundreds of female Army Air Force pilots—or WASPs—who flew non-combat missions in World War II, so male pilots would be free for combat missions. Thirty-eight of these women lost their lives performing their duties. We thank Senator HUTCHISON for raising awareness of their service and their sacrifice and honoring their memory. Senator HUTCHISON's thoughts are never far from our men and women in uniform. Her office walls are filled with photos of her visits with our troops in Bosnia, Iraq, and elsewhere. In the run-up to the Budget Control Act, she authored a bill to assure servicemen and women would be paid in the event of a government shutdown, recruiting more than 80 cosponsors. She served as chair and ranking member of the Military Construction subcommittee on Appropriations. She was a tenacious advocate for Texas during a series of BRACs, and the results speak for themselves: Today, one out of five Army and Air Force personnel are stationed at military installations in Texas, many of which were once considered likely candidates for closing.

Throughout her Senate career, KAY has worked hard to develop and maintain close relationships with fellow female senators from both parties. As a result of those friendships, KAY helped co-author the book ''Nine and Counting: The Women of the Senate'' in 2000, teamed up with Senator FEINSTEIN to create the Amber Alert system, and co-authored legislation with Senator MIKULSKI to provide stay-at-home moms with the same tax-credit opportunities as working women. One of her proudest achievements was to lead the successful flight to lessen the marriage penalties in our tax code.

As the ranking member on Commerce, Science, and Transportation, KAY has wielded outsize influence, partly due to her strong working relationship with Chairman ROCKEFELLER, who sometimes refers to her as his co-chairperson. And I can say for myself that having KAY at the leadership table has been a tremendous asset as I have navigated challenges over the years.

A truly gifted politician, KAY secured reelection by wide margins in 1994, 2000, and 2006, and still holds the record for most votes in Texas history. One reason is she will work with anyone—even those with whom she might not typically agree—if it helps Texas.

While I know many are sorry to see this giant of Texas politics leave the arena in Washington, I am sure every one of them admires the spirit in which she returns to Ray and the kids and their busy Dallas home. KAY, on behalf of the entire Senate, thank you for your extraordinary service and for your friendship.

I know you won't miss having to answer to that buzzer anymore, but we will miss you. It has been a privilege to serve with you. On behalf of the entire Senate family, I wish you all the very best.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, I ask unanimous consent to address the Senate as in morning business.

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

TRIBUTE TO TOPEKA POLICE OFFICERS

Mr. MORAN. Mr. President, we all know it has been a difficult and tragic couple of days for America. We were so deeply saddened to hear the news from Newtown, CT, on Friday. As a parent,

nothing in life is more important than the protection of our children. The death of a child—there is no recovery from. My heart goes out to all the families who lost loved ones in this unspeakable tragedy.

Last night we learned of the death of our colleague Senator INOUYE.

I want to mention today that just this past Sunday, over the weekend, grief struck the capital city of Kansas, my home State. Corporal David Gogian and Officer Jeff Atherly were fatally shot Sunday in Topeka while on duty. These public servants were investigating drug activities that were allegedly occurring inside a vehicle outside a neighborhood grocery store. As they approached the vehicle and ordered the occupants to get out, a gunman took the lives of both officers. When we lose someone in a community in Kansas, it is not just a name to us, it is somebody we see at our kids' activities at school, somebody we go to church with, somebody we know and care about. These two individuals are that to their friends and family in Topeka and across our State.

David had been part of the Topeka Police Department for 21 years. He spent 13 years as a reserve officer and 8 years as a full-time officer. His service did not begin as a police officer; he had previously served his country in the Kansas National Guard and just recently retired. Police Chief Ronald Miller described David as someone who spent his life in service to his country and to the city of Topeka. David's service to his community was clearly a model to others, including his son Brandon, who followed in his dad's footsteps and serves the Topeka community as a police officer.

The second officer, Jeff, was just 29 years old and had joined the police department last year. Chief Miller said that Jeff was just getting started in his career, and he had his entire life ahead of him.

Jeff grew up in the small community of Carbondale, which is just south of Topeka, and graduated from Washington University in 2009 with a degree in law enforcement. After graduation, Jeff—like his parents Steve and Susan, who are both educators—decided to dedicate his life to public service.

Jeff was known by his friends for his smile, his great sense of humor, and his kind heart. He leaves behind his 3-year-old son Logan.

These two men honorably served their community by faithfully carrying out the duties of a law enforcement officer. Rather than shirk from danger, police officers pledge to face danger with courage, and that is exactly what these two men did.

Inscribed on the National Law Enforcement Officers Memorial here in Washington, DC, are these words:

> It is not how these officers died that made them heroes, it is how they lived.

Today we remember the lives of David and Jeff and their service to the Topeka community. We express our gratitude for their dedication to their community and their country. We remember their families and their loved ones.

I ask that all Kansans—in fact, all Americans—join in remembering David's and Jeff's families in their thoughts and prayers this week. May God comfort them in their time of grief and be a source of strength for them. May He also protect all those who continue to serve us today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

REMEMBERING DANIEL K. INOUYE

Mr. COCHRAN. Mr. President, the Senate and our Nation have lost one of our finest leaders, DANIEL INOUYE of Hawaii. He was an outstanding Senator, a true statesman, a patriot, and a gentleman.

It has been an honor and pleasure to be able to work closely in the Senate with DAN INOUYE as a member of the Senate Appropriations Committee. His service as chairman of the committee—and especially the Subcommittee on Defense—has been marked with consistently strong and thoughtful leadership. He was appreciated for his courtesies to other Members and his seriousness of purpose as he carried out his important responsibilities.

He has also earned the high praise he received from the men and women of the Armed Forces, who are the best equipped and trained military force in the world thanks to his diligent efforts on their behalf.

Senator INOUYE was friendly and kind to all, but he was also a man of resolute courage and strength. He was very successful as an advocate for his State of Hawaii and our Nation. All Americans should be grateful for his service in the Senate.

I yield the floor and suggest the absence of a quorum.

The assistant legislative clerk proceeded to call the roll.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Ms. LANDRIEU. Mr. President, Senator LEAHY has been handling this bill for the last 24 hours or so, and I came to the floor earlier to speak about the supplemental. I gave truncated remarks because Senator MCCAIN had personal remarks to make on behalf of his colleague Senator KYL. At this time I would like to reengage in the debate regarding the supplemental for just a few minutes.

I know this day has been back and forth with personal tributes on the floor as well as the debate on the supplemental for Superstorm Sandy. I have come to the floor specifically as chair of the Appropriations Homeland Security Subcommittee, which does have jurisdiction over FEMA, and to say a couple of words about this piece of the supplemental.

I understand that other chairs of the Appropriations Committee have come down to talk. I know there have been discussions with regard to the Corps of Engineers mitigation issues and fishery issues in this bill, which is the subject of Senator MIKULSKI's committee. Senators have talked about housing and urban development, community block grants—that is in HUD—and transportation, which is under the jurisdiction of Senator MURRAY's committee.

I have been pleased and honored to be the chair of the Appropriations Homeland Security Subcommittee for several years now. I am proud we are actually seeing the benefits today of the reforms that were put in place as our first responders respond to literally the worst disaster to hit the Northeast in 50 years.

I wish to address a few things and clarify some numbers for the record. The fact that Hurricane Sandy is not on the news every night and CNN is not broadcasting from the shores of New York and New Jersey does not mean it is over. The news coverage happened for a few days, and then they went to other pressing issues of the day. As new challenges arise, it is natural that the attention of the press will be diverted. The problem is that it may be natural, but it is not necessarily good for people who have lost their homes and their businesses. Without quick action from Congress and robust, definitive, comprehensive support from the Federal Government, these individuals and communities will not be able to recover.

As the Senator from one of the States hardest hit in recent memory from a natural disaster, I am able to testify as an eyewitness to what happened in the aftermath of Hurricanes Katrina and Rita and what is possible in the recovery for Hurricane Sandy.

It has been over 7 weeks since Hurricane Sandy claimed the lives of more than 130 Americans and destroyed—and I want to correct the record—340,000 homes and 200,000 businesses. Just to make a comparison, as a result of Hurricane Katrina, which primarily hit south Louisiana and Mississippi, we lost 275,000 homes. This is 340,000 homes that have been destroyed. That is more than Hurricanes Katrina and Rita. And 200,000 businesses is substantially more businesses that were lost compared to Hurricanes Katrina and Rita, which was about 18,000 businesses. Part of it is due to this area being more densely populated.

The storm was broader in its width and more intense in certain areas. It was broader geographically, and the area is so densely populated. I think it is hard for people from less populated areas of the country to understand how much destruction can be leveled in a certain area. More than 8.5 million families were left without power, heat, or running water. Many of those families have power, heat, and running water now, although not all.

Just this week, I picked up the phone to call my friend Marc Moriel, president of the Urban League. The Presiding Officer knows him very well. He

was a former mayor of New Orleans. The cell phone wasn't answered. Finally, through a couple of connections, I got through to him. Their offices are in New York.

He said: Mary, I am sorry I couldn't get back to you sooner. Our phones are still out from Sandy.

They have not lost their home, but they were out of their home for some time.

As I said before, just because it is not on the news does not mean it is over. There are thousands of small businesses, nonprofits, individuals who, without this package of hope and support, are not going to get back to business to help get their communities back and help get our economy running again. The Urban League is just one example. There are still individuals without phone service, power, et cetera.

It is important for us to understand that insurance proceeds are not going to be enough. Even with a well-insured population, it is not going to be enough to handle the catastrophe that befell this particular area of our country just a few weeks ago.

Over 500,000 people registered for temporary housing and individual assistance. FEMA provided over 14 million meals, over 16 million liters of water, 1.6 million blankets, and 100,000 tarps. DOD delivered 9.3 million gallons of gasoline to 300 gas stations, and over 270 million gallons of saltwater was pumped out of transit tunnels. At the peak of the response, 17,000 Federal personnel and over 11,000 National Guardsmen were involved. The response was robust, quick, efficient, and I think the taxpayers of our country and I know the people of the region are grateful for the new FEMA that showed up. Not everything is perfect. We still have more work to do, but the response was much better than it was during Katrina.

However, that initial response is now over and the recovery must begin. The recovery cannot begin in earnest and no great plans can be made. Neither can Governor Christie nor Governor Cuomo, nor Mayor Bloomberg, nor Mayor Cory Booker or any other mayors, including the mayor of Hoboken in New Jersey, who testified before our committee this week—none of the mayors can get about framing the possibility of recovery without knowing certain things. They need to know that, A, FEMA is going to have enough money to stick with this, which they do not now because they are going to run out of money in the spring; they have to know that FEMA has enough money to go the distance. They don't know that now and, without the supplemental, they won't.

They have to know they have some mitigation money in this bill to repair and fix some of the dunes that were well engineered that protected communities and to rebuild dunes that failed because they were not engineered properly. No one is going to reinvest—or very few people will reinvest—behind a dune that is going to fail again.

There are fisheries communities along the coast and tourism along the coast, much like the gulf coast. So all of these pieces of recovery are very important. We can't send FEMA money without the Corps of Engineers money or without community development block grant money, because the recovery is a holistic recovery. Most people are very smart and many people like to hold on to what money they have left. They can't take the last little bit of their savings to rebuild their house and invest in their business if they don't know the Federal Government has sent money for the dune repair or the Federal Government has sent enough money for their fire station to get up and running. What good is having a business with no fire protection? What good is having a business if there is no grocery store within 30 miles? All of these things work together, and that is what we saw with Katrina. The question is not whether FEMA has enough money; the question is whether HUD has enough money—well, it is important that FEMA have enough money but it is not the only question. FEMA has to have money, but so does HUD, so does Transportation, and so does the Corps of Engineers.

In addition to what is happening along the east coast, nine States and the District of Columbia have been declared major disasters—well, nine States and the District of Columbia, from Hurricane Sandy. It is not just Hurricane Sandy. We had a record number of disasters last year around the country. So, yes, there is some money in this bill for other disasters and if we have to increase or decrease that sum to accommodate some of the interests of the Members, we are going to have to do so to get help not only to the Northeast but to other areas of the country as well.

North Dakota experienced terrible flooding. We were a little bit short on sending money to them and perhaps we should fix that in this bill. There have been some agricultural areas that have been very hard hit. We should fix that in this bill. Americans who pay taxes expect when they have catastrophic disasters for us to step up, and I think that is a good expectation, and I think it is a very fair expectation. When this country went to war over a decade ago, we didn't pay for the $1.4 trillion that it took to secure this Nation from an outside threat. Sometimes threats come right to our front door and we have to be willing to step up and give a small amount compared to the $1.4 trillion we spent in Iraq and in Afghanistan that was not offset. We should be willing to spend a very small portion—$60 billion in this case, over $100 billion for Katrina and Rita, and a few billion here and there. That is not an insignificant amount of money. A billion dollars is a lot of money. It sounds like a lot to anyone listening, but relative to the cost of the war, it is a very small investment in our own country to help Americans who have played by the rules, done everything they were asked to do—they even have insurance—yet, without this bill, there is not enough money in the insurance program to cover their claim when they file it.

If we don't pass this bill, there is not enough money for FEMA to do its job. There is not any money in the Corps of Engineers. There is not enough money for transportation. Taxpayers in the Northeast and around the country deserve our best efforts.

If there is a Member who believes there is something in this bill, whether it is in my section of the bill which is Homeland Security, or whether it is in another—if a Member doesn't feel as though a request in here is justified, please offer an amendment, let us debate it, and maybe we can make some changes or a modification. Unfortunately, I can say from personal experience, from watching the mayors I represent—all 300-plus mayors in the State, dozens of them, their communities were destroyed by Katrina, watching them struggle month after month, year after year, not knowing what money was coming from Washington; whether the levees would get repaired or not; whether there was going to be a community development block grant—I can tell my colleagues it is better to fund this on the front end like this. Give them the money, let them make their plans, and then in a year or two if it is not enough they can come back and we can make some adjustments as opposed to not acting or giving them too little to start. If we do that, the recovery will not get off in a very balanced way and it will cost the taxpayers so much more in the long run.

I am kind of responsible for the FEMA portion, for the flood insurance portion, and for some of the reforms that are represented in this bill. I wish to speak for a minute about those reforms because sometimes it is not just about investing money and giving money from Washington; sometimes it is giving money in a way that saves taxpayers money in the long run or for investing in a way that includes reform. This is not your grandfather's FEMA. This is a new FEMA. We have some new reforms that are authorized in this bill that are going to help the recovery go more quickly, and I wish to talk about that for a minute.

This is a reform-minded supplemental. It is drafted to be a more efficient, more effective, and smarter recovery, saving taxpayers money over time. It reauthorizes two expired pilot programs from the Post-Katrina Emergency Management Reform Act, allows the use of money to repair rental housing units, and to expedite debris removal procedures. If my colleagues have not been a witness to a catastrophic disaster, they cannot imagine the amount of debris generated from either a massive fire or a massive flood. The old rules FEMA operated under were a waste of money, a waste of time, and lost opportunities. So we

have expedited debris removal. We cannot start rebuilding a community until we can get rid of the debris. It sounds like common sense and it is, but there are some bureaucratic hurdles and we are trying to fix those in this bill.

It allows the State to draw on a portion of the hazard mitigation funding from FEMA in order to leverage mitigation opportunities in the reconstruction process. Under the current program, it takes 18 to 36 months for funding to become available. By then, most reconstruction is already completed or underway. This would expedite—sort of forward fund—some of those projects, which is another smart move to save taxpayers money.

It codifies grants on the basis of flexible and fixed estimates for expedited removal of debris. It codifies temporary legislative measures that were connected to facilitate smarter recovery after Katrina and Rita, including third-party arbitration. It removes the penalty on alternative projects, and it allows FEMA to consolidate facilities.

Specifically, if 10 fire stations were lost in an area, instead of FEMA reimbursing each fire station one at a time, they can make a general estimate and receive a global settlement. We did this for our schools in New Orleans. One hundred out of 146 were destroyed. It was one of the smartest things we ever did, because before we passed this reform legislation, FEMA was asking us to count every piece of chalk that was missing, every eraser that was missing, every broken pane of glass, and would only refund the building of that exact building on that exact spot. We were able to have a global settlement where we could reconstruct our schools not to build a school system that had been built for the past century but to build a school system for the next century. That is what makes sense. That is what is in this reform supplemental.

There are better tools, more carefully designed to save taxpayers money and to help expedite a recovery of one of the most important financial centers in the world—not just in the United States but in the world. Every part of this country is important, but this particular part of the country, a lot of the rest of us depend on it operating at full speed, particularly as this recovery moves to our rearview mirror.

Let me say two or three more things. It reduces bureaucratic waste by eliminating the current practice of duplicative agency reviews for the same project. It will allow the rebuilding to, of course, consider environmental needs, but it does not require an environmental review by every agency for the same project. It helps to streamline that, which I think makes sense and honors the environment at the same time.

It includes tribal governments for the first time, which I think is an important addition, and, again, it requires an assessment of Hurricane Sandy's impact on local government budgets in the event they might need to borrow some additional money to continue to operate.

So, again, the $60 billion number is a large number. It is billions of dollars. It is not by any means pocket change, but compared to the money that was outlaid for the wars—$1.4 trillion—when disaster comes knocking at the door in our hometowns, whether it is Hoboken, NJ, or New Orleans, LA, taxpayers who live by the rules and pay their taxes every year expect not a handout, not an easy recovery, but they do expect the Federal Government to step up and at least be a partner in their recovery.

There are local taxes that are going to have to be raised. There are hundreds and thousands of hours of volunteer efforts that go into rebuilding communities. Churches and faith-based organizations show up and do more than their share, but the Federal Government most certainly should step up and help the Northeast and a few other disasters that are still open.

All of this money will come back to us one-hundredfold as these businesses get back up on their feet, start paying taxes again to the community, and hire people who have been laid off. In fact, it creates a little bit of a stimulus boon in those communities, which benefits the tax base as well, as taxes are collected from every business that is reopened. So it is a smart investment for us.

I would recommend to my colleagues if they have specific objections to a specific part of the bill to file an amendment. We can discuss it, we can debate it, and perhaps we can shave a little here or a little there; perhaps there are some things that can be done differently. But this has gone under careful review by the administration and by the different members of the Appropriations Committee on both sides of the aisle, and, of course, vetted and screened by Governor Christie, a strong Republican leader in our country, Governor Cuomo, a strong Democratic leader in our country, and numerous mayors and elected officials have looked at this.

This is not something that was written in the dark of night somewhere by somebody who doesn't understand about disasters. It was carefully crafted for a very strong recovery for the Northeast.

I thank the Members for their suggestions and I look forward to the debate, and hopefully we can get this supplemental done before this Congress adjourns. I think the people of the Northeast and the rest of our country are depending on us to do that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, is the parliamentary situation in order so I could send an amendment to the desk?

I have an amendment at the desk and I ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection to setting aside the pending amendment?

Without objection, it is so ordered.

Mr. MCCAIN. This is McCain-Coburn amendment No. 3355. I ask unanimous consent that Senator COBURN be added as a cosponsor to amendment No. 3355.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], for himself and Mr. COBURN, proposes an amendment numbered 3355.

Mr. MCCAIN. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To strike funding for the emergency forest restoration program)

Beginning on page 2, strike line 16 and all that follows through page 3, line 2.

Mr. MCCAIN. Mr. President, this amendment is a very simple one. It calls for striking the funding of some $58 million for the USDA, U.S. Department of Agriculture, Forest Restoration Program for planting trees on private property. It is actually a farm bill subsidy program that is run by a relatively unknown agency that is called the Farm Service Administration, which is primarily responsible for managing crop insurance.

Under this program, private landowners with about 50 acres of land can apply for up to $500,000 in free grants for tree planting activities. Obviously, this has nothing to do with an emergency, and there is nothing in the supplemental that limits the funding to Hurricane Sandy areas. Under this bill, this $58 million can be used just about anywhere.

I would like to make a few remarks about the bill itself so we have this in the right context.

First of all, I want our colleagues—everyone—to understand there are none of us who do not support—there is no one who does not support—giving the much needed funding as quickly as possible to help relieve the tragedy of Hurricane Sandy, and we believe there are important parts of this appropriations bill that we should pass immediately. But we also believe there are many provisions in this bill that both have nothing to do with Hurricane Sandy and many of the programs in this bill will not even take effect before the year 2015. We are about to reach the year 2013. We cannot consider this much needed appropriation outside the context that we now have nearly a $17 trillion debt, and, obviously, this $60 billion is now going to be added to the debt because none of it is paid for.

Let's be clear about this. Every one of my colleagues on this side of the aisle wants to act quickly to provide much needed relief for the people who have been impacted by the horrible effects of Hurricane Sandy. But we cannot consider this legislation in a vacuum. We are looking at a $17 trillion debt—somewhere between $16 and $17 trillion. We have committed generational theft. We have mortgaged our

children's and our grandchildren's future. So we must be very careful as to how much more of the taxpayers' dollars are spent. For what? When is this money necessary? Those are the questions this body should be asking itself.

I would argue there are a whole lot of billions of dollars in this bill that fit into the categories of, one, not necessary as a result of the impact of Hurricane Sandy and certainly not an emergency situation.

I would like to go over some of the projects that are in this bill, and some of them hold merit. Some of the projects in this bill are very meritorious. It goes way beyond emergency aid and funds projects, as I said. At a time when we face these deficits, we cannot justify this spending. Again, I wish to emphasize some of the projects are meritorious, but they should go through the normal budget and appropriations process, where Congress has time to vet the need for such spending requests.

The CBO examined both the Senate bill and the administration's request and found—and this is from the Congressional Budget Office—64 percent of the funds appropriated under the Sandy supplemental will not be spent until fiscal years 2015 to 2022 and after, therefore, raising concerns about the rush to spend $60.4 billion without any attempt to pay for it.

Two weeks ago, FEMA Director Fugate told the House Transportation and Infrastructure Committee that the Disaster Relief Fund currently has enough money and will not need additional funding until the spring of 2013. CBO's assessment, combined with the statement of Director Fugate, clearly shows we need to pass a Sandy supplemental bill that only includes prioritized disaster aid funding.

I and my colleague from Oklahoma, Senator COBURN, have been examining this bill over the last few days, and I will tell my colleagues, we have not gotten all the way through it. We have not identified a lot of these spending bills—what they are for and where they came from. The appropriators and their staff I always admire. They have turned it into an art form, and our ability to ferret out some of these appropriations has required a great deal of hard work and effort.

We have billions to replace ''Federal assets'' damaged by the storm, including automobiles owned by the Federal Government. The Federal Government currently owns or leases over 660,000 vehicles. Do you think we could find replacements within our own inventory, the current inventory? Shouldn't we focus on providing relief directly to those still trying to rebuild their lives before replacing a bureaucrats' car?

There is $2 million to repair damage to the roofs of museums in Washington, DC, while many in Hurricane Sandy's path still have no permanent roof over their own heads.

There is $150 million for fisheries as far away from the storm's path as Mississippi and Alaska.

There is $125 million for the Department of Agriculture's Emergency Watershed Protection Program, which helps restore watersheds damaged by wildfires and droughts for areas, including Colorado, and, by the way, including my own State of Arizona. That money is needed. It is needed. We are having wildfires across the Southwest and the West in an unprecedented fashion because we are in severe drought, and I want that money for the Department of Agriculture's Emergency Watershed Protection Program. But it has nothing to do with Hurricane Sandy. That is what is wrong with this bill. I will fight for the $125 million that would help my State of Arizona, and I will fight to find ways to pay for it. I will do both. But we are including $125 million for the Department of Agriculture's Emergency Watershed Protection Program, which is several hundred miles away from the path of Hurricane Sandy.

There is $20 million for a nationwide Water Resources Priorities Study. While studies are important, they are not emergencies and should be submitted during the upcoming budget debate.

We badly need a water resources priorities study. There was just a recent study about the Colorado River basin and how we are going to run out of water. But, again, the water resources priorities study is not associated with Hurricane Sandy.

There is $15 million for NASA facilities, though NASA itself has called its damage from the hurricane minimal. One day after the storm hit, NASA's Wallops Island put out a statement stating that ''an initial assessment team surveyed roads and facilities at NASA's Wallops Flight Facility today reporting a number of downed trees but otherwise minimal impact in the wake of Hurricane Sandy.'' Does this mean we need $15 million for NASA's facilities?

There is $336 million for taxpayer-supported Amtrak without a detailed plan for how the money will be spent. Some of the funding will go for repairs. Money will also go to increasing capacity and future mitigation efforts. Amtrak is up and running. We can go right over here—not very far from here—to Union Station and get on Amtrak. It is not apparent why this funding is deemed ''emergency'' spending and included in this spending package. Further mitigation should be debated next year.

The dirty little secret is that Amtrak loses billions of dollars every year. That is because we subsidize unneeded and unnecessary routes. The route on the east coast from here to New York, for example, makes money. But we cling to those routes that neither make money nor does anybody care to patronize.

There is $5.3 billion for the Army Corps of Engineers—more than the Army Corps of Engineers' annual budget. With no clarity as to how the money will be spent. Included in the Senate bill is $50 million in funding for more studies, which will most definitely lead to additional Army Corps projects and a new task force established by executive order.

More projects are not something the Army Corps can handle. They are currently experiencing a backlog of construction and maintenance projects of approximately $70 billion. Furthermore, a 2010 report released by the Government Accountability Office noted that carryover funds have increased ''due to the large amount of supplemental funding the Corps has received in recent years.'' Clearly, supplemental spending on the Army Corps has not paid off.

The bill includes $12 to $13 billion for future disaster mitigation activities and studies, without identifying a single way to pay for it. I think we need future disaster mitigation activities. We need studies. We are experiencing climate situations which we never anticipated. Certainly Hurricane Sandy was never anticipated by any of us. We need the studies. But that is not an emergency to handle the effects of Hurricane Sandy and should come out of normal funding and be paid for. I support these studies. But should they come out of the taxpayers' pocket without a way to pay for it?

There is no justification to include these projects in this emergency spending bill. Waiting to fund these projects until next year during the normal budget and appropriations process, we will have a better understanding of the path forward and reduce the possibility of waste, fraud, and abuse.

There is $10 million to improve weather forecasting capabilities and infrastructure. Mr. President, $10 million to improve weather forecasting capabilities and infrastructure—do we truly need to include that in an emergency funding bill for Hurricane Sandy? As I mentioned at the beginning, at some point we are going to have to start paying for things. At some point we are going to run out of Chinese money. At some point we are going to be like Greece. At some point the American people are going to say ''enough.'' Every American family has to balance their budget. Every American family has to make tough decisions. Why don't we make some tough decisions if we want to have things paid for such as weather capabilities, such as Amtrak, such as replacing Federal assets, buying vehicles when we have 660,000 vehicles in the inventory? Why don't we start making tough decisions?

I often mention that the approval rating we have from the American people is rather interestingly low. The last one I saw was an 11-percent approval rating. No wonder—no wonder—we are about, in a matter of literally hours, to spend about $60 billion of the American taxpayers' money—estimates by some are it should be around $24 billion—without hearings, without the kinds of

scrutiny it deserves in the normal appropriations process.

I understand why we need some of this money in an emergency fashion. But it is akin to the train leaving the station. It is loaded with pork and it is moving and so everybody wants to get on board. It is not the way the Congress should do business.

So, Mr. President, I will ask for the yeas and nays on my amendment, which is to strike funding for $58 million for the tree planting subsidy known as the Forest Restoration Program for planting trees on private property.

The PRESIDING OFFICER (Mr. PRYOR). Is the Senator asking for the yeas and nays?

Mr. MCCAIN. I am asking for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There does not appear to be a sufficient second.

Mr. MCCAIN. OK. Then I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PRYOR). Is there objection?

Mr. MCCAIN. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard. The clerk will continue with the call of the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MCCAIN. Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There does not appear to be a sufficient second.

Mr. MCCAIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Ms. STABENOW. Mr. President, I ask unanimous consent to speak as in morning business.

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

REMEMBERING DANIEL K. INOUYE

Ms. STABENOW. Mr. President, I rise today, as so many colleagues have done throughout the day, to pay tribute to a tremendous colleague whom we lost yesterday, a friend to all of us, someone from whom we have all learned a tremendous amount, on both sides of the aisle, about how to work together, DANIEL INOUYE of Hawaii. He was an outstanding Senator, a cherished colleague, and a dear friend.

We all know he dedicated his life to serving our country, first as a soldier in World War II where he put his life on the line for our freedoms, for our country, and then as a Member of Congress for 53 years. Senator INOUYE was Hawaii's first Congressman. Think about that, the first Congressman. Today marks the first day in the history of our country that the State of Hawaii has not been represented in Congress by DANNY INOUYE.

He also had a special connection to my home State of Michigan, and Senator LEVIN and I have both been very proud of that fact. He was a patient at a hospital in Battle Creek during World War II where he met Philip Hart and Bob Dole. Can you imagine those three great men coming together serving our country, wounded, doing rehabilitation at a hospital together in Michigan and all going on to be involved in public service as Senators?

That building is still standing. It is no longer a hospital; it is another Federal building. It is our great honor in Michigan to have that building named the Hart-Dole-Inouye Federal Center, honoring all three of these outstanding leaders.

Senator INOUYE was a great mentor for me as well as so many of us in the Senate. Coming to the Senate, he always encouraged me during the elections. He always told me to hang in there, that things would go well and it would be great. He was always a person with a smile on his face, encouraging each and every one of us. He was there encouraging me when we were fighting for our economic lives in Michigan with the automobile industry, saying it was going to be OK, that we would be able to get through it, and that things would be better on the other side. He was right, with the help of so many people here and the President.

He also has consistently said to me: I want to help your city of Detroit. I want to make sure I do everything I can to support that great city. He has been a wonderful friend and supporter on that front as well.

He also received a distinguished honor given by the Arab-American community in Michigan after he helped us establish the first National Arab American Museum. After 9/11 when there were stories of young Arab-American children and girls who were being harassed or attacked while wearing their traditional garb in school, he called up leaders in Michigan to tell them they had his support as a Japanese American, knowing what he had gone through in a very difficult time in our country's history. He showed incredible support to a great part of our Michigan community.

He is beloved by so many around Michigan, but no more than those who are in the Arab-American community who are business leaders, community leaders, who found themselves, just because of their heritage, in very difficult circumstances. He has shown great support to them and was a great role model to them. I was proud to be a part of honoring him a few years ago in Michigan with the highest award coming from that community.

He touched lives everywhere he went. He served with quiet dignity. He had a strong, firm conscience. He has set an example for each one of us. He was a true patriot and a true American hero in every sense of the word. The Senate and the American people will miss him greatly. My thoughts and prayers are with his family this evening.

The PRESIDING OFFICER. The Senator from Montana.

AMENDMENT NO. 3350 TO AMENDMENT NO. 3338

Mr. TESTER. Mr. President, I ask unanimous consent to set aside the pending amendment and call up my amendment No. 3350.

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

The clerk will report.

The bill clerk read as follows:

The Senator from Montana [Mr. TESTER], for himself, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. WYDEN, and Mr. BAUCUS, proposes an amendment numbered 3350 to amendment No. 3338.

Mr. TESTER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide additional funds for wildland fire management)

On page 72, between lines 16 and 17, insert the following:

WILDLAND FIRE MANAGEMENT

For an additional amount for ''Wildland Fire Management'', $653,000,000, to remain available until expended: *Provided,* That such amount is designated by Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)); *Provided further,* That, not later than December 31, 2013, the Comptroller General of the United States shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report on new models or alterations in the model that may be used to better project future wildfire suppression costs.

Mr. TESTER. Mr. President, I ask unanimous consent that Senator TIM JOHNSON of South Dakota be added as a cosponsor to amendment No. 3350.

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

Mr. TESTER. Mr. President, I would like to make a few remarks on amendment No. 3350. This past summer was the third worst fire year in the history of this great country, with over 9.2 million acres burned. Over 1 million of those acres were in the State of Montana. The drought that drove this year's fire season persists and is projected to worsen in 2013, creating conditions for an equally or potentially greater fire season this upcoming year.

This trend is not stopping. Conditions are changing on the ground. I think we are all seeing impacts. I am certainly seeing impacts on my family farms. We are seeing impacts across the forests of this country, and western Montana is no exception.

My amendment with Senator UDALL does two things: First, it provides funding for the difference between the current funding request to prepare for and suppress wildfire and the amount the 2013 fire season is expected to cost; second, it requires GAO to make recommendations on a better model to project the cost of wildfires in the future.

Wildfires are continuing to burn, and burn hotter and faster, larger and earlier, and doing more damage than in past years. We need to assure the resources to address these catastrophic events are there this next year and with a study into the future.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

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

UNANIMOUS CONSENT AGREEMENT—S. 3276

Mr. REID. Mr. President, the Senate has been considering the supplemental appropriations bill for 2 days now. The Republicans, I am told, are in the process of trying to picture out what they want to do. We have other concerns, as you know. We had the tragedy in Connecticut, and we had the untimely death of our friend Senator INOUYE. But time doesn't stop for anything. It keeps marching on, Christmas is coming. We have a fiscal cliff that is on the horizon. So I hope we can make progress on this bill in the morning. If not, I will be forced to file cloture to try to figure out a path forward on this bill. It has been open for amendment. That is what my friends said they wanted, and that is what they have.

We have the DOD authorization. We need to complete action on that conference report, which has been completed now. We expect they will file tonight or tomorrow, so we need to complete that before the end of the week.

Christman is 7 days from today. We have judicial nominations. We have been making some progress with the district court nominations. We have to do three more before the end of the week. We have executive nominations we need to consider before the end of the week.

FISA is an important piece of legislation. Imperfect as it is, it is what is necessary to help us be protected from the evil that is in the world. We have to complete this before we leave here this week.

Today is Tuesday. Everyone else can do the math just as well as I can about how many days are left.

I ask unanimous consent that at a time to be determined by the majority leader after consultation with the Republican leader, the Senate proceed to consideration of Calendar No. 463, S. 3276; that the only first-degree amendments in order to the bill be the following: Judiciary Committee-reported substitute; Leahy, sunset; Leahy, oversight; Wyden, public reporting; Wyden, backdoor searches; Tester, reverse targeting; and Merkley, declassification of FISA Court opinion; that there be 1 hour of debate equally divided between the proponents and opponents; that upon the use or yielding back of time, the Senate proceed to votes in relation to the amendments in the order listed; that there be no amendments in order to any of the amendments prior to the votes; that upon disposition of the amendments, the bill be read a third time and the Senate proceed to vote on passage of the bill, as amended, if amended.

Mr. President, before the Chair rules, it is pretty easy to figure out how much time this includes. This is the better part of a day—the better part of a day if we got this consent done. So I ask that the Chair approve the consent agreement.

The PRESIDING OFFICER. Is there objection?

Mr. CHAMBLISS. Mr. President, reserving the right to object, and I do intend to object, first of all, I say to the leader, thanks for moving toward the FISA bill because—the Senator is exactly right—this is a bill that must get done before the end of the year so we can make sure our intelligence community is able to gather, in a lawful and legal way, the kind of intelligence that helps keep America safe and secure.

There are two documents; first, a Statement of Administration Policy from the White House where they have agreed to the bill that has already passed the House, and second, a letter from the leadership of the intelligence community—namely, the Director of National Intelligence as well as the Attorney General—directed as the leadership, both of which letters and statements support the House bill.

It is because of that and because of the fact that if the House bill comes through here—and I understand we may have to have debate, may have to have amendments debated, whatever the leader says—but the important thing is that we can hopefully get that bill passed and send it directly to the President's desk.

So I would ask unanimous consent to have printed in the Record the letter from the DNI and the Attorney General dated February 8 as well as the Statement of Administration Policy dated September 10.

Mr. President, I do object.

The PRESIDING OFFICER. Objection is heard.

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

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, September 10, 2012.

STATEMENT OF ADMINISTRATION POLICY

H.R. 5949—FISA AMENDMENTS ACT REAUTHORIZATION ACT OF 2012

(Rep. Smith, R–TX, and 5 cosponsors)

The Administration strongly supports H.R. 5949. The bill would reauthorize Title VII of the Foreign Intelligence Surveillance Act (FISA), which expires at the end of this year. Title VII of FISA allows the Intelligence Community to collect vital foreign intelligence information about international terrorists and other important targets overseas, while providing protection for the civil liberties and privacy of Americans. Intelligence collection under Title VII has produced and continues to produce significant information that is vital to defend the Nation against international terrorism and other threats. The Administration looks forward to working with the Congress to ensure the continued availability of this critical intelligence capability.

Hon. JOHN BOEHNER,
Speaker, House of Representatives, Washington, DC.
Hon. HARRY REID,
Majority Leader, U.S. Senate, Washington, DC.
Hon. NANCY PELOSI,
Democratic Leader, House of Representatives, Washington, DC.
Hon. MITCH MCCONNELL,
Republican Leader, U.S. Senate, Washington, DC.

DEAR SPEAKER BOEHNER AND LEADERS REID, PELOSI, AND MCCONNELL: We are writing to urge that the Congress reauthorize Title VII of the Foreign Intelligence Surveillance Act (FISA) enacted by the FISA Amendments Act of 2008 (FAA), which is set to expire at the end of this year. Title VII of FISA allows the Intelligence Community to collect vital information about international terrorists and other important targets overseas. Reauthorizing this authority is the top legislative priority of the Intelligence Community.

One provision, section 702, authorizes surveillance directed at non-U.S. persons located overseas who are of foreign intelligence importance. At the same time, it provides a comprehensive regime of oversight by all three branches of Government to protect the privacy and civil liberties of U.S. persons. Under section 702, the Attorney General and the Director of National Intelligence may authorize annually, with the approval of the Foreign Intelligence Surveillance Court (FISC), intelligence collection targeting categories of non-U.S. persons abroad, without the need for a court order for each individual target. Within this framework, no acquisition may intentionally target a U.S. person, here or abroad, or any other person known to be in the United States. The law requires special procedures designed to ensure that all such acquisitions target only non-U.S. persons outside the United States, and to protect the privacy of U.S. persons whose nonpublic information may be incidentally acquired. The Department of Justice and the Office of the Director of National Intelligence conduct extensive oversight reviews of section 702 activities at least once every sixty days, and Title VII requires us to report to the Congress on implementation and compliance twice a year.

A separate provision of Title VII requires that surveillance directed at U.S. persons overseas be approved by the FISC in each individual case, based on a finding that there is probable cause to believe that the target is a foreign power or an agent, officer, or employee of a foreign power. Before the enactment of the FAA, the Attorney General could authorize such collection without court approval. This provision thus increases the protection given to U.S. persons.

The attached background paper provides additional unclassified information on the structure, operation and oversight of Title VII of FISA.

Intelligence collection under Title VII has produced and continues to produce significant intelligence that is vital to protect the nation against international terrorism and other threats. We welcome the opportunity to provide additional information to members concerning these authorities in a classified setting. We are always considering whether there are changes that could be made to improve the law in a manner consistent with the privacy and civil liberties interests of Americans. Our first priority, however, is reauthorization of these authorities in their current form. We look forward to working with you to ensure the speedy enactment of legislation reauthorizing Title VII, without amendment, to avoid any interruption in our use of these authorities to protect the American people.

Sincerely,

JAMES R. CLAPPER,
Director of National Intelligence.
ERIC H. HOLDER, Jr.,
Attorney General.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I will continue to work on a path forward. If anyone has any ideas how to help me do that, I would be happy to listen to them, but this is something we must do before we leave here. Christmas is not more important than this legislation. I am sorry, I hope I am not offending anyone, but that is the way it is. We have to get something done on this before the end of the year, and I think we will be walking on very, very thin ice to try to wait until after Christmas to try to move this legislation. It is hard for me to comprehend the potential damage to our country if we do not extend this legislation.

The PRESIDING OFFICER. The Senator from Oklahoma.

AMENDMENT NO. 3368

Mr. COBURN. I ask unanimous consent that the Senate set aside the pending amendment and call up amendment No. 3368.

The PRESIDING OFFICER. Is there objection?

The majority leader.

Mr. REID. I object. I feel somewhat ill at ease here with not having anyone managing the bill at all, but I would hope that my friend will—I will talk to Senator LEAHY, but I am not in a position here to agree with it.

One thing I am not going to do, regardless of what the managers say, is have a big stack of amendments here that we are going to be worrying about. So I don't know where everybody is, but the managers aren't here.

Mr. COBURN. Through the Chair, I would ask the majority leader, he does not want amendments to be made pending for us to debate?

Mr. REID. Mr. President, do we have amendments pending now?

The PRESIDING OFFICER. There are amendments pending.

Mr. REID. How many amendments are pending?

The PRESIDING OFFICER. There is a substitute amendment and four first-degree amendments.

Mr. REID. The Senator is filing a first-degree amendment?

Mr. COBURN. I am.

Mr. REID. One more shouldn't do much damage.

Mr. COBURN. Well, I have five I was going to place pending, and I will be happy to work with the managers.

Mr. REID. I say to my friend again, through you, Mr. President, I am happy to do one, but the managers—I haven't talked to them in the last couple of hours. I am not going to agree to five amendments. I have no idea what is in them. If the Senator wants to lay down one of the amendments tonight, that is fine, but until we have managers on the floor, I am not going to agree to that.

The PRESIDING OFFICER. The Senator from Oklahoma.

AMENDMENT NO. 3371 TO AMENDMENT NO. 3338

Mr. COBURN. I ask unanimous consent that the pending amendment be set aside and that amendment No. 3371 be called up.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside.

The clerk will report.

The bill clerk read as follows:

The Senator from Oklahoma [Mr. COBURN], for himself and Mr. MCCAIN, propose an amendment numbered 3371 to amendment No. 3338.

Mr. COBURN. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To ensure that Federal disaster assistance is available for the most severe disasters, and for other purposes)

At the appropriate place insert the following:

SEC. 52007. (a) Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency (in this section referred to as the ''Administrator'') shall review the public assistance per capita damage indicator and shall initiate rulemaking to update such damage indicator. Such review and rulemaking process shall ensure that the per capita indicator is fully adjusted for annual inflation for all years since 1986, by not later than January 1, 2016.

(b) Not later than 365 days after the date of enactment of this Act, the Administrator shall—

(1) submit a report to the committees of jurisdiction in Congress on the initiative to modernize the per capita damage indicator; and

(2) present recommendations for new measures to assess the capacities of States to respond and recover to disasters, including threat and hazard identification and risk assessments by States and total taxable resources available within States for disaster recovery and response.

(c) As used in this section, the term ''State'' means—

(1) a State;

(2) the District of Columbia;

(3) the Commonwealth of Puerto Rico;

(4) any other territory or possession of the United States; and

(5) any land under the jurisdiction of an Indian tribe, as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

The PRESIDING OFFICER. The majority leader.

Mr. REID. I would also say to my friend the Senator from Oklahoma that the manager will be here bright and early in the morning. I will call him now.

Mr. COBURN. That is fine. I have no choice but to accede to the Senator's wishes, so I will.

Ms. MIKULSKI. Would the Senator from Oklahoma yield for a question?

Mr. COBURN. Absolutely.

Ms. MIKULSKI. I have a section of this bill, and I wonder if that amendment is relevant to my bill, and I would extend some courtesy.

Mr. COBURN. This is updating per capita damage indicators and the process for determining declarations. Oklahoma has had more declarations declared, but we haven't updated the per capita indicator for a long time, so we have had no increase in that. So what is happening is that it is too easy to get a declaration declared. I am trying to have them update that to where it is more reflective of the true cost.

Ms. MIKULSKI. I appreciate the Senator's advocacy for Oklahoma.

Mr. COBURN. This would actually hurt Oklahoma.

Ms. MIKULSKI. But what I am wanting to say to the Senator from Oklahoma is that my subcommittee deals with coastal impact, so the issue the Senator wishes to raise is with the Subcommittee on Homeland Security.

If it dealt with my part of the bill, I would say—because I know what the Senator is trying to do, and I appreciate it, which is trying to move the Senate forward in an expeditious way.

Mr. COBURN. I thank the Senator.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. We have a bill before us that is $64 billion, and I have spent the last week trying to get the OMB and Department of Commerce the background on all of these requests, and what I can tell you is there is an immediate need for about $24 billion that we ought to be passing through this Chamber to take care of immediate needs over the next 2 years in relationship to this tragedy in terms of Sandy.

Almost every amendment I am going to offer or hope to offer is about transparency, is about limiting who can have access, such as people who are in arrears on their taxes for years and years.

What we learned on the Homeland Security Committee, which has the authorization of most of these programs, which I will become ranking member of, is that out of the $100 billion-plus we spent on Katrina, $11 billion of it got wasted. One of the reasons it got wasted is because we didn't have transparency, we didn't have good-government amendments on it. And we are getting ready to make that mistake again.

So I was asked to come down, by our side of the aisle, to have amendments pending, and now that I can't have amendments pending, I think I will

just talk in general about this bill for a moment, if I might.

There is no one in the Senate who does not want to meet the needs of the people who have suffered from this horrific storm. How we do that is important. Meeting immediate needs in terms of the insurance fund for flooding—that is something on which everybody would agree. Nobody is going to object to that. We are going to be short on that. But also what is important in that is that we should have a provision that if you were in a floodplain and didn't buy the insurance, we certainly should not be ponying up our grandkids' money to pay for you when you chose not to insure it.

The reason that is important—there are two moral principles on why that is important. No. 1 is that we are going to endorse irresponsibility. No. 2 is that if we don't put that provision in this bill, the NFIP is never going to work because in the future everybody is going to say: Don't worry, you don't have to buy the flood insurance. Congress is going to take care of it.

So it is those kinds of good-government things that I am trying to put into this bill, and now I am unable to bring amendments to the floor. There is no reason not to bring amendments to the floor right now.

We are going to pick and choose what amendments we are going to bring to the floor when we have good-government amendments? I am at a loss to know why we would object to good-government amendments.

I understand the majority leader's reasoning. We now have five amendments pending on this bill of $60 billion. You take five or six of the agencies, this bill is going to be more than what all five of those agencies spend in a year, and 64 percent of this bill would not even get obligated until 2015 at the earliest.

I also would remind my colleagues that on this $64 billion bill, we don't have to offset any spending anywhere under the rules. So here we have this $64 billion, when we know we are wasting hundreds of billions every year in agencies throughout this government, and we are going to borrow $64 billion and not do the good-government cleanup, transparency.

One of our amendments is about creating a Web site so everybody can see. One of our amendments is about not having no-bid contracts or sole-source contracts. We have all this experience from Katrina where we know the money was wasted. Yet now we are precluded from putting amendments on the Senate floor that would keep us from wasting that very money in this emergency supplemental bill. It shows the dysfunction of the Senate.

In 2005 and 2006, we would not have had this happen. Amendments would be offered, they would get voted down or embarrassed into not asking for a vote, or withdrawn. Now we are going to pick and choose good-government amendments. In other words, we are saying we don't want good government. We don't want to do the hard work of making things efficient and effective when we go to spend $64 billion.

I don't get it. I don't understand it. Generations will not understand it that follow us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

NEWTOWN, CONNECTICUT TRAGEDY

Mr. TESTER. Mr. President, I rise today to offer condolences to the families and the communities of Newtown, CT, and to offer my condolences to the family of DANIEL K. INOUYE, the Senator from Hawaii.

For nearly a week now, my thoughts and prayers have been with everyone in Connecticut and all those families whose lives have been changed by the murders in Newtown. Like so many Americans, Sharla and I continue to struggle with the news. We prayed for lives that were lost and grieved for their families and their loved ones.

As a former teacher, but more importantly as a father and grandfather, I can't begin to make sense of the violence, especially against children—children, our future, the same age as my grandkids, exposed to the unthinkable actions of an assassin. No one can make sense out of it. I don't think we ever will. But we can offer hope.

We can offer our solidarity as Americans who unify in tragedy to look ahead—shaken with grief but strengthened with courage. In the days and weeks ahead, we will work together to address the unspeakable violence that has hurt our Nation. As a Senator, it is my responsibility to address the growing issue of violence in America, particularly as it applies to schools and public places, and to stand to ensure the safety of our children.

While we mourn the deaths of innocent children and their educators, we must bring ourselves together for an honest, real, national conversation about every aspect of this terrible attack. It will be a difficult conversation, but it is the responsible and necessary next step for the children of this country, for the children of Montana, and I look forward to rising to the challenge.

REMEMBERING DANIEL K. INOUYE

Earlier today, I had the opportunity to sit in the Presiding Officer's chair, and I heard many Members of this body speak of Senator INOUYE. Some spoke of him as a distinguished voice, a Senator's Senator, a great hero, a true patriot, a singularly iconic leader, an incredibly great man, a giant of the Senate, a mountain of Hawaii, and the list goes on and on and on.

You know, they say the hardest thing to get in life is a friend, and the easiest thing to lose in life is a friend. DANNY INOUYE was a friend.

I will never forget when one of my neighbors came out to visit me. DAN's office is right next door to mine in the Hart Building. Now, make no mistake about it, before I came to this body I knew of DAN INOUYE's past as a war hero, as a part of the Watergate investigative committee. He truly was somebody I knew before I got here through the media.

Well, so did my neighbor. After I had been here for a while I started to take DAN for granted. He was just one of us. So my neighbor was here, and we were standing in the anteroom of my office and DAN INOUYE came walking out of his office. My neighbor's eyes almost rolled out of his head and fell on the floor. He wanted to meet DAN. Why? Because he was a great American and he knew it. He knew this was an opportunity he shouldn't pass up.

I stopped into DAN INOUYE's office today and passed along my condolences to the staff and had the opportunity to walk back into DAN's office. One of the things that was pointed out to me was a sugar contract that set right above his chair, right in front of him. It was what he looked at every day when he sat at that desk—a sugar contract his parents had. Why? So he didn't forget where he came from. And all the time DAN INOUYE served in this body he was probably as grounded as anybody ever could be because he never forgot where he came from.

When I first got here, I was trying to get on the Appropriations Committee. I went to visit Senator INOUYE, and he said he would help, and he did.

DAN INOUYE was going to Cody, WY, and he flew into Billings, MT, and drove down to Cody for a veterans event. In doing so, he drove through forests that were brown and dead, and he came back and asked me: What is going on with the forests in Montana?

I said: DAN, I have a bill called a forest jobs and recreation act that will help remedy that problem. DAN's response was: Sign me up as a cosponsor. He was always there to help.

I remember one time in the cloakroom he was telling a war story about after he had gotten his arm blown off. They were laying on stretchers—this was in the 1940s, and medicine has come a long way since then, remember. But they were laying on stretchers, and there were many folks there, many with limbs missing, and he said there was a man of the cloth giving last rights. They came to DAN and DAN said: No, I am not going anywhere. And he stayed with us, thank goodness, and came to the Congress and then to the Senate. What a man. What an incredible man he was.

He always sat at our table at the caucus lunch, and when he came in he referred to me as ''Big One,'' and then proceeded to lecture me as to why I needed to lose weight if I was going to stick around here for a while. I always appreciated that.

Another time we were in his office visiting about some legislation, and out of the blue he asked me how many men I had on staff. I was going down the list counting them when he said: You know how many I got?

I said: No.

He said: I got two because women are better.

That was DAN INOUYE. He also had a connection to probably every State in the Union, and Montana was no exception. He always spoke of Mike Mansfield with great passion.

When I was in his office earlier today I noticed on the wall he had a picture of Ted Stevens, LBJ, Warren Rudman, and, of course, Mike Mansfield. On that picture, Mike Mansfield, then-majority leader, had written to my friend Senator DAN INOUYE: ''With admiration, respect, and affection.''

I can't say it any better.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

REMEMBERING JAMIE ELLIS

Mr. WICKER. Mr. President, I rise tonight to pay tribute to Jamie Ellis, a beloved member of my staff who passed away on Tuesday, November 27, at the age of 65.

Jamie Ellis served his State and country proudly as a constituent liaison in my office in Tupelo. He handled veterans issues, a role he filled with compassion, ability, and integrity. It was a natural fit. Jamie brought to the position his own background of military service and experience as a volunteer Veterans Service Officer for the local chapter of the Vietnam Veterans of America. He had a deep understanding of the unique circumstances our veterans face, and he worked tirelessly to make their lives better. His help and kindness will not be forgotten.

This ability to work well with others was evident throughout Jamie's career, from his years in public service to his success in business. He knew how to lead—a talent that served him well as president of Ellis Brothers Timber and Wonder Wood Products in Mississippi. Before joining my office, he was a valued independent sales agent for Lawson Products in Illinois.

Jamie deserved the respect that veterans and others bestowed upon him. He served in the U.S. Air Force from 1966 to 1970, spending nearly 3 years in southeast Asia, including 1 year in Vietnam. He then served in the National Guard. In his home community of Saltillo, Jamie was a 32nd-degree Mason and Shriner and member of the Saltillo First United Methodist Church.

Helen Keller once said:

> The world is moved along not only by the mighty shoves of its heroes, but also by the aggregate of the tiny pushes of each honest worker.

Jamie was the true and honest worker Ms. Keller describes, and he was a hero to those he helped. There is no doubt his contributions have made the world a better place than he found it.

I am thankful to have known Jamie Ellis and to have had him on my staff. My wife Gayle and I extend our deepest sympathy to his loved ones. To many, Jamie was a fellow veteran and a good friend. To his family, he was a devoted son, husband, father, brother, and grandfather.

Our thoughts and prayers are with his family, especially his wife Judy of 42 years, and their three children and nine grandchildren. He will be truly missed.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MORNING BUSINESS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

Mr. UDALL of Colorado. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PRYOR. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. UDALL of Colorado). Without objection, it is so ordered.

REMEMBERING DANIEL K. INOUYE

Mr. PRYOR. Mr. President, I understand we are in a period of morning business. I wish to offer a few reflections and reminiscence about our dearly departed Senator DAN INOUYE.

Yesterday afternoon I came into the Chamber expecting to vote on a matter or two. I was stunned and devastated to hear the news, as were the rest of my colleagues, that we had lost Senator INOUYE. When I think of what a Senator is and should be, I think of DAN INOUYE.

When I came to the Senate, 10 years ago now, I would say that there were three undisputed giants in this hall. There may have been more, but there were three undisputed giants I think everybody recognized as giants in the Senate. One would be Ted Stevens, one would be Ted Kennedy, and the other would be DAN INOUYE. There is something about those three men, those three Senators, that put them in a class by themselves.

Some of it is the force of their personalities, some of it is their legislative accomplishments, some of it is just their ability to get it done; when the chips are down to have the integrity, to understand the vital role that the Senate plays in our Federal system. I think DAN INOUYE had all of those traits and he also had character. Character is something that is hard to describe, it is hard to quantify, hard to define sometimes, but there is no doubt Senator INOUYE had character.

Yesterday morning I got off the plane. Like many of us I raced into the office. I noticed I had a big bundle of papers waiting for me to look at. I did not have a chance to look at those, I just grabbed those and plopped them on my desk and I thought I would go deal with those later, and later turned out to be the next morning, which is this morning.

I have been thinking about losing our friend DAN INOUYE over the last 12 or 14 hours or so, and I was sitting in my office starting to go through this stack of papers and there at the bottom of the stack I saw a Christmas card that had come from Senator INOUYE and his wife. I thought this Christmas card summed up one of the traits that made Senator INOUYE so special. It is from DAN and Irene—certainly we offer our prayers and our support for Irene right now—but the photo was taken at the Maui Arts and Cultural Center, ''a performing arts facility, providing music, dance and theatrical performances as well as art exhibitions.'' It is about Hawaiian culture and education and there he is on their Christmas card, promoting Hawaii and never stopping in that quest to make us aware of the special nature of that State and the importance of that State and so many of the qualities of that State.

I look at Senator INOUYE's picture on the Christmas card and what I see is that very kind and very generous but also, as our fellow Senators will testify and have testified repeatedly today, that very encouraging face and way of DAN INOUYE.

Actually a year or so ago, on my own initiative, I wanted to know a little bit more about him. It is rare to have a Congressional Medal of Honor recipient in your midst, much more rare to work with that person every day. I had the great fortune and extreme pleasure of being on two of Senator INOUYE's committees, committees he chaired. He chaired the Commerce Committee for a while and he chaired the Appropriations Committee. I served on both of those with him as chair. In both of those, by the way, I saw the great bipartisan working relationship he had. I want to talk about that again in a moment.

About a year or two ago I thought: I want to know more about Senator INOUYE, so I started reading. Of course, you can go to Wikipedia and whatnot, but there are several books available, several resources available where they talk about his life story. Of course, with Senator AKAKA and Senator INOUYE, they were both born in the Territory of Hawaii, not the State of Hawaii but the Territory of Hawaii. When you start to read about DAN INOUYE's young life, you start to think this is an ordinary, average guy. He is going to grow up and be pretty nondescript. Who knows what he is going to do with the rest of his life? But

when he is a youngster he does things such as he parks cars at ball games; he cuts his classmates' hair for money—you know, these little things we all do. He saved his money and bought and trained a flock of homing pigeons. He had a postage stamp collection—all this ordinary American stuff that boys do as they are growing up.

But his life took a dramatic turn on December 7, 1941. He was an eyewitness, like Senator AKAKA—and Senator AKAKA often tells the story but DAN INOUYE was an eyewitness to the bombing of Pearl Harbor. He was too young to join the military at that point, but he was not too young to serve. The way he served was he worked as a medic in the aftermath of that. I read a story about him one time and the only comment he said was he saw ''a lot of blood'' in those days when he worked around the clock to help people.

When he finally came of age to be able to serve, which was a few years later, he joined the Nisei 442nd Regimental Combat Team. For a lot of people, a lot of Americans, we may not appreciate exactly what or who the 442nd is, but it turns out it would become the most highly decorated unit in the history of the U.S. Army. Of course, Senator INOUYE received the Medal of Honor for his service in that unit.

There is one other distinction it has. Almost all the Members were of Japanese descent. So here is this 17-, 18-year-old young man who had eyewitness accounts of very harsh treatments by Americans of Japanese Americans.

One of the things Senator INOUYE did not talk a lot about is that he did some sort of goodwill tour back in the 1940s to Japanese internment camps. He came to the two in Arkansas. My understanding is maybe the members of the 442nd—I am not quite sure how it worked, but they were doing some training or whatever, maybe down in Louisiana. I am not quite sure. But nonetheless they came and they went to the two Japanese internment camps in Arkansas.

He goes on to serve in World War II with tremendous distinction. In fact, there are a few video interviews I would recommend to people that C–SPAN2 ran last night, just unbelievable, some of the stories he told about serving in the war and how it changed his life.

One of the things that I loved about him is how he carried a burden. He carried a burden of those heroic war years with him for the rest of his life. The fact that he had been so effective in war haunted him. It stayed with him, I am sure, until the day he died. I heard him talk about it a few months ago.

He also struggled and suffered with his own type of discrimination because he was a Japanese American. My generation—and certainly people younger than me—take that for granted. We don't discriminate against Japanese Americans. However, during the time of World War II, when a lot of people had never had much experience with Asians and Asian Americans, all they knew was that they had bombed Pearl Harbor, we were at war with them, so they must all be bad.

I remember Senator INOUYE told a story—in fact, it was on PBS for the series called ''The War,'' a Ken Burns movie, where he talked about how he lost his arm and had done his rehab and was headed out to the west coast. It is my understanding he was supposed to catch a ship and go back to Hawaii after his long rehabilitation. Well, he decided to stop in and get a haircut at a local barber shop on the west coast. I believe the barber shop was in Oakland, CA. Here was a highly decorated World War II veteran who had literally almost given his life to this country and would live the rest of his life without his right arm. When he walked in the barber shop, the barber told him bluntly: ''We don't cut Jap hair.'' ''We don't cut Jap hair'' is the kind of thing that stays with you. That is the kind of thing that made Senator INOUYE so special.

I saw him meet with a young man just a few months ago who had also lost his arm. This young man lost his arm to cancer. He introduced himself to Senator INOUYE and said: I have always admired you and respected you because of your disability and what you have done for other people with disabilities. DAN INOUYE looked him square in the eye and said: ''I don't consider it a disability.''

There again, we see his character and get a glimpse of what he was all about.

He was also the first Japanese American to be elected to Congress, the first Japanese American to be sworn in, and the first Japanese American to serve in the Senate. In fact, he was sworn into the House the very same day that Hawaii became a State.

There is a story that has circulated in the House for a decade about his swearing in. He came in at kind of a special time because he won a special election. He was in a class of one to be sworn in over there and Sam Rayburn did the normal swear-in thing. He said, without thinking: ''Raise your right hand and repeat after me.'' Of course, Congressman INOUYE didn't have a right hand at that point; he left it in Italy while fighting for his country.

He broke several barriers, large and small, throughout his life. One of the things I loved about him was his relationship with Ted Stevens. I still remember that their desks were right across the aisle from one another. I remember them working together on all kinds of legislation. They were brothers. Their love and friendship transcended partisan divide. They were totally for the national interest. I think they set a great example for all of us and how we can work together.

They didn't always agree. If we look at their voting record, they voted opposite each other a lot of times, but they worked together and had an exemplary relationship I think we should all follow.

We had Senator INOUYE come to the Senate Prayer Breakfast a few months ago. For those who are watching at home or don't know a whole lot about the Senate, every Wednesday morning we are in session we have a Senate Prayer Breakfast. It is for Senators and former Senators only. When we come together, it is a very special time to share each other's lives and tell stories.

It was a treat to have DAN INOUYE. I believe he lived in Rockville, so it was hard for him to get here so he didn't make it that often, but he came when he could. I have been here 10 years, and I have been going to the prayer breakfast almost that long. He is the only speaker I have seen in the Senate Prayer Breakfast who got a standing ovation before he spoke and a standing ovation after he spoke. That is the kind of Senator and man he was. He had this spirit that oozed from him. No matter what situation he was in, other people respected him so much.

This last story I will tell is one of my favorite stories about him. When he won his reelection back in 2010—I didn't see it, but I heard this—at the podium that night while accepting his election for his ninth term, he announces that he is going to run for his tenth term in 2016. That is part of that indomitable spirit that we will all miss so much about Senator INOUYE.

With that, I want to thank my colleagues for all the wonderful things they have said about Senator INOUYE. I want to lift up his family in prayer. He has a fantastic, wonderful staff, and I know everyone in Hawaii is mourning the loss of this great man.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

DISASTER RELIEF

Mr. MENENDEZ. Mr. President, I rise to respond to some of the comments I heard from my colleagues with reference to the Hurricane Sandy emergency supplemental. Hopefully I can give all of our colleagues—who will be casting a vote here at some point—an understanding as to why we hold a different view than some of the comments that have been made.

One of those comments I will generally put under the rubric we can wait and do something small. Various comments have been referenced in that respect. Some seem to be questioning whether this emergency is worthy of a robust Federal response. They say the cost to help families rebuild and recover is too much and should be reduced. I have heard that in this emergency it is not necessary, and unlike many other similar emergencies in the past, we should do something smaller and wait to do the rest later.

I think those who suggest or make that argument don't seem to understand that a piecemeal recovery is a

failed recovery. We cannot rebuild half of a bridge unless we know the entirety of the money that is necessary is committed, like the Mantoloking Bridge in New Jersey, which I have shown many pictures of. We cannot hire a contractor to ultimately replace an entire sewage treatment system that had enormous amounts of sewage dispersing directly into the Hudson River because it was overcome if we only have half of the funding. We cannot hire a contractor to rebuild half a home or restore half of a community unless we know the money is there and that they can depend upon it in order to finish the project. We need the money in place to rebuild entire projects and entire areas to ensure that families and businesses devastated by the storm can recover.

Right now there are literally tens of thousands of small business owners trying to decide whether to reopen or pack it in. They are in a limbo. They are waiting to see what we, their Federal Government, do to respond to their tragedy. They are making decisions in their lives, their businesses, and everyone who is hired by those businesses. They are frozen and waiting to make those decisions based on whether the government is going to offer them a small business loan at low rates that are competitive with the marketplace and have longer term payments. Will they give them a grant toward rebuilding? What type of other benefits will they be able to derive in order to make a determination of whether they can open their business again? Having just a sense that there is only some emergent money and not the moneys to be able to do that doesn't allow them to open their business. It doesn't allow them to make that decision, and it freezes them in time.

The same thing is true for the person who, as winter is biting in the Northeast, faces the challenges of deciding what they might get from the government as it relates to rebuilding their home. Should they go forth or not? It is as if some of our colleagues don't believe when we describe this tragedy—and I welcome any one of our colleagues who wants to visit us in New Jersey to come with me to see the breadth, depth, and scope of our devastation. I have already taken a number of Members who were willing to go.

I ask my colleagues: Do you think Governor Christie is making this up? Do you think this fiscal hawk of the Republican Party is looking for Federal aid that is not desperately needed? Do you think we made up these photos of the damage? I can assure everyone we did not.

This is a picture taken just at one small part of the Jersey shore. If I could have a continuum that would bring us around this Chamber, it would look exactly like this. This is Ortley Beach. It shows blocks and blocks of homes that have been totally destroyed. It is an image that can be seen up and down the New Jersey coast.

Here is another example in Union Beach. It is half a home, but that whole community was significantly devastated. If we were to see this community, there would be rows and rows of houses reduced to rubble. I think that is the reality of what we have as a continuation of those neighborhoods in Union Beach.

I was talking to the mayor today—as part of a group of mayors—about their challenges, and this is an example of what he is facing throughout his community.

The storm damage is real and the Governor's request for funding is actually $20 billion higher than the supplemental we are debating. It is significant that it is $20 billion higher than the amount we are debating. These requests were scrubbed by OMB from the Governor's original request and gone over with a fine-tooth comb by the Appropriations Committee. Everything in this bill, whether it is about Sandy or something else, is about declared disasters. Now is the time to come to our neighbors' help.

Secondly, there are those who come to the floor and say they are upset about the Army Corps element of this disaster bill and that the budget in this bill is too rigorous. They say that planning and rebuilding for the future is a waste, and that we can have another legislative opportunity to deal with the future. I would submit to those Members who very much care about fiscal responsibility that it is neither efficient, effective, nor fiscally responsible. What should we do, have the Army Corps go back to exactly what existed before? In many cases, what existed before did not sustain those communities, did not withhold the consequence of the surge, and created enormous losses.

We lost over 40 lives. The storm affected over 300,000 homes—30,000 permanently gone.

It seems to me, if we want to be smart fiscally, planning for the future means rebuilding well and rebuilding smart. It means rebuilding in a way that protects us from future storms.

We learned a lot from this superstorm. We know Army Corps coastal defenses work. Where we had them in place, the damage was minimal; where we didn't, there was more devastation, there was more damage, there was more destruction, and more recovery costs.

Stockton College did a study of the Army Corps beach engineering projects before and after the storm, and what it found was unambiguous. Where the Army Corps was able to complete a beach engineering project recently, the dunes helped and damage to communities behind the project was manageable.

Here is a picture taken at Surf City, NJ, right after the storm. This beach received beach engineering in 2007 as part of the Army Corps Long Beach Island Shore Protection Project, and my colleagues can see that despite damage being done to the dune, the dune held and saved lives, saved property, and saved money.

Alternatively, the pictures of Union Beach, which I previously referred to—it is a working-class town that couldn't afford the local match for the Army Corps project, and as my colleagues can see, we have an entirely devastated neighborhood. So we see the fundamental difference: Engineered beaches by the Army Corps, minimal destruction: Those that weren't engineered, maximum destruction; costs, and consequences. Rebuilding the defenses only to the standard that existed before the storm will just give us more of the same in the next storm. If we don't do things differently, we shouldn't expect a different outcome.

In this photo, we also see the homes destroyed by the storm surge. Yes, we can help these homeowners rebuild, but if we don't rebuild smarter, better, and with stronger coastal protections, we will be paying again after the next storm, both in terms of human suffering and Federal funds. The storm crews with the Army Corps of Engineers, academic studies, and local community officials have been telling us for years that beach engineering works. It protects lives. It protects properties. It saves us money in the long run.

Time is of the essence. The severe storm damage caused by Sandy has left New Jersey defenseless. As we enter what is our most vulnerable storm season—the winter Nor'easters—we don't need a Superstorm Sandy to have major consequences all the way up and down the communities throughout New Jersey.

Right now, the Jersey shore is similar to a person with a weak immune system. The storm has destroyed our defenses, and that is why we need to rebuild them quickly. If we don't, a relatively mild storm can cause catastrophic damage.

This is a challenge to us right now—right now. Suggesting the Army Corps budget is not one we need right now and it can wait—these communities can't wait. These communities can't wait. In fact, it will be far more costly to us.

I think we have close to anywhere between $750 million and $1 billion in Army Corps of Engineers projects that have been approved—passed and been approved—but they have not had the funding. So when we add those that would ensure we don't end up like Ortley Beach and that we can recover those like Ortley Beach that have been battered and shattered, then I think it makes critical sense.

Finally, I know there are some who suggest mitigation is not worthy of this disaster. I think I have made the case, in the case of the Army Corps, although the Army Corps is not the only form of mitigation. Mitigation means rebuilding smarter and stronger. Whether it is through a flexible CDBG account that will allow the hardening

of our electrical grid or elevating homes or via traditional Army Corps or FEMA programs, mitigation has long been a part of supplemental appropriations.

In the gulf coast, we spent $16 billion building a world-class storm protection system in Louisiana—$16 billion. In Alabama and Texas, we used CDBG funding to raise homes and improve infrastructure. So much of the public infrastructure in our region that was damaged as a result of the superstorm is eligible for reimbursement from FEMA. There is no disputing that.

The Stafford Act has now been the law of the land for many years, and it says the Federal Government will assume the cost of repairs to critical infrastructure after an event such as Sandy. These communities, when we talk to mayors in Little Ferry and Moonachie—not the Jersey Shore but northern New Jersey and other places that were dramatically hit—when I was visiting them soon after the storm, one mayor said to me, Mayor Vaccaro, I lost my police department, my fire department, and city hall is underwater.

They need to be protecting their citizens. They need to be able to fully depend upon the resources to get back their public safety efforts. It does not make good fiscal sense for Congress to pay to fix our broken infrastructure, which we are legally required to do, without looking to protect our investment and prevent similar costly damage in the future. To me, that makes a lot more fiscal sense at the end of the day. So we will look forward to coming back to the floor again and again as we deal with these issues, but I hope our colleagues understand the urgency of now.

Final point. After Katrina, in 10 days the Congress passed two emergency supplementals that totaled a little over $62 billion for Louisiana, Alabama, Mississippi. It has been 6 weeks—6 weeks, not 10 days, 6 weeks—since the storm hit New Jersey, New York, and the Northeast, and there hasn't been any action. The urgency of now is incredibly important and the urgency of doing this robustly is incredibly important to the recovery of a region that is so important to the economic engine of this country.

TRIBUTE TO DR. JAMES RAMSEY

Mr. MCCONNELL. Mr. President, I rise to pay tribute to my good friend and an extraordinary leader of my hometown of Louisville, KY: Dr. James Ramsey, the president of the University of Louisville. President Ramsey celebrated a milestone for the University of Louisville recently when it was announced that UofL was unanimously welcomed into the Atlantic Coast Conference.

The ACC has a great history, a proud athletic tradition, and is home to some truly astonishing academic schools. Thanks to Jim's work as president over the last decade, the University of Louisville is able to stand toe to toe with any of them, in any of those categories.

Dr. Ramsey is the 17th president of the university, and has held that post since 2002. In his 10 years at the helm, he has worked every day to make UofL one of the very best metropolitan research universities in the country. It is safe to say, he is succeeding.

Since 2002, the quality of UofL's freshman class has improved every year, with the average incoming freshman ACT score rising from 23.2 in 2002 to 24.7 in 2011. The graduation rate has increased nearly 60 percent, and the number of doctoral degrees awarded by the school has more than doubled since 2002.

UofL students are also winning national acclaim and prestigious academic honors. In 2009, UofL produced its fourth Rhodes Scholar, who was also the first woman from UofL to win the award.

In 2010 and 2011, 14 UofL students won coveted Fulbright scholarships, placing UofL among the nation's top 20 Fulbright-producing institutions each year. Since 2003, 68 UofL students have received Fulbright scholarships, which is more than all other Kentucky schools combined.

President Ramsey has created a university culture that is focused on research and innovation. This approach has already led to major milestones in health care, business, and the environment. The Chronicle of Higher Education lists the University of Louisville as the fourth fastest growing research university in the country.

UofL's research funding has doubled from a decade ago, and UofL is one of the country's fastest growing research universities in National Institutes of Health funding.

UofL has also strengthened its ties with the city of Louisville in such a way that this school is an invaluable asset, not just to its students, faculty, and alumni, but to all members of the community. UofL has been a major player in the award-winning Partnership for a Green City with Jefferson County Public Schools and Louisville Metro government.

It has also launched a Signature Partnership Initiative to improve education, health care, social services, and economic opportunity in the city. The school is also reaching out to men and women in the Armed Forces, signing education, training, and research agreements with Fort Knox and the Kentucky National Guard.

All of these accomplishments in the last decade have transformed the University of Louisville from a fine local institution to a superb global one—one able to compete with any school in the quality of its students and the caliber of its research. Exciting things are happening at the university, and we have Jim Ramsey to thank.

I want to salute Dr. Ramsey and congratulate him on his superb leadership of the school I am proud to call my alma mater. He and his wife Jane are fixtures of the community, and Elaine and I are honored to call them friends.

I certainly hope Jim will be at the helm of UofL for a long time to come. I will always look forward to working with him on ways to better the school and the city that we both love.

BUDGETARY REVISIONS

Mr. CONRAD. Mr. President, I previously filed committee allocations and budgetary aggregates pursuant to section 106 of the Budget Control Act of 2011 and, on June 29, I revised some of those levels pursuant to the Budget Control Act. Today, I am further adjusting those levels, specifically the allocation to the Committee on Appropriations for fiscal year 2013 and the budgetary aggregates for fiscal year 2013.

Section 101 of the Budget Control Act allows for various adjustments to the statutory limits on discretionary spending, while section 106(d) allows the chairman of the Budget Committee to make revisions to allocations, aggregates, and levels consistent with those adjustments. The Committee on Appropriations reported two bills that are eligible for an adjustment under the Budget Control Act:

One, the Department of Defense Appropriations Act for 2013 includes $93.297 billion in budget authority that is designated as funding for Overseas Contingency Operations/the Global War on Terrorism. That funding is estimated to result in $50.697 billion in outlays in 2013.

Two, the fiscal year 2013 disaster assistance supplemental includes $55.957 billion in budget authority that is designated as funding either for a disaster, $5.379 billion, or an emergency ($50.578 billion). In total, that funding is estimated to result in $8.974 billion in outlays in 2013.

In addition, I am making corrections to the June 29, 2012, adjustment by removing the off-budget portion of the program integrity funding previously provided for continuing disability reviews and redeterminations.

Consequently, I am revising the budgetary aggregates for 2013 by a total of $148.840 billion in budget authority and $59.302 billion in outlays. I am also revising the budget authority and outlay allocations to the Appropriations Committee by $93.409 billion in security budget authority, $55.845 billion in nonsecurity budget authority, and $59.671 in total outlays.

I ask unanimous consent that the following tables detailing the changes to the allocation to the Committee on Appropriations and the budgetary aggregates be printed in the RECORD.

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

BUDGETARY AGGREGATES—PURSUANT TO SECTION 106(B)(2)(C) OF THE BUDGET CONTROL ACT OF 2011 AND SECTION 311 OF THE CONGRESSIONAL BUDGET ACT OF 1974

	$s in millions	
	2012	2013
Current Spending Aggregates:		
Budget Authority	3,075,731	2,837,275

BUDGETARY AGGREGATES—PURSUANT TO SECTION 106(B)(2)(C) OF THE BUDGET CONTROL ACT OF 2011 AND SECTION 311 OF THE CONGRESSIONAL BUDGET ACT OF 1974—Continued

	$s in millions	
	2012	2013
Outlays	3,123,589	2,947,257
Adjustments:*		
Budget Authority	0	148,840
Outlays	0	59,302
Revised Spending Aggregates:		
Budget Authority	3,075,731	2,986,115
Outlays	3,123,589	3,006,559

*Includes an adjustment related to the off-budget portion of the program integrity funding previously provided for Continuing Disability Reviews and Redeterminations.

REVISIONS TO THE BUDGET AUTHORITY AND OUTLAY ALLOCATIONS TO THE COMMITTEE ON APPROPRIATIONS PURSUANT TO SECTION 106 OF THE BUDGET CONTROL ACT OF 2011 AND SECTION 302 OF THE CONGRESSIONAL BUDGET ACT OF 1974

	In millions of dollars		
	Current allocation/limit	Adjustment	Revised allocation/limit
Fiscal Year 2012:			
Security Discretionary Budget Authority	816,943	0	816,943
Nonsecurity Discretionary Budget Authority	363,536	0	363,536
General Purpose Discretionary Outlays	1,320,414	0	1,320,414
Fiscal Year 2013:			
Security Discretionary Budget Authority	546,254	93,409	639,663
Nonsecurity Discretionary Budget Authority	509,991	55,845	565,836
General Purpose Discretionary Outlays	1,224,882	59,671	1,284,553

DETAIL ON ADJUSTMENTS TO FISCAL YEAR 2013 ALLOCATIONS TO COMMITTEE ON APPROPRIATIONS PURSUANT TO SECTION 106 OF THE BUDGET CONTROL ACT OF 2011

	$s in billions				
	Program integrity	Disaster relief	Emergency	Overseas contingency operations	Total
Department of Defense:					
Budget Authority	0.000	0.000	0.000	93.297	93.297
Outlays	0.000	0.000	0.000	50.697	50.697
Disaster Assistance Supplemental*:					
Budget Authority	0.000	5.379	50.578	0.000	55.957
Outlays	0.000	0.538	8.436	0.000	8.974
Total:					
Budget Authority	0.000	5.379	50.578	93.297	149.254
Outlays	0.000	0.538	8.436	50.697	59.671
Memorandum 1: Breakdown of Above Adjustments by Category:					
Security Budget Authority	0.000	0.000	0.112	93.297	93.409
Nonsecurity Budget Authority	0.000	5.379	50.466	0.000	55.845
General Purpose Outlays	0.000	0.538	8.436	50.697	59.671
Memorandum 2: Cumulative Adjustments for FY 2013 (Includes Previously Filed Adjustments):					
Budget Authority	1.050	11.027	50.578	95.844	158.499
Outlays	0.907	0.941	8.436	51.772	62.056

Note: This table reflects the FY 2013 impact of the Disaster Assistance Supplemental. The ten year impact is $60.4 billion in budget authority and $59.118 billion in outlays.

OBJECTION TO S. 2215

Mr. COBURN. Mr. President, I intend to object to any unanimous consent agreement to proceed to or dispose of Calendar Number 536, Senate Bill 2215, a bill to create jobs in the United States by increasing United States exports to Africa by at least 200 percent in real dollar value within 10 years, and for other purposes.

TRIBUTE TO CARYN WAGNER

Mrs. FEINSTEIN. Mr. President, I wish to recognize today an extraordinary public servant and a dedicated leader of the U.S. intelligence community, Ms. Caryn Anne Wagner, the Under Secretary for Intelligence and Analysis—I&A—at the Department of Homeland Security. After 30 years of devoted Federal service, Caryn came out of retirement in 2010 when the President nominated her to the Under Secretary position. She was confirmed for this position and has proven herself a manager and leader of what had been a troubled agency. After nearly 3 years in the job, Ms. WAGNER will retire again on Friday, December 21. I am sorry to see her leave but wish her the very best as she prepares for her next chapter.

I came to know Caryn when she was nominated to be the Under Secretary for Intelligence and Analysis. Since then, she has drawn on the depth and breadth of her experience in the intelligence community and the Congress to build the foundations of a Homeland Security intelligence office that will long outlast her tenure. The mission of I&A is to provide the Department of Homeland Security with the intelligence and information it needs to keep the homeland safe, secure, and resilient and to bring to the intelligence community the information and analysis from the Department's thousands of officers posted at our Nation's airports, borders, and numerous other places around the world. It also informs and empowers State, local, and tribal governments and law enforcement on the frontlines of our homeland defense against terrorism.

Caryn's many years of experience in the intelligence community, combined with an indepth knowledge of the National Intelligence Program, collaborative instincts, and insightful thinking on intelligence matters have been key components of her success. She previously held senior positions involving oversight of the collection and analysis of intelligence to include: the Director of Analysis and Production and Director of the Military intelligence staff for the Defense Intelligence Agency, where she was responsible for development and management of the General Defense Intelligence Program; the Defense Intelligence Agency's senior representative to the U.S. European Command and North Atlantic Treaty Organization—NATO—Assistant Deputy Director of National Intelligence for Management and the first chief financial officer for the National Intelligence Program; as well as the Executive Director for Intelligence Community Affairs. In that role, she was responsible for the Community Management staff, which provided strategic planning, policy formulation, resource planning, program assessment and budget oversight for the intelligence community. Adding to her experience in the executive branch, she also served for a brief time in the private sector, where she provided support to military operations, intelligence planning, and intelligence systems architecture development. She also served our Nation in uniform for 8 years as a signals intelligence and electronic warfare officer in the U.S. Army, and in the Congress as budget director for the House Permanent Select Committee on Intelligence.

But I want to note in particular her role as Under Secretary in the Department of Homeland Security. Caryn stepped into a relatively new organization that had some notable problems,

to include an unclear mission, a shocking overreliance on a workforce in which government contractors outnumbered employees, and major shortfalls in office budgeting and spending. Drawing upon her considerable experience, Caryn was able to shape I&A's personnel structure to match as closely as possible that of the larger intelligence community; thereby greatly decreasing the number of contractors, flattening the Federal grade structure, and moving junior and midgrade personnel into career ladder positions. She also addressed and conquered basic management challenges that had previously gone unnoticed and unaddressed. As a result, I&A now has a functioning process to develop a budget request and execution plan; procedures in place for hiring and training qualified personnel; and procedures for identifying the need for policies, then writing, publishing and enforcing them.

While overseeing the Department of Homeland Security's intelligence functions, Under Secretary Wagner has promoted information sharing and engagement with State, local, and tribal partners and has championed the consolidation of the Department's counterintelligence mission. In the critical area of cyber security, Caryn has overseen I&A's close collaboration and analytic support to the Department's National Protection and Programs Directorate.

Under Secretary Wagner has approached every issue with a pragmatic and professional approach that should be a model for all who follow her.

I would also like to note that over the past year or so, I have had a series of dinners and informal gatherings with senior women in the intelligence community. In that context, I have gotten to know Caryn on a more personal level, and I hope that we will continue our friendship after her retirement.

Our Nation owes this public servant a tremendous debt of gratitude. I wish to thank her on behalf of the committee for her decades of exceptional service to our country and to wish her and her husband Chad the very best in the days and years ahead. Caryn can at long last dedicate more time to her love of gardening, travel, theater going and fine dining, and I wish her all the very best.

ADDITIONAL STATEMENTS

CELEBRATING 100 YEARS OF CALIFORNIA RICE PRODUCTION

• Mrs. BOXER. Mr. President, today I would like to commemorate the centennial of commercial rice production in California. What began as an experimental crop in the Sacramento Valley has become a more than billion-dollar industry for our State and an exceptional agricultural product enjoyed by consumers worldwide.

Rice was introduced in California during the Gold Rush, when immigrants traveled to the State in search of fortune and a better life. As early as 1870, European and Asian settlers began to experiment with different varieties of rice that they had grown back in their homelands. After attempts to grow long grain rice were unsuccessful, the USDA concluded that California's climate would be more amenable to a Japanese medium-grain variety known as Kiushu. When Kiushu failed to thrive in southern and coastal areas of California, it was discovered that the Sacramento Valley had the most ideal soil and climate conditions for the high-quality Japanese varieties of rice. By 1908, Kiushu rice was successfully being grown in the community of Biggs in Butte County. The California Rice Experiment Station, established in Biggs in 1912, has helped farmers perfect the short- and medium-grain rice crop for the last century. More than 95 percent of the State's rice is grown in the Sacramento Valley region of California.

Rice has become one of the State's top agricultural exports. According to the California Rice Commission, California rice is used in nearly every roll of sushi made in the United States and represents more than 30 percent of the Nation's rice exports to countries such as Japan, Taiwan, and Korea. This year's crop is expected to yield 5 billion pounds and represents $1.8 billion in economic value.

In addition to supplying consumers with this fine agricultural product, California rice fields serve as an important habitat for migratory birds along the Pacific Flyway. After the fields are harvested in the fall, growers flood them to create feeding grounds that yield nearly 60 percent of the food needed by 10 million waterfowl each winter.

I congratulate California's 2,500 family rice farmers on this centennial of successful rice production, and organizations such as the California Rice Commission and Farmers' Rice Cooperative that have worked to promote and export this fine product all over the world.•

TRIBUTE TO HARRY E. LEGRAND

• Mr. BURR. Mr. President, I would like to recognize Harry E. LeGrand, a native North Carolinian, for his contributions to his State, his Nation, and the scientific community, particularly in the area of groundwater research and how the disposal of contaminated waste can affect our water supplies.

Born in 1917 in Mebane, NC, Harry graduated from the University of North Carolina at Chapel Hill with a B.S. in geology. He was working as a geologic aide when he answered his nation's call to duty and served as an officer of the First Army in the European Theatre of World War II which included service stretching from the Normandy invasion to the Battle of the Bulge.

Harry returned home after his valiant service to our country and married Undine Nye. Throughout his life both personally and professionally, Undine provided Harry with love and support and traveled with him on many geology trips, providing a sense of home even in far away places.

When Harry went to work for the Ground Water Branch of the United States Geological Survey, USGS, he quickly noticed something that would follow him throughout his career—the lack of comprehensive records and data related to his field of study. Despite the fact that incomplete and imprecise data was a constant in his professional career, Harry saw this as an opportunity rather than an impediment and stated in an autobiographical article that ''working with imprecise data can be a blessing because it prompts clear reasoning that can lead to useful deductions.'' Where many people would see nothing more than a roadblock Harry saw opportunity, and the work he accomplished to fill in the many holes in available information and build on the data that did exist led to practices still heralded and in use today.

Harry's work in those years focused primarily on groundwater in the fractured igneous and metamorphic rock in the Piedmont of North Carolina, and he discovered a useful system for locating high-yielding wells based on topography and soil thickness. During the 1950's, Harry worked with the USGS's Office of Radiohydrology to identify potential deep-well disposal sites for low-level radioactive material and was named head of the Radiohydrology Section in 1960. It was in this capacity that he became more interested in groundwater contamination and laid the foundation for future research of the role and impact of natural attenuation. Ever curious and eager to further knowledge on subjects that were under-researched, Harry soon turned his attention to karst hydrology. After much travel, research, and field work, Harry and his fellow Americans serving on the Karst Commission of the International Association of Hydrogeology laid the basis for useful generalizations that would have worldwide application. Harry's retirement did not slow him down and in 2004, 3 decades after leaving the USGS, Harry wrote a report that serves as a master groundwater conceptual model for sites in the igneous and metamorphic terrain of North Carolina.

Harry spent his life pursuing fields of study that were largely under-researched at the time and, in many cases, offered little in the way of solid data upon which to build. Despite, or perhaps in spite of that, Harry pushed forward with research that furthered development in these fields and provided a solid foundation for research to come. While the worlds of geology and groundwater research might feel foreign to many of us, Harry identified many shared qualities between aquifers and human beings, and he expressed these commonalities in poetry. As if

his work on the subject wasn't enough, his real legacy might be introducing others to the underground waterscape that exists beneath our feet and inspiring future generations to continue to explore the natural world in which we live.●

TRIBUTE TO JUDGE PAT SHAW

● Mr. WYDEN. Mr. President, the job of a county judge in an Oregon county is a tough one. In addition to serving as the chief elected officer and manager of the county, the county judge serves as judge of the probate court and the juvenile court.

There is no other elected official in Oregon that demands so much of one person.

Pat Shaw, of Gilliam County, has served in this role for 6 years and during this time she has been a superb example of what a county judge ought to be.

Pat has administered the county, managing the budget with aplomb. She has gone toe to toe with State and Federal agencies and made tough decisions in juvenile and probate court. No one can claim that her plate has not been overflowing and yet she has always taken time to go the extra mile for her community.

Pat has served Gilliam County for 30 years, including 16 years as county assessor. Her colleagues thought so much of her that she was chair of the Oregon Assessors Association for 7 years. She also served a stint as secretary to the Gilliam County Fair Board. Anyone who serves on a fair board knows how tough a job that can be.

Pat has also been part of a three-county group, the county judges of Gilliam, Wheeler, and Sherman Counties, which have tackled problems on a regional basis. Together, these counties have been among the best in the State. Gilliam County houses a regional communications system that is the envy of the rest of Oregon. It provides 9-1-1 services and communications to law enforcement throughout eastern and central Oregon. The system, called Frontier TelNet, also provides education and broadband services for their residents.

The three counties, along with their education service district, created the communications system because no one else wanted to provide services to these very rural counties. When no one else would help, they stepped up and figured out how to get it up and running. And while Pat wasn't county judge when the system was started, she has been key to keeping it running at such a high level.

She has also been in the forefront of bringing wind energy to Gilliam County, and working to improve her county's economy, education and public safety.

Pat is not retiring because she is tired of serving Gilliam County. Oregon requires judges to retire at age 70. As a county commissioner, she could serve as long as the voters wished her to serve, but because she has judicial duties, Oregon law requires her to step down.

In this case, that is a shame. In Pat Shaw, we have the very definition of what a public servant should be. Gilliam County and I will miss her as a county judge, but I am sure Pat will find some other way to continue in public service.●

MESSAGES FROM THE HOUSE

At 11:07 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4606. An act to authorize the issuance of right-of-way permits for natural gas pipelines in Glacier National Park, and for other purposes.

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

S. 3193. An act to make technical corrections to the legal description of certain land to be held in trust for the Barona Band of Mission Indians, and for other purposes.

ENROLLED BILLS SIGNED

At 2:18 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H. R. 6116. An act to amend the Revised Organic Act of the Virgin Islands to provide for direct review by the United States Supreme Court of decisions of the Virgin Islands Supreme Court, and for other purposes.

H. R. 6223. An act to amend section 1059(e) of the National Defense Authorization Act for Fiscal Year 2006 to clarify that a period of employment abroad by the Chief of Mission or United States Armed Forces as a translator, interpreter, or in a security-related position in an executive or managerial capacity is to be counted as a period of residence and physical presence in the United States for purposes of qualifying for naturalization, and for other Purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. LEAHY).

ENROLLED BILL SIGNED

At 6:27 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. 3193. An act to make technical corrections to the legal description of certain land to be held in trust for the Barona Band of Mission Indians, and for other purposes.

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

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on Appropriations:

Special Report entitled ''Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2013'' (Rept. No. 12–09252).

By Mr. CASEY, from the Joint Economic Committee:

Special Report entitled ''Report of the Joint Economic Committee Congress of the United States on the 2012 Economic Report of the President'' (Rept. No. 112–09253).

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. KERRY:

S. 3689. A bill to establish a grant program to encourage the use of assistance dogs by certain members of the Armed Forces and veterans, and for other purposes; to the Committee on Veterans' Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

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

S. Res. 622. A resolution notifying the House of Representatives of the election of a President pro tempore; considered and agreed to.

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

S. Res. 623. A resolution notifying the President of the United States of the election of a President pro tempore; considered and agreed to.

By Mr. AKAKA (for himself, Mr. REID, Mr. MCCONNELL, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BINGAMAN, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HELLER, Mr. HOEVEN, Mrs. HUTCHISON, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNS, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KERRY, Mr. KIRK, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. LIEBERMAN, Mr. LUGAR, Mr. MANCHIN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 624. A resolution relative to the death of the Honorable Daniel Ken Inouye, Senator from the State of Hawaii; considered and agreed to.

By Mr. CONRAD:

S. Con. Res. 63. A concurrent resolution correcting the enrollment of S. 2367; considered and agreed to.

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

S. Con. Res. 64. A concurrent resolution authorizing the use of the rotunda of the Capitol for the lying in state of the remains of the late Honorable Daniel K. Inouye; considered and agreed to.

ADDITIONAL COSPONSORS

S. 1301

At the request of Mr. LEAHY, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 1301, a bill to authorize appropriations for fiscal years 2012 through 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes.

S. 1872

At the request of Mr. CASEY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1872, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 2347

At the request of Mr. CARDIN, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 2347, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services.

S. 3458

At the request of Mr. LAUTENBERG, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3458, a bill to require face to face purchases of ammunition, to require licensing of ammunition dealers, and to require reporting regarding bulk purchases of ammunition.

S. 3655

At the request of Mr. LAUTENBERG, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3655, a bill to provide enhanced disaster unemployment assistance to States affected by Hurricane Sandy and Tropical Storm Sandy of 2012, and for other purposes.

S. 3678

At the request of Mr. TOOMEY, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 3678, a bill to help ensure the fiscal solvency of the FHA mortgage insurance programs of the Secretary of Housing and Urban Development, and for other purposes.

S. RES. 574

At the request of Ms. AYOTTE, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor 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.

S. RES. 613

At the request of Mr. LIEBERMAN, the names of the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. Res. 613, a resolution urging the governments of Europe and the European Union to designate Hizballah as a terrorist organization and impose sanctions, and urging the President to provide information about Hizballah to the European allies of the United States and to support to the Government of Bulgaria in investigating the July 18, 2012, terrorist attack in Burgas.

S. RES. 618

At the request of Mr. LEVIN, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. Res. 618, a resolution observing the 100th birthday of civil rights icon Rosa Parks and commemorating her legacy.

AMENDMENT NO. 3344

At the request of Mr. BINGAMAN, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Virginia (Mr. WEBB) were added as cosponsors of amendment No. 3344 intended to be proposed to H.R. 1, a bill making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KERRY:

S. 3689. A bill to establish a grant program to encourage the use of assistance dogs by certain members of the Armed Forces and veterans, and for other purposes; to the Committee on Veterans' Affairs.

Mr. KERRY. Mr. President, today, I am introducing the Senior Airman Michael Malarsie Act to increase the number of assistance dogs available to disabled servicemembers and veterans.

I met Senior Airman Malarsie earlier this year, and his story and perseverance have inspired this legislation. In 2008, during a deployment to Afghanistan, Senior Airman Malarsie was seriously injured and blinded by an improvised explosive device. Blinded in both eyes, Senior Airman Malarsie was placed on a waiting list for several months before he was paired with his guide dog, Xxon. Only through generous donations totaling $45,000, Senior Airman Malarsie was able to receive a guide dog. Unfortunately, too often our wounded warriors must wait several months before receiving assistance dogs. According to Assistance Dogs International, last year there was a backlog of 188 veterans waiting for placement. I strongly believe we must do more so that they do not wait months for a trained assistance dog.

The bill will create a joint grant program between the Department of Defense and Department of Veterans Affairs to assist qualified assistance dog agencies provide trained dogs to covered servicemembers and veterans. The competitive grant program would be used for dogs that assist with specific disabilities such as hearing loss, mobility loss, visual impairment, and post-traumatic stress disorder and traumatic brain injury. A portion of each grant would be used for evaluation to ensure that grant funds are being used properly and that each member or veteran is provided with best trained dog possible. This bill authorizes $15 million for the competitive grant program.

The number of veterans who require the assistance of assistance dogs is expected to increase as military members returning from combat are diagnosed with disabilities. The non-profit organizations that train and provide the service dogs free of charge to veterans cannot keep up with the surge of returning wounded warriors. Each service dog can cost up to $45,000 to train, and assistance dog organizations must rely on grants and the generosity of individuals, foundations, and corporations for funding. Through a competitive grant program, this bill will increase the number of assistance dogs available for veterans and active-duty members and decrease the waiting time for disabled warriors waiting for assistance. We must do more than watch as our servicemen return home from war and are forced to wait several months for an assistance dog simply due to a lack of funds.

A number of organizations are supportive of this bill, including the Iraq and Afghanistan Veterans of America, the Disabled Veterans National Foundation, The Retired Enlisted Association, and Military Exits.

I look forward to continued progress in assisting our wounded warriors and ask all of my colleagues to support this important legislation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 622—NOTIFYING THE HOUSE OF REPRESENTATIVES OF THE ELECTION OF A PRESIDENT PRO TEMPORE

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

S. RES. 622

Resolved, That the House of Representatives be notified of the election of the Honorable Patrick J. Leahy as President of the Senate pro tempore.

SENATE RESOLUTION 623—NOTIFYING THE PRESIDENT OF THE UNITED STATES OF THE ELECTION OF A PRESIDENT PRO TEMPORE

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

S. RES. 623

Resolved, That the President of the United States be notified of the election of the Honorable Patrick J. Leahy as President of the Senate pro tempore.

SENATE RESOLUTION 624—RELATIVE TO THE DEATH OF THE HONORABLE DANIEL KEN INOUYE, SENATOR FROM THE STATE OF HAWAII

Mr. AKAKA (for himself, Mr. REID of Nevada, Mr. MCCONNELL, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BINGAMAN, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HELLER, Mr. HOEVEN, Mrs. HUTCHISON, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNS, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KERRY, Mr. KIRK, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. LIEBERMAN, Mr. LUGAR, Mr. MANCHIN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED of Rhode Island, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 624

Whereas Senator Daniel K. Inouye served the people of the State of Hawaii for over 58 years in the Territorial House of Representatives, the Territorial Senate, the United States House of Representatives, and the United States Senate;

Whereas Senator Daniel K. Inouye became the first Japanese American to serve in both the United States House of Representatives and the United States Senate;

Whereas Senator Daniel K. Inouye represented the State of Hawaii in Congress from before the time that Hawaii became a State in 1959 until 2012;

Whereas Senator Daniel K. Inouye served as the President Pro Tempore of the United States Senate, Chairman of the Committee on Appropriations, Chairman of the Subcommittee on Defense, the first Chairman of the Senate Select Committee on Intelligence, Chairman of the Committee on Indian Affairs, Chairman of the Democratic Steering Committee, Chairman of the Committee on Commerce, Science, and Transportation, Chairman of the Rules Committee, Chairman of the Senate Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition, and Secretary of the Democratic Conference;

Whereas Senator Daniel K. Inouye delivered the keynote address at the 1968 Democratic National Convention in Chicago, Illinois, in which he expressed a vision for a more inclusionary Nation and famously declared ''this is our country'';

Whereas Senator Daniel K. Inouye served as a medical volunteer at the Pearl Harbor attack on December 7, 1941, and volunteered to be part of the all Nisei 442nd Regimental Combat Team during World War II at a time when Japanese Americans were being systematically discriminated against by the Nation he volunteered to defend;

Whereas Senator Daniel K. Inouye was wounded in battle and honorably discharged as a Captain with a Distinguished Service Cross, Bronze Star, Purple Heart with cluster, and 12 other medals and citations; and

Whereas Senator Daniel K. Inouye was awarded the Medal of Honor by President William J. Clinton in June 2000, along with 21 other Asian-American veterans of World War II for their actions during the war: Now, therefore, be it

Resolved, That—

(1) the Senate has heard with profound sorrow and deep regret of the death of the Honorable Daniel K. Inouye, Senator from the State of Hawaii;

(2) the Secretary of the Senate shall transmit this resolution to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased; and

(3) when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the deceased Senator.

SENATE CONCURRENT RESOLUTION 63—CORRECTING THE ENROLLMENT OF S. 2367

Mr. CONRAD submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 63

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate is requested to return to the House of Representatives the enrolled bill (S. 2367, an Act to strike the word ''lunatic'' from Federal law, and for other purposes). Upon the return of such bill, the action of the Speaker of the House of Representatives in signing it shall be rescinded. The Secretary of the Senate shall reenroll the bill with the following correction: In section 2(b)(1)(B), strike ''in subsection (b)'' and insert ''in subsection (j)''.

SENATE CONCURRENT RESOLUTION 64—AUTHORIZING THE USE OF THE ROTUNDA OF THE CAPITOL FOR THE LYING IN STATE OF THE REMAINS OF THE LATE HONORABLE DANIEL K. INOUYE

Mr. REID (for himself and Mr. MCCONNELL) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 64

Resolved by the Senate (the House of Representatives concurring), That in recognition of the long and distinguished service rendered to the Nation by Daniel K. Inouye, a Senator from the State of Hawaii and formerly a Representative from that State, his remains be permitted to lie in state in the rotunda of the Capitol on December 20, 2012, and the Architect of the Capitol, under the direction of the Speaker of the House of Representatives and the President pro tempore of the Senate, shall take all necessary steps for the accomplishment of that purpose.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3346. Mr. KOHL submitted an amendment intended to be proposed to amendment SA 3338 proposed by Mr. LEAHY (for Mr. INOUYE (for himself and Mr. LAUTENBERG)) to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table.

SA 3347. Mr. MERKLEY (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3348. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3349. Mr. WHITEHOUSE (for himself, Mr. LIEBERMAN, Mr. FRANKEN, and Mr. CARDIN) submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3350. Mr. TESTER (for himself, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. WYDEN, Mr. BAUCUS, and Mr. JOHNSON of South Dakota) submitted an amendment intended to be proposed to amendment SA 3338 proposed by Mr. LEAHY (for Mr. INOUYE (for himself and Mr. LAUTENBERG)) to the bill H.R. 1, supra.

SA 3351. Mr. LEVIN (for himself, Ms. STABENOW, and Mr. BROWN of Ohio) submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3352. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3353. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3354. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3355. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed to amendment SA 3338 proposed by Mr. LEAHY (for Mr. INOUYE (for himself and Mr. LAUTENBERG)) to the bill H.R. 1, supra.

SA 3356. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3357. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3358. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3359. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3360. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3361. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3362. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3363. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3364. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3365. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3366. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3367. Mr. MERKLEY (for himself, Ms. STABENOW, Mrs. MCCASKILL, Mr. BAUCUS, and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 3338 proposed by Mr. LEAHY (for Mr. INOUYE (for himself and Mr. LAUTENBERG)) to the bill H.R. 1, supra.

SA 3368. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3369. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3370. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3371. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 3338 proposed by Mr. LEAHY (for Mr. INOUYE (for himself and Mr. LAUTENBERG)) to the bill H.R. 1, supra.

SA 3372. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3373. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3374. Mr. NELSON, of Florida submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3375. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3376. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3377. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3378. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3379. Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3380. Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3381. Mr. CONRAD submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3346. Mr. KOHL submitted an amendment intended to be proposed to amendment SA 3338 proposed by Mr. LEAHY (for Mr. INOUYE (for himself and Mr. LAUTENBERG)) to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

On page 91, between lines 2 and 3, insert the following:

SEC. 1004. Section 127 of title 23, United States Code, is amended by adding at the end the following:

''(j) OPERATION OF CERTAIN VEHICLES ON CERTAIN WISCONSIN HIGHWAYS.—With respect to any segment of the United States Route 41 corridor described in section 1105(c)(57) of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102–240) that has been designated as a route on the Interstate System, any vehicle that could operate legally on the segment before such designation shall not be subject to the requirements set forth in subsection (a).''.

SA 3347. Mr. MERKLEY (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

GENERAL PROVISIONS—THIS CHAPTER

SEC. 101. (a) Section 531 of the Federal Crop Insurance Act (7 U.S.C. 1531) is amended—

(1) in subsection (c)(1), by striking ''The Secretary shall use such sums as are necessary from the Trust Fund'' and inserting ''Of the funds of the Commodity Credit Corporation, the Secretary shall use such sums as are necessary for fiscal year 2012'';

(2) in subsection (d)(2), by striking ''The Secretary shall use such sums as are necessary from the Trust Fund'' and inserting ''Of the funds of the Commodity Credit Corporation, the Secretary shall use such sums as are necessary for fiscal year 2012'';

(3) in subsection (e)(1)—

(A) by striking ''The Secretary'' and inserting ''Of the funds of the Commodity Credit Corporation, the Secretary''; and

(B) by striking ''per year from the Trust Fund'' and inserting ''for fiscal year 2012'';

(4) in subsection (f)(2)(A), by striking ''the Secretary shall use such sums as are necessary from the Trust Fund'' and inserting ''of the funds of the Commodity Credit Corporation, the Secretary shall use such sums as are necessary for fiscal year 2012''; and

(5) in subsection (i), by striking ''September 30, 2011'' and inserting ''September 30, 2012 (except in the case of subsection (b), which shall be September 30, 2011)''.

(b) This section is designated by Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)).

SA 3348. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. VEHICLES USE IN THE WAKE OF HURRICANE SANDY.

(a) REPORT.—Not later than 7 days after the date of enactment of this Act, the Department of Justice and Department of Homeland Security shall identify and relocate any vehicles currently based at the Washington, D. C., headquarters of such agencies used for non-operational purposes to replace vehicles of those agencies damaged by Hurricane Sandy. The Department of Justice and Department of Homeland Security shall provide copies of a report summarizing the actions taken to carry out this subsection to the House and Senate Committees on Appropriations and Judiciary.

(b) FUNDING LIMITATION.—No funds provided by this Act shall be used to purchase, repair, or replace any Department of Justice or Department of Homeland security vehicle until after the report required by subsection (a) has been provided to Congress.

SA 3349. Mr. WHITEHOUSE (for himself, Mr. LIEBERMAN, Mr. FRANKEN, and Mr. CARDIN) submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

After section 1105, insert the following:

SEC. 11___. (a) The Senate finds that—

(1) extreme weather events threaten lives, property, the economy, national security, and sense of place;

(2) the Intergovernmental Panel on Climate Change, the leading international body for the assessment of climate change, concludes that a changing climate leads to changes in the frequency, intensity, spatial extent, duration, and timing of extreme weather and climate events;

(3) the Intergovernmental Panel on Climate Change further concludes that it is at least 90 percent likely that—

(A) the length, frequency, and intensity of warm spells or heat waves will increase over most land areas;

(B) mean sea level rise will contribute to upward trends in extreme coastal high water levels; and

(C) locations currently experiencing adverse impacts, such as coastal erosion and inundation, will continue to be adversely impacted due to increased sea levels;

(4) Congress has been asked to approve an emergency aid package at a cost of $60,400,000,000 to assist recovery efforts from Hurricane Sandy, the second costliest Atlantic hurricane on record;

(5) in addition to Federal disaster assistance, private insurance companies are expected to pay billions of dollars in claims related to Hurricane Sandy;

(6) global insurance and reinsurance businesses acknowledge that climate change is real;

(7) Munich Re, the largest global reinsurer in the world, has reported that ''there is evidence that, as a result of warming, events associated with severe windstorms, such as thunderstorms, hail and cloudbursts, have become more frequent in parts of the USA, southwest Germany, and other regions'';

(8) the Munich Re natural catastrophe database shows ''a marked increase in the number of weather-related events'', including, globally, ''a more than threefold increase in loss-related floods since 1980 and more than double the number of windstorm

natural catastrophes, with particularly heavy losses as a result of Atlantic hurricanes'';

(9) Swiss Re, the second largest global reinsurer in the world, has reported ''that climate change will exacerbate the weather impacts we have seen in recent years'';

(10) RenaissanceRe, a global provider of insurance coverage, has stated that it has ''taken a proactive course to begin modeling the risk and uncertainty associated with climate change''; and

(11) adaptation measures can mitigate future disasters and increase resilience to extreme weather events.

(b) It is the sense of the Senate that—

(1) current trends for air and ocean temperature, sea level, and ocean chemistry are associated with an increasing frequency and severity of extreme weather events and are related to the release of man-made carbon dioxide, affecting the atmosphere and oceans;

(2) the response to extreme weather events presents significant costs to the Federal, State, and local governments, businesses, insurers, and individuals; and

(3) actions to mitigate the effects of extreme weather events, including actions taken to reduce human contributions to climate change, are economically prudent and in the fiscal best interests of the United States.

SA 3350. Mr. TESTER (for himself, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. WYDEN, Mr. BAUCUS, and Mr. JOHNSON of South Dakota) submitted an amendment intended to be proposed to amendment SA 3338 proposed by Mr. LEAHY (for Mr. INOUYE (for himself and Mr. LAUTENBERG)) to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; as follows:

On page 72, between lines 16 and 17, insert the following:

WILDLAND FIRE MANAGEMENT

For an additional amount for ''Wildland Fire Management'', $653,000,000, to remain available until expended: *Provided,* That such amount is designated by Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)); *Provided further,* That, not later than December 31, 2013, the Comptroller General of the United States shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report on new models or alterations in the model that may be used to better project future wildfire suppression costs.

SA 3351. Mr. LEVIN (for himself, Ms. STABENOW, and Mr. BROWN of Ohio) submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

On page 18, strike line 24 and all that follows through page 19, line 1, and insert the following:

pended to dredge Federal navigation channels and harbors (including channels and harbors impeded as a result of drought and low water levels) and repair damage to Corps projects nationwide related to natural disasters (including drought): *Provided,* That such amount is designated by * * *

SA 3352. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, the following:

SEC. _____. Notwithstanding any other provision of law, including any provision of this Act, no funds appropriated under this Act may be used to fund programs or projects that have resulted from a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et. seq.) other than Hurricane Sandy or Tropical Storm Sandy of 2012, to fund mitigation projects appropriated under this Act, or to fund programs not directly in response to Hurricane Sandy or Tropical Storm Sandy of 2012 response and recovery efforts.

SA 3353. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 14, strike line 5 and all that follows through page 15, line 19.

SA 3354. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

On page 2, lines 18 through 22, strike ''$58,855,000'' and all that follows through ''*Provided,*'' and insert ''$23,000,00, to remain available until expended: *Provided,* That funds made available under this heading may only be used for emergencies related to the consequences of Hurricane Sandy: *Provided further,*''.

SA 3355. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed to amendment SA 3338 proposed by Mr. LEAHY (for Mr. INOUYE (for himself and Mr. LAUTENBERG)) to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; as follows:

Beginning on page 2, strike line 16 and all that follows through page 3, line 2.

SA 3356. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

On page 70, line 8, strike ''$810,000,000'' and insert ''$610,000,000''.

SA 3357. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 66, strike line 14 and all that follows through page 67, line 6.

SA 3358. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

On page 5, strike lines 12 through 14.

SA 3359. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 72, strike line 17 and all that follows through page 73, line 2.

SA 3360. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

On page 83, line 1, insert ''That none of the funds provided under this heading may be distributed until the National Railroad Passenger Corporation submits a detailed plan to Congress on how such funds will be expended: *Provided further,* That none of the funds provided under this heading may be used for capital improvements or other expenses that are not directly associated with Hurricane Sandy or Tropical Storm Sandy: *Provided further,*'' after ''*Provided further,*''.

SA 3361. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

On page 82, strike line 13 and all that follows through page 83, line 5.

SA 3362. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

On page 77, line 20, strike ''to remain available until expended: *Provided*,'' and insert ''to remain available until September 30, 2014: *Provided*, That the Secretary shall, prior to transferring such funds, submit to the appropriate Committees of Congress a report concerning how such funds will be used under such transfer: *Provided further*,''.

SA 3363. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

On page 83, beginning on line 10, strike ''$10,783,000,000'' and all that follows through ''such transfer:'' on line 21 and insert the following: ''$5,400,000,000, to remain available until expended, for recovery and relief efforts in the areas most affected by Hurricane Sandy: *Provided*, That none of the funds provided under this heading may be distributed until the Federal Transit Administration submits a detailed plan to Congress on how such funds will be expended: *Provided further*, That none of the funds provided under this heading may be used for capital improvements or other expenses that are not directly associated with Hurricane Sandy or Tropical Storm Sandy:''

SA 3364. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

On page 9, strike line 17 and all that follows through page 10, line 22.

SA 3365. Mr. MCCAIN (for himself and Mr. COBURN), submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

On page 3, strike line 6 and all that follows through ''*Provided*, That'' on line 11 and insert ''The''.

SA 3366. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

On page 73, beginning on line 13, strike ''That the Secretary'' and all that follows through ''*Provided further*,'' on line 17.

SA 3367. Mr. MERKLEY (for himself, Ms. STABENOW, Mrs. MCCASKILL, Mr. BAUCUS, and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 3338 proposed by Mr. LEAHY (for Mr. INOUYE (for himself and Mr. LAUTENBERG)) to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; as follows:

At the end of title I, add the following:

GENERAL PROVISIONS—THIS CHAPTER

SEC. 101. (a) Section 531 of the Federal Crop Insurance Act (7 U.S.C. 1531) is amended—

(1) in subsection (c)(1), by striking ''The Secretary shall use such sums as are necessary from the Trust Fund'' and inserting ''Of the funds of the Commodity Credit Corporation, the Secretary shall use such sums as are necessary for fiscal year 2012'';

(2) in subsection (d)(2), by striking ''The Secretary shall use such sums as are necessary from the Trust Fund'' and inserting ''Of the funds of the Commodity Credit Corporation, the Secretary shall use such sums as are necessary for fiscal year 2012'';

(3) in subsection (e)(1)—

(A) by striking ''The Secretary'' and inserting ''Of the funds of the Commodity Credit Corporation, the Secretary''; and

(B) by striking ''per year from the Trust Fund'' and inserting ''for fiscal year 2012'';

(4) in subsection (f)(2)(A), by striking ''the Secretary shall use such sums as are necessary from the Trust Fund'' and inserting ''of the funds of the Commodity Credit Corporation, the Secretary shall use such sums as are necessary for fiscal year 2012''; and

(5) in subsection (i), by striking ''September 30, 2011'' and inserting ''September 30, 2012 (except in the case of subsection (b), which shall be September 30, 2011)''.

(b) This section is designated by Congress as being for an emergency requirement pursuant to—

(1) section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)); and

(2) section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111-139; 2 U.S.C. 933(g)).

SEC. 102. (a) Section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—

''(A) COVERAGES.—In the case of an eligible crop described in paragraph (2), the Secretary of Agriculture shall operate a noninsured crop disaster assistance program to provide coverages based on individual yields (other than for value-loss crops) equivalent to—

''(i) catastrophic risk protection available under section 508(b) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)); or

''(ii) additional coverage available under subsections (c) and (h) of section 508 of that Act (7 U.S.C. 1508) that does not exceed 65 percent.

''(B) ADMINISTRATION.—The Secretary shall carry out this section through the Farm Service Agency (referred to in this section as the 'Agency').''; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in clause (i), by striking ''and'' after the semicolon at the end;

(II) by redesignating clause (ii) as clause (iii); and

(III) by inserting after clause (i) the following:

''(ii) for which additional coverage under subsections (c) and (h) of section 508 of that Act (7 U.S.C. 1508) is not available; and''; and

(ii) in subparagraph (B)—

(I) by inserting ''(except ferns)'' after ''floricultural'';

(II) by inserting ''(except ferns)'' after ''ornamental nursery''; and

(III) by striking ''(including ornamental fish)'' and inserting ''(including ornamental fish, but excluding tropical fish)'';

(2) in subsection (d), by striking ''The Secretary'' and inserting ''Subject to subsection (l), the Secretary'';

(3) in subsection (k)(1)—

(A) in subparagraph (A), by striking ''$250'' and inserting ''$260''; and

(B) in subparagraph (B)—

(i) by striking ''$750'' and inserting ''$780''; and

(ii) by striking ''$1,875'' and inserting ''$1,950''; and

(4) by adding at the end the following:

''(l) PAYMENT EQUIVALENT TO ADDITIONAL COVERAGE.—

''(1) IN GENERAL.—The Secretary shall make available to a producer eligible for noninsured assistance under this section a payment equivalent to an indemnity for additional coverage under subsections (c) and (h) of section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) that does not exceed 65 percent, computed by multiplying—

''(A) the quantity that is less than 50 to 65 percent of the established yield for the crop, as determined by the Secretary, specified in increments of 5 percent;

''(B) 100 percent of the average market price for the crop, as determined by the Secretary; and

''(C) a payment rate for the type of crop, as determined by the Secretary, that reflects—

''(i) in the case of a crop that is produced with a significant and variable harvesting expense, the decreasing cost incurred in the production cycle for the crop that is, as applicable—

''(I) harvested;

''(II) planted but not harvested; or

''(III) prevented from being planted because of drought, flood, or other natural disaster, as determined by the Secretary; or

''(ii) in the case of a crop that is produced without a significant and variable harvesting expense, such rate as shall be determined by the Secretary.

''(2) PREMIUM.—To be eligible to receive a payment under this subsection, a producer shall pay—

''(A) the service fee required by subsection (k); and

''(B) a premium for the applicable crop year that is equal to—

''(i) the product obtained by multiplying—

''(I) the number of acres devoted to the eligible crop;

''(II) the yield, as determined by the Secretary under subsection (e);

''(III) the coverage level elected by the producer;

''(IV) the average market price, as determined by the Secretary; and

''(ii) 5.25-percent premium fee.

''(3) LIMITED RESOURCE, BEGINNING, AND SOCIALLY DISADVANTAGED FARMERS.—The additional coverage made available under this subsection shall be available to limited resource, beginning, and socially disadvantaged producers, as determined by the Secretary, in exchange for a premium that is 50

percent of the premium determined for a producer under paragraph (2).

''(4) ADDITIONAL AVAILABILITY.—

''(A) IN GENERAL.—As soon as practicable, the Secretary shall make assistance available to producers of an otherwise eligible crop described in subsection (a)(2) that suffered losses—

''(i) to a 2012 annual fruit crop grown on a bush or tree; and

''(ii) in a county covered by a declaration by the Secretary of a natural disaster for production losses due to a freeze or frost.

''(B) ASSISTANCE.—The Secretary shall make assistance available under subparagraph (A) in an amount equivalent to assistance available under paragraph (1), less any fees not previously paid under paragraph (2).

''(C) ADMINISTRATION.—For assistance provided under this subsection for the 2012 crop year, the limitation in subsection (i)(2) shall be $250,000.''.

(b)(1) Effective October 1, 2017, subsection (a) and the amendments made by subsection (a) (other than the amendments made by clauses (i)(I) and (ii) of subsection (a)(1)(B)) are repealed.

(2) Effective October 1, 2017, section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) shall be applied and administered as if subsection (a) and the amendments made by subsection (a) (other than the amendments made by clauses (i)(I) and (ii) of subsection (a)(1)(B)) had not been enacted.

(c) This section is designated by Congress as being for an emergency requirement pursuant to—

(1) section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)); and

(2) section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111-139; 2 U.S.C. 933(g)).

SA 3368. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

In title IV, under the heading ''CONSTRUCTION (INCLUDING TRANSFER OF FUNDS)'' under the heading ''CORPS OF ENGINEERS–CIVIL'' under the heading ''DEPARTMENT OF THE ARMY'' under the heading ''DEPARTMENT OF DEFENSE–CIVIL'' strike ''*Provided further*, That cost sharing for implementation of any projects using these funds shall be 90 percent Federal and 10 percent non-Federal exclusive of LERRDs:'' and insert ''*Provided further*, That the Secretary shall determine the Federal and non-Federal cost share for implementing any project using these funds in accordance with section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213):''.

SA 3369. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1003 and insert the following:

SEC. 1003. None of the funds provided in this title to the Department of Transportation or the Department of Housing and Urban Development may be used to make a grant unless the Secretary of such Department notifies the House and Senate Committees on Appropriations and posts the notification on the public website of that agency not less than 3 full business days before either Department (or a modal administration of either Department) announces the selection of any project, State or locality to receive a grant award totaling $500,000 or more.

SA 3370. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 1106. PROHIBITION ON EMERGENCY SPENDING FOR PERSONS HAVING SERIOUS DELINQUENT TAX DEBTS.

(a) DEFINITION OF SERIOUSLY DELINQUENT TAX DEBT.—In this section:

(1) IN GENERAL.—The term ''seriously delinquent tax debt'' means an outstanding debt under the Internal Revenue Code of 1986 for which a notice of lien has been filed in public records pursuant to section 6323 of that Code.

(2) EXCLUSIONS.—The term ''seriously delinquent tax debt'' does not include—

(A) a debt that is being paid in a timely manner pursuant to an agreement under section 6159 or 7122 of Internal Revenue Code of 1986; and

(B) a debt with respect to which a collection due process hearing under section 6330 of that Code, or relief under subsection (a), (b), or (f) of section 6015 of that Code, is requested or pending.

(b) PROHIBITION.—Notwithstanding any other provision of this Act or an amendment made by this Act, none of the amounts appropriated by or otherwise made available under this Act may be used to make payments to an individual or entity who has a seriously delinquent tax debt during the pendency of such seriously delinquent tax debt.

SEC. 1107. PROHIBITION ON EMERGENCY SPENDING FOR DECEASED INDIVIDUALS.

None of the amounts appropriated by or otherwise made available under this Act may be used for any person who is not alive when the amounts are made available.

SEC. 1108. PROHIBITION ON EMERGENCY SPENDING FOR FISHERIES.

None of the funds appropriated or made available in this Act may be used for any commercial fishery that is located more than 50 miles outside of the boundaries of a major disaster area, as declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.), for Hurricane Sandy.

SA 3371. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 3338 proposed by Mr. LEAHY (for Mr. INOUYE (for himself and Mr. LAUTENBERG)) to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; as follows:

At the appropriate place insert the following:

SEC. 52007. (a) Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency (in this section referred to as the ''Administrator'') shall review the public assistance per capita damage indicator and shall initiate rulemaking to update such damage indicator. Such review and rulemaking process shall ensure that the per capita indicator is fully adjusted for annual inflation for all years since 1986, by not later than January 1, 2016.

(b) Not later than 365 days after the date of enactment of this Act, the Administrator shall—

(1) submit a report to the committees of jurisdiction in Congress on the initiative to modernize the per capita damage indicator; and

(2) present recommendations for new measures to assess the capacities of States to respond and recover to disasters, including threat and hazard identification and risk assessments by States and total taxable resources available within States for disaster recovery and response.

(c) As used in this section, the term ''State'' means—

(1) a State;

(2) the District of Columbia;

(3) the Commonwealth of Puerto Rico;

(4) any other territory or possession of the United States; and

(5) any land under the jurisdiction of an Indian tribe, as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

SA 3372. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. RETURN OF UNUSED EMERGENCY FUNDS.

(a) RETURN OF FUNDS.—Any amount made available by this Act to carry out a program that is designated as an emergency and 2 years after the date of enactment of this Act remains available for obligation or has been obligated but not yet spent shall be rescinded and returned to the Treasury to reduce the deficit.

(b) PROGRAM TERMINATION.—Notwithstanding any other provision of this Act, any new program authorized and funded by this Act is terminated 2 years after the date of enactment of this Act.

(c) MATCH SUNSET.—The 90/10 cost share provided in this Act shall expire 2 years after the date of enactment of this Act.

SA 3373. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

After section 1105, insert the following:

SEC. ____. SPECIAL RULES FOR USE OF RETIREMENT FUNDS IN CONNECTION WITH FEDERALLY DECLARED DISASTERS.

(a) TAX-FAVORED WITHDRAWALS FROM RETIREMENT PLANS.—

(1) IN GENERAL.—Paragraph (2) of section 72(t) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(H) DISTRIBUTIONS FROM RETIREMENT PLANS IN CONNECTION WITH FEDERALLY DECLARED DISASTERS.—Any qualified disaster recovery distribution.''.

(2) QUALIFIED DISASTER RECOVERY DISTRIBUTION.—Section 72(t) of such Code is amended by adding at the end the following new paragraph:

''(11) QUALIFIED DISASTER RECOVERY DISTRIBUTION.—For purposes of paragraph (2)(H)—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'qualified disaster recovery distribution' means, with respect to any federally declared disaster, any distribution from an eligible retirement plan made on or after the applicable disaster date and before the date that is 1 year after such date, to an individual whose principal place of abode on the applicable disaster date, is located in the disaster area and who has sustained an economic loss by reason of such federally declared disaster.

''(B) AGGREGATE DOLLAR LIMITATION.—

''(i) IN GENERAL.—For purposes of this subsection, the aggregate amount of distributions received by an individual which may be treated as qualified disaster recovery distributions for any taxable year shall not exceed the excess (if any) of—

''(I) $100,000, over

''(II) the sum of aggregate amounts treated as qualified disaster recovery distributions received by such individual for all prior taxable years, the aggregate amounts treated as qualified hurricane distributions under section 1400Q(a), and the aggregate amounts treated as qualified Disaster Recovery Assistance distributions under section 701(d)(10) of the Heartland Disaster Tax Relief Act of 2008.

''(ii) TREATMENT OF PLAN DISTRIBUTIONS.—If a distribution to an individual would (without regard to clause (i)) be a qualified disaster recovery distribution, a plan shall not be treated as violating any requirement of this title merely because the plan treats such distribution as a qualified disaster recovery distribution, unless the aggregate amount of such distributions from all plans maintained by the employer (and any member of any controlled group which includes the employer) to such individual exceeds $100,000.

''(iii) CONTROLLED GROUP.—For purposes of clause (ii), the term 'controlled group' means any group treated as a single employer under subsection (b), (c), (m), or (o) of section 414.

''(iv) INFLATION ADJUSTMENT.—In the case of any taxable year beginning after 2012, each of the $100,000 amounts under clauses (i) and (ii) shall be increased by an amount equal to—

''(I) such dollar amount, multiplied by

''(II) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2011' for 'calendar year 1992' in subparagraph (B) thereof.

If any amount as adjusted under the preceding sentence is not a multiple of $10,000, such amount shall be rounded to the next highest multiple of $10,000.

''(C) AMOUNT DISTRIBUTED MAY BE REPAID.—

''(i) IN GENERAL.—Any individual who receives a qualified disaster recovery distribution may, at any time during the 3-year period beginning on the day after the date on which such distribution was received, make one or more contributions in an aggregate amount not to exceed the amount of such distribution to an eligible retirement plan of which such individual is a beneficiary and to which a rollover contribution of such distribution could be made under section 402(c), 403(a)(4), 403(b)(8), 408(d)(3), or 457(e)(16), as the case may be.

''(ii) TREATMENT OF REPAYMENTS OF DISTRIBUTIONS FROM ELIGIBLE RETIREMENT PLANS OTHER THAN IRAS.—For purposes of this title, if a contribution is made pursuant to clause (i) with respect to a qualified disaster recovery distribution from an eligible retirement plan other than an individual retirement plan, then the taxpayer shall, to the extent of the amount of the contribution, be treated as having received the qualified disaster recovery distribution in an eligible rollover distribution (as defined in section 402(c)(4)) and as having transferred the amount to the eligible retirement plan in a direct trustee to trustee transfer within 60 days of the distribution.

''(iii) TREATMENT OF REPAYMENTS FOR DISTRIBUTIONS FROM IRAS.—For purposes of this title, if a contribution is made pursuant to clause (i) with respect to a qualified disaster recovery distribution from an individual retirement plan (as defined by section 7701(a)(37)), then, to the extent of the amount of the contribution, the qualified disaster recovery distribution shall be treated as a distribution described in section 408(d)(3) and as having been transferred to the eligible retirement plan in a direct trustee to trustee transfer within 60 days of the distribution.

''(D) INCOME INCLUSION SPREAD OVER 3-YEAR PERIOD.—

''(i) IN GENERAL.—In the case of any qualified disaster recovery distribution, unless the taxpayer elects not to have this paragraph apply for any taxable year, any amount required to be included in gross income for such taxable year shall be so included ratably over the 3-taxable year period beginning with such taxable year.

''(ii) SPECIAL RULE.—For purposes of clause (i), rules similar to the rules of subparagraph (E) of section 408A(d)(3) shall apply.

''(E) OTHER DEFINITIONS.—

''(i) FEDERALLY DECLARED DISASTER; DISASTER AREA.—The terms 'federally declared disaster' and 'disaster area' have the meanings given such terms under section 165(h)(3)(C).

''(ii) APPLICABLE DISASTER DATE.—The term 'applicable disaster date' means, with respect to any federally declared disaster, the date on which such federally declared disaster occurs.

''(iii) ELIGIBLE RETIREMENT PLAN.—The term 'eligible retirement plan' shall have the meaning given such term by section 402(c)(8)(B).

''(F) SPECIAL RULES.—

''(i) EXEMPTION OF DISTRIBUTIONS FROM TRUSTEE TO TRUSTEE TRANSFER AND WITHHOLDING RULES.—For purposes of sections 401(a)(31), 402(f), and 3405, qualified disaster recovery distributions shall not be treated as eligible rollover distributions.

''(ii) QUALIFIED DISASTER RECOVERY DISTRIBUTIONS TREATED AS MEETING PLAN DISTRIBUTION REQUIREMENTS.—For purposes this title, a qualified disaster recovery distribution shall be treated as meeting the requirements of sections 401(k)(2)(B)(i), 403(b)(7)(A)(ii), 403(b)(11), and 457(d)(1)(A).''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to distributions with respect to disaster declared after December 31, 2011.

(b) RECONTRIBUTIONS OF WITHDRAWALS FOR HOME PURCHASES.—

(1) INDIVIDUAL RETIREMENT PLANS.—Paragraph (8) of section 72(t) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(F) RECONTRIBUTIONS.—

''(i) GENERAL RULE.—

''(I) IN GENERAL.—Any individual who received a qualified distribution may, during the applicable period, make one or more contributions in an aggregate amount not to exceed the amount of such qualified distribution to an eligible retirement plan (as defined in section 402(c)(8)(B)) of which such individual is a beneficiary and to which a rollover contribution of such distribution could be made under section 402(c), 403(a)(4), 403(b)(8), or 408(d)(3), as the case may be.

''(II) TREATMENT OF REPAYMENTS.—Rules similar to the rules of clauses (ii) and (iii) of paragraph (11)(C) shall apply for purposes of this subsection.

''(ii) QUALIFIED DISTRIBUTION.—For purposes of this subparagraph, the term 'qualified distribution' means, with respect to any federally declared disaster, any distribution—

''(I) which is a qualified first-time homebuyer distribution,

''(II) received on or after the date which is 6 months before the applicable disaster date and before the date which is the day after the applicable disaster date, and

''(III) which was to be used to purchase or construct a principal residence in the disaster area, but which was not so purchased or constructed on account of the federally declared disaster.

''(iii) APPLICABLE PERIOD.—For purposes of this subparagraph, the term 'applicable period' means the period beginning on the applicable disaster date and ending on the date which is 1 year after the applicable disaster date.

''(iv) OTHER DEFINITIONS.—For purposes of this subparagraph—

''(I) FEDERALLY DECLARED DISASTER; DISASTER AREA.—The terms 'federally declared disaster' and 'disaster area' have the meanings given such terms under section 165(h)(3)(C).

''(II) APPLICABLE DISASTER DATE.—The term 'applicable disaster date' means, with respect to any federally declared disaster, the date on which such federally declared disaster occurs.''.

(2) QUALIFIED PLANS.—Subsection (c) of section 402 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(12) RECONTRIBUTIONS OF WITHDRAWALS FOR HOME PURCHASES.—

''(A) GENERAL RULE.—

''(i) IN GENERAL.—Any individual who received a qualified distribution may, during the applicable period, make one or more contributions in an aggregate amount not to exceed the amount of such qualified distribution to an eligible retirement plan (as defined in paragraph (8)(B)) of which such individual is a beneficiary and to which a rollover contribution of such distribution could be made under subsection (c) or section 403(a)(4), 403(b)(8), or 408(d)(3), as the case may be.

''(ii) TREATMENT OF REPAYMENTS.—Rules similar to the rules of clauses (ii) and (iii) of section 72(t)(11)(C) shall apply for purposes of this subsection.

''(B) QUALIFIED DISTRIBUTION.—For purposes of this paragraph, the term 'qualified distribution' means, with respect to any federally declared disaster, any distribution—

''(i) described in section 401(k)(2)(B)(i)(IV), 403(b)(7)(A)(ii) (but only to the extent such distribution relates to financial hardship), or 403(b)(11)(B),

''(ii) received—

''(I) on or after the date which is 6 months before the applicable disaster date, and

''(II) before the date which is the day after the applicable disaster date, and

''(iii) which was to be used to purchase or construct a principal residence in the disaster area, but which was not so purchased or constructed on account of the federally declared disaster.

''(C) APPLICABLE PERIOD.—For purposes of this paragraph, the term 'applicable period'

means the period beginning on the applicable disaster date and ending on the date which is 1 year after the applicable disaster date.

''(D) OTHER DEFINITIONS.—For purposes of this paragraph—

''(i) FEDERALLY DECLARED DISASTER; DISASTER AREA.—The terms 'federally declared disaster' and 'disaster area' have the meanings given such terms under section 165(h)(3)(C).

''(ii) APPLICABLE DISASTER DATE.—The term 'applicable disaster date' means, with respect to any federally declared disaster, the date on which such federally declared disaster occurs.''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to distributions with respect to disaster declared after December 31, 2011.

(c) LOANS FROM QUALIFIED PLANS.—

(1) IN GENERAL.—Subsection (p) of section 72 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(6) INCREASE IN LIMIT ON LOANS NOT TREATED AS DISTRIBUTIONS.—

''(A) IN GENERAL.—In the case of any loan from a qualified employer plan to a qualified individual made during the applicable period—

''(i) clause (i) of paragraph (2)(A) shall be applied by substituting '$100,000' for '$50,000', and

''(ii) clause (ii) of such paragraph shall be applied by substituting 'the present value of the nonforfeitable accrued benefit of the employee under the plan' for 'one-half of the present value of the nonforfeitable accrued benefit of the employee under the plan'.

''(B) DELAY OF REPAYMENT.—In the case of a qualified individual with an outstanding loan on or after the applicable disaster date from a qualified employer plan—

''(i) if the due date pursuant to subparagraph (B) or (C) of paragraph (2) for any repayment with respect to such loan occurs during the period beginning on the applicable disaster date and ending on the date which is 1 year after such date, such due date shall be delayed for 1 year,

''(ii) any subsequent repayments with respect to any such loan shall be appropriately adjusted to reflect the delay in the due date under clause (i) and any interest accruing during such delay, and

''(iii) in determining the 5-year period and the term of a loan under subparagraph (B) or (C) of paragraph (2), the period described in clause (i) shall be disregarded.

''(C) INFLATION ADJUSTMENT.—In the case of any taxable year beginning after 2012, the $100,000 amounts under subparagraph (A)(i)shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2011' for 'calendar year 1992' in subparagraph (B) thereof.

If any amount as adjusted under the preceding sentence is not a multiple of $10,000, such amount shall be rounded to the next highest multiple of $10,000.

''(D) DEFINITIONS.—For purposes of this paragraph—

''(i) QUALIFIED INDIVIDUAL.—The term 'qualified individual' means, with respect to any federally declared disaster, an individual whose principal place of abode on the applicable disaster date is located in the disaster area and who has sustained an economic loss by reason of such federally declared disaster.

''(ii) APPLICABLE PERIOD.—The applicable period is the period beginning on the applicable disaster date and ending on the date that is 1 year after such date.

''(iii) FEDERALLY DECLARED DISASTER; DISASTER AREA.—The terms 'federally declared disaster' and 'disaster area' have the meanings given such terms under section 165(h)(3)(C).

''(iv) APPLICABLE DISASTER DATE.—The term 'applicable disaster date' means, with respect to any federally declared disaster, the date on which such federally declared disaster occurs.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to loans made with respect to disaster declared after December 31, 2011.

(d) PROVISIONS RELATING TO PLAN AMENDMENTS.—

(1) IN GENERAL.—If this subsection applies to any amendment to any plan or annuity contract, such plan or contract shall be treated as being operated in accordance with the terms of the plan during the period described in paragraph (2)(B)(i).

(2) AMENDMENTS TO WHICH SUBSECTION APPLIES.—

(A) IN GENERAL.—This subsection shall apply to any amendment to any plan or annuity contract which is made—

(i) pursuant to any provision of, or amendment made by, this section, or pursuant to any regulation issued by the Secretary or the Secretary of Labor under any provision of, or amendment made by, this section, and

(ii) on or before the last day of the first plan year beginning on or after January 1, 2014, or such later date as the Secretary may prescribe.

In the case of a governmental plan (as defined in section 414(d)), clause (ii) shall be applied by substituting the date which is 2 years after the date otherwise applied under clause (ii).

(B) CONDITIONS.—This subsection shall not apply to any amendment unless—

(i) during the period—

(I) beginning on the date that the provisions of, and amendments made by, this section or the regulation described in subparagraph (A)(i) takes effect (or in the case of a plan or contract amendment not required by the provisions of, or amendments made by, this section or such regulation, the effective date specified by the plan), and

(II) ending on the date described in subparagraph (A)(ii) (or, if earlier, the date the plan or contract amendment is adopted),

the plan or contract is operated as if such plan or contract amendment were in effect; and

(ii) such plan or contract amendment applies retroactively for such period.

SEC. ____. INCREASED LIMITATION ON CHARITABLE CONTRIBUTIONS FOR DISASTER RELIEF.

(a) INDIVIDUALS.—Paragraph (1) of section 170(b) of the Internal Revenue Code of 1986 is amended by redesignating subparagraphs (F) and (G) as subparagraphs (G) and (H), respectively, and by inserting after subparagraph (E) the following new subparagraph:

''(F) QUALIFIED DISASTER CONTRIBUTIONS.—

''(i) IN GENERAL.—Any qualified disaster contribution shall be allowed to the extent that the aggregate of such contributions does not exceed the excess of 80 percent of the taxpayer's contribution base over the amount of all other charitable contributions allowable under this paragraph.

''(ii) CARRYOVER.—If the aggregate amount of contributions described in clause (i) exceeds the limitation under clause (i), such excess shall be treated (in a manner consistent with the rules of subsection (d)(1)) as a charitable contribution to which clause (i) applies in each of the 5 succeeding years in order of time.

''(iii) COORDINATION WITH OTHER SUBPARAGRAPHS.—For purposes of applying this subsection and subsection (d)(1), contributions described in clause (i) shall not be treated as described in subparagraphs (A) and such subparagraph shall be applied without regard to such contributions.

''(iv) QUALIFIED DISASTER CONTRIBUTIONS.—For purposes of this subparagraph, the term 'qualified disaster contribution' means any charitable contribution if—

''(I) such contribution is made after the date of the enactment of this paragraph,

''(II) such contribution is made in cash to an organization described in subparagraph (A) (other than an organization described in section 509(a)(3)), and

''(III) such contribution is for relief efforts related to a federally declared disaster (as defined in section 165(h)(3)(C)(i)).

Such term shall not include a contribution if the contribution is for establishment of a new, or maintenance in an existing, donor advised fund (as defined in section 4966(d)(2)).

''(v) SUBSTANTIATION REQUIREMENT.—This paragraph shall not apply to any qualified disaster contribution unless the taxpayer obtains from such organization to which the contribution was made a contemporaneous written acknowledgment (within the meaning of subsection (f)(8)) that such contribution was used (or is to be used) for a purpose described in clause (iv)(III).''.

(b) CORPORATIONS.—

(1) IN GENERAL.—Paragraph (2) of section 170(b) of the Internal Revenue Code of 1986 is amended by redesignating subparagraph (C) as subparagraph (D) and by inserting after subparagraph (B) the following new subparagraph:

''(C) QUALIFIED DISASTER CONTRIBUTIONS.—

''(i) IN GENERAL.—Any qualified disaster contribution shall be allowed to the extent that the aggregate of such contributions does not exceed the excess of 20 percent of the taxpayer's taxable income over the amount of charitable contributions allowed under subparagraph (A).

''(ii) CARRYOVER.—If the aggregate amount of contributions described in clause (i) exceeds the limitation under clause (i), such excess shall be treated (in a manner consistent with the rules of subsection (d)(1)) as a charitable contribution to which clause (i) applies in each of the 5 succeeding years in order of time.

''(iii) QUALIFIED DISASTER CONTRIBUTION.—The term 'qualified disaster contribution' has the meaning given such term under paragraph (2)(F)(iv).

''(iv) SUBSTANTIATION REQUIREMENT.—This paragraph shall not apply to any qualified disaster contribution unless the taxpayer obtains from such organization to which the contribution was made a contemporaneous written acknowledgment (within the meaning of subsection (f)(8)) that such contribution was used (or is to be used) for a purpose described in paragraph (1)(F)(iv)(III).''.

(2) CONFORMING AMENDMENTS.—

(A) Subparagraph (A) of section 170(b)(2) of such Code is amended by striking ''subparagraph (B) applies'' and inserting ''subparagraphs (B) and (C) apply''.

(B) Subparagraph (B) of section 170(b)(2) of such Code is amended by striking ''subparagraph (A)'' and inserting ''subparagraphs (A) and (C)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act.

SEC. ____. NONAPPLICATION OF DAVIS-BACON.

The wage-rate requirements of subchapter IV of chapter 31 of part A of subtitle II of title 40, United States Code (commonly referred to as the ''Davis-Bacon Act'') shall not apply with respect to any project or program carried out in whole or in part with Federal funds in any Federally declared disaster

area. This section shall apply to any project or program contract entered into during the 1-year period beginning on the date of disaster declaration involved.

SEC. ___. MANDATORY POSTPONEMENT OF DEADLINES BY REASON OF DISASTERS OR TERRORISTIC OR MILITARY ACTIONS.

(a) IN GENERAL.—Section 7508A of the Internal Revenue Code of 1986 is amended by striking ''may specify a period of up to 1 year'' each place it appears in subsections (a) and (B) and inserting ''shall specify a period of 1 year''.

(b) CONFORMING AMENDMENTS.—

(1) The heading for section 7508A of such Code is amended by striking ''**AUTHORITY TO POSTPONE**'' and inserting ''**POSTPONEMENT OF**''.

(2) The item relating to section 7508A in the table of sections for chapter 77 of such Code is amended by striking ''Authority to postpone'' and inserting ''Postponement of''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to disasters and terroristic or military actions occurring on or after the date of the enactment of this Act.

SEC. ___. TEMPORARY SUSPENSION OF BOUTIQUE FUEL REQUIREMENT AND ETHANOL MANDATE.

(a) BOUTIQUE FUEL REQUIREMENT.—Section 211(c)(4)(C) of the Clean Air Act (42 U.S.C. 7545(c)(4)(C)) is amended—

(1) by redesignating the second clause (v) (relating to the authority of the Administrator to approve certain State implementation plans) as clause (vi); and

(2) by adding at the end the following:

''(vii) SUSPENSION.—The Administrator shall suspend a control or prohibition respecting the use of a fuel or fuel additive required or regulated by the Administrator pursuant to this subsection for any area for which the President declared a major disaster in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) during the 90-day period beginning on the date of the declaration.''.

(b) ETHANOL MANDATE.—Section 211(o)(7) of the Clean Air Act (42 U.S.C. 7545(o)(7)) is amended by adding at the end the following:

''(G) SUSPENSION.—The Administrator shall suspend the requirements of paragraph (2) for any area for which the President declared a major disaster in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) during the 90-day period beginning on the date of the declaration.''.

SEC. ___. OTHER RELIEF.

Section 301 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5141) is amended by inserting ''at its own discretion or'' before ''if so requested''.

SEC. ___. WAIVER OF CERTAIN REQUIREMENTS FOR VESSELS IN DISASTER AREAS.

Notwithstanding section 501 of title 46, United States Code, during the 3-month period beginning on the date of the enactment of this Act, the provisions of sections 55102 and 55103 of title 46, United States Code, shall not apply to a vessel that is delivering merchandise or transporting passengers to a port—

(1) in an area for which the President declared a disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.); or

(2) designated by the Secretary of Homeland Security as a port of significant importance to an area referred to in paragraph (1).

SA 3374. Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

After section 1105, insert the following:

TITLE XII—CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND

SEC. 1201. SHORT TITLE.

This title may be cited as the ''Citrus Disease Research and Development Trust Fund Act of 2012''.

SEC. 1202. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) duties collected on imports of citrus and citrus products have ranged from $50,000,000 to $87,000,000 annually since 2004, and are projected to increase, as United States production declines due to the effects of huanglongbing (also known as ''HLB'' or ''citrus greening disease'') and imports increase in response to the shortfall in the United States;

(2) in cases involving other similarly situated agricultural commodities, notably wool, the Federal Government has chosen to divert a portion of the tariff revenue collected on imported products to support efforts of the domestic industry to address challenges facing the industry;

(3) citrus and citrus products are a highly nutritious and healthy part of a balanced diet;

(4) citrus production is an important part of the agricultural economy in Florida, California, Arizona, and Texas;

(5) in the most recent years preceding the date of the enactment of this Act, citrus fruits have been produced on 900,000 acres, yielding 11,000,000 tons of citrus products with a value at the farm of more than $3,200,000,000;

(6) the commercial citrus sector employs approximately 110,000 people and contributes approximately $13,500,000,000 to the United States economy;

(7) the United States citrus industry has suffered billions of dollars in damage from disease and pests, both domestic and invasive, over the decade preceding the date of the enactment of this Act, particularly from huanglongbing;

(8) huanglongbing threatens the entire United States citrus industry because the disease kills citrus trees;

(9) as of the date of the enactment of this Act, there are no cost effective or environmentally sound treatments available to suppress or eradicate huanglongbing;

(10) United States citrus producers working with Federal and State governments have devoted tens of millions of dollars toward research and efforts to combat huanglongbing and other diseases and pests, but more funding is needed to develop and commercialize disease and pest solutions;

(11) although imports constitute an increasing share of the United States market, importers of citrus products into the United States do not directly fund production research in the United States;

(12) disease and pest suppression technologies require determinations of safety and solutions must be commercialized before use by citrus producers;

(13) the complex processes involved in discovery and commercialization of safe and effective pest and disease suppression technologies are expensive and lengthy and the need for the technologies is urgent; and

(14) research to develop solutions to suppress huanglongbing, or other domestic and invasive pests and diseases will benefit all citrus producers and consumers around the world.

(b) PURPOSES.—The purposes of this title are—

(1) to authorize the establishment of a trust funded by certain tariff revenues to support scientific research, technical assistance, and development activities to combat citrus diseases and pests, both domestic and invasive, harming the United States; and

(2) to require the President to notify the chairperson and ranking member of the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives before entering into any trade agreement that would decrease the amount of duties collected on imports of citrus products to less than the amount necessary to provide the grants authorized by section 1001(d) of the Trade Act of 1974, as added by section 1203(a) of this Act.

(c) EFFECT ON OTHER ACTIVITIES.—Nothing in this title restricts the use of any funds for scientific research and technical activities in the United States.

SEC. 1203. CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND.

(a) IN GENERAL.—The Trade Act of 1974 (19 U.S.C. 2102 et seq.) is amended by adding at the end the following:

''TITLE X—CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND

''SEC. 1001. CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND.

''(a) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund to be known as the 'Citrus Disease Research and Development Trust Fund' (in this section referred to as the 'Trust Fund'), consisting of such amounts as may be transferred to the Trust Fund under subsection (b)(1) and any amounts that may be credited to the Trust Fund under subsection (d)(2).

''(b) TRANSFER OF AMOUNTS.—

''(1) IN GENERAL.—Subject to paragraph (2), the Secretary of the Treasury shall transfer to the Trust Fund, from the general fund of the Treasury, amounts determined by the Secretary to be equivalent to amounts received in the general fund that are attributable to the duties collected on articles that are citrus or citrus products classifiable under chapters 8, 20, 21, 22, and 33 of the Harmonized Tariff Schedule of the United States.

''(2) LIMITATION.—The amount transferred to the Trust Fund under paragraph (1) in any fiscal year may not exceed the lesser of—

''(A) an amount equal to ⅓ of the amount attributable to the duties received on articles described in paragraph (1); or

''(B) $30,000,000.

''(c) AVAILABILITY OF AMOUNTS IN TRUST FUND.—

''(1) AMOUNTS AVAILABLE UNTIL EXPENDED.—Amounts in the Trust Fund shall remain available until expended without further appropriation.

''(2) AVAILABILITY FOR CITRUS DISEASE RESEARCH AND DEVELOPMENT EXPENDITURES.—Amounts in the Trust Fund shall be available to the Secretary of Agriculture—

''(A) for expenditures relating to citrus disease research and development under section 104 of the Citrus Disease Research and Development Trust Fund Act of 2012, including costs relating to contracts or other agreements entered into to carry out citrus disease research and development; and

''(B) to cover administrative costs incurred by the Secretary in carrying out the provisions of that Act.

''(d) INVESTMENT OF TRUST FUND.—

''(1) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Trust Fund as is not required to meet current withdrawals in interest-bearing obligations of the United States or in obligations

guaranteed as to both principal and interest by the United States. Such obligations may be acquired on original issue at the issue price or by purchase of outstanding obligations at the market price. Any obligation acquired by the Trust Fund may be sold by the Secretary of the Treasury at the market price.

''(2) INTEREST AND PROCEEDS FROM SALE OR REDEMPTION OF OBLIGATIONS.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Trust Fund shall be credited to and form a part of the Trust Fund.

''(e) REPORTS TO CONGRESS.—Not later than January 15, 2013, and each year thereafter until the year after the termination of the Trust Fund, the Secretary of the Treasury, in consultation with the Secretary of Agriculture, shall submit to Congress a report on the financial condition and the results of the operations of the Trust Fund that includes—

''(1) a detailed description of the amounts disbursed from the Trust Fund in the preceding fiscal year and the manner in which those amounts were expended;

''(2) an assessment of the financial condition and the operations of the Trust Fund for the current fiscal year; and

''(3) an assessment of the amounts available in the Trust Fund for future expenditures.

''(f) REMISSION OF SURPLUS FUNDS.—The Secretary of the Treasury may remit to the general fund of the Treasury such amounts as the Secretary of Agriculture reports to be in excess of the amounts necessary to meet the purposes of the Citrus Disease Research and Development Trust Fund Act of 2012.

''(g) SUNSET PROVISION.—The Trust Fund shall terminate on December 31 of the fifth calendar year that begins after the date of the enactment of the Citrus Disease Research and Development Trust Fund Act of 2012 and all amounts in the Trust Fund on December 31 of that fifth calendar year shall be transferred to the general fund of the Treasury.

''SEC. 1002. REPORTS REQUIRED BEFORE ENTERING INTO CERTAIN TRADE AGREEMENTS.

''The President shall notify the chairperson and ranking member of the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives not later than 90 days before entering into a trade agreement if the President determines that entering into the trade agreement could result—

''(1) in a decrease in the amount of duties collected on articles that are citrus or citrus products classifiable under chapters 8, 20, 21, 22, and 33 of the Harmonized Tariff Schedule of the United States; and

''(2) in a decrease in the amount of funds being transferred into the Citrus Disease Research and Development Trust Fund under section 1001 so that amounts available in the Trust Fund are insufficient to meet the purposes of the Citrus Disease Research and Development Trust Fund Act of 2012.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by adding at the end the following:

''TITLE X—CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND

''Sec. 1001. Citrus Disease Research and Development Trust Fund.

''Sec. 1002. Reports required before entering into certain trade agreements.''.

SEC. 1204. CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND ADVISORY BOARD.

(a) PURPOSE.—The purpose of this section is to establish an orderly procedure and financing mechanism for the development of an effective and coordinated program of research and product development relating to—

(1) scientific research concerning diseases and pests, both domestic and invasive, afflicting the citrus industry; and

(2) support for the dissemination and commercialization of relevant information, techniques, and technologies discovered pursuant to research funded through the Citrus Disease Research and Development Trust Fund established under section 1001 of the Trade Act of 1974, as added by section 1203(a) of this Act, or through other research projects intended to solve problems caused by citrus production diseases and invasive pests.

(b) DEFINITIONS.—In this section:

(1) BOARD.—The term ''Board'' means the Citrus Disease Research and Development Trust Fund Advisory Board established under this section.

(2) CITRUS.—

(A) IN GENERAL.—The term ''citrus'' means edible fruit of the family Rutaceae, commonly called ''citrus''.

(B) INCLUSION.—The term ''citrus'' includes all citrus hybrids and products of citrus hybrids that are produced for commercial purposes in the United States.

(3) DEPARTMENT.—The term ''Department'' means the Department of Agriculture.

(4) PERSON.—The term ''person'' means any individual, group of individuals, firm, partnership, corporation, joint stock company, association, cooperative, or other legal entity.

(5) PRODUCER.—The term ''producer'' means any person that is engaged in the domestic production and commercial sale of citrus in the United States.

(6) PROGRAM.—The term ''program'' means the citrus research and development program authorized under this section.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(8) TRUST FUND.—The term ''Trust Fund'' means the Citrus Disease Research and Development Trust Fund established under section 1001 of the Trade Act of 1974, as added by section 1203(a) of this Act.

(c) IMPLEMENTATION.—

(1) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall promulgate regulations to carry out this section.

(2) CITRUS ADVISORY BOARD.—

(A) ESTABLISHMENT AND MEMBERSHIP.—

(i) ESTABLISHMENT.—The Citrus Disease Research and Development Trust Fund Advisory Board shall consist of 9 members.

(ii) MEMBERSHIP.—The members of the Board shall be appointed by the Secretary.

(iii) STATUS.—Members of the Board represent the interests of the citrus industry and shall not be considered officers or employees of the Federal Government solely due to membership on the Board.

(B) DISTRIBUTION OF APPOINTMENTS.—The membership of the Board shall consist of—

(i) 5 members who are domestic producers of citrus in Florida;

(ii) 3 members who are domestic producers of citrus in Arizona or California; and

(iii) 1 member who is a domestic producer of citrus in Texas.

(C) CONSULTATION.—Prior to making appointments to the Board, the Secretary shall consult with organizations composed primarily of citrus producers to receive advice and recommendations regarding Board membership.

(D) BOARD VACANCIES.—

(i) IN GENERAL.—The Secretary shall appoint a new Board member to serve the remainder of a term vacated by a departing Board member.

(ii) REQUIREMENTS.—When filling a vacancy on the Board, the Secretary shall—

(I) appoint a citrus producer from the same State as the Board member being replaced; and

(II) prior to making an appointment, consult with organizations in that State composed primarily of citrus producers to receive advice and recommendations regarding the vacancy.

(E) TERMS.—

(i) IN GENERAL.—Except as provided in clause (ii), each term of appointment to the Board shall be for 5 years.

(ii) INITIAL APPOINTMENTS.—In making initial appointments to the Board, the Secretary shall appoint ⅓ of the members to terms of 1, 3, and 5 years, respectively.

(F) DISQUALIFICATION FROM BOARD SERVICE.—If a member or alternate of the Board who was appointed as a domestic producer ceases to be a producer in the State from which the member was appointed, or fails to fulfill the duties of the member according to the rules established by the Board under paragraph (4)(A)(ii), the member or alternate shall be disqualified from serving on the Board.

(G) COMPENSATION.—

(i) IN GENERAL.—The members of the Board shall serve without compensation, other than travel expenses described in clause (ii).

(ii) TRAVEL EXPENSES.—A member of the Board shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Board.

(3) POWERS.—

(A) GIFTS.—The Board may accept, use, and dispose of gifts or donations of services or property.

(B) POSTAL SERVICES.—The Board may use the United States mails in the same manner and under the same conditions as other agencies of the Federal Government.

(C) VOLUNTEER SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Board may accept and use the services of volunteers serving without compensation.

(D) TECHNICAL AND LOGISTICAL SUPPORT.—Subject to the availability of funds, the Secretary shall provide to the Board technical and logistical support through contract or other means, including—

(i) procuring the services of experts and consultants in accordance with section 3109(b) of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the highest rate payable under section 5332 of that title; and

(ii) entering into contracts with departments, agencies, and instrumentalities of the Federal Government, State agencies, and private entities for the preparation of reports, surveys, and other activities.

(E) DETAIL OF FEDERAL GOVERNMENT EMPLOYEES.—

(i) IN GENERAL.—An employee of the Federal Government may be detailed to the Commission on a reimbursable or nonreimbursable basis.

(ii) CIVIL SERVICE STATUS.—The detail of the employee shall be without interruption or loss of civil service status or privilege.

(F) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Board on a reimbursable basis administrative support and other services for the performance of the duties of the Board.

(G) OTHER DEPARTMENTS AND AGENCIES.—Departments and agencies of the United States may provide to the Board such services, funds, facilities, staff, and other support services as may be appropriate.

(4) GENERAL RESPONSIBILITIES OF THE BOARD.—

(A) IN GENERAL.—The regulations promulgated by the Secretary shall define the general responsibilities of the Board, which shall include the responsibilities—

(i) to meet, organize, and select from among the members of the Board a chairperson, other officers, and committees and subcommittees, as the Board determines to be appropriate;

(ii) to adopt and amend rules and regulations governing the conduct of the activities of the Board and the performance of the duties of the Board;

(iii) to hire such experts and consultants as the Board considers necessary to enable the Board to perform the duties of the Board;

(iv) to advise the Secretary on citrus research and development needs;

(v) to propose a research and development agenda and annual budgets for the Trust Fund;

(vi) to evaluate and review ongoing research funded by Trust Fund;

(vii) to engage in regular consultation and collaboration with the Department and other institutional, governmental, and private actors conducting scientific research into the causes or treatments of citrus diseases and pests, both domestic and invasive, so as to—

(I) maximize the effectiveness of the activities;

(II) hasten the development of useful treatments; and

(III) avoid duplicative and wasteful expenditures; and

(viii) to provide the Secretary with such information and advice as the Secretary may request.

(5) CITRUS RESEARCH AND DEVELOPMENT AGENDA AND BUDGETS.—

(A) IN GENERAL.—The Board shall submit annually to the Secretary a proposed research and development agenda and budget for the Trust Fund, which shall include—

(i) an evaluation of ongoing research and development efforts;

(ii) specific recommendations for new citrus research projects;

(iii) a plan for the dissemination and commercialization of relevant information, techniques, and technologies discovered pursuant to research funded through the Trust Fund; and

(iv) a justification for Trust Fund expenditures.

(B) AFFIRMATIVE SUPPORT REQUIRED.—A research and development agenda and budget may not be submitted by the Board to the Secretary without the affirmative support of at least 7 members of the Board.

(C) SECRETARIAL APPROVAL.—

(i) IN GENERAL.—Not later than 60 days after receiving the proposed research and development agenda and budget from the Board and consulting with the Board, the Secretary shall finalize a citrus research and development agenda and Trust Fund budget.

(ii) CONSIDERATIONS.—In finalizing the agenda and budget, the Secretary shall—

(I) due to the proximity of citrus producers to the effects of diseases such as huanglongbing and the quickly evolving nature of scientific understanding of the effect of the diseases on citrus production, give strong deference to the proposed research and development agenda and budget from the Board; and

(II) take into account other public and private citrus-related research and development projects and funding.

(D) REPORT TO CONGRESS.—Each year, the Secretary shall submit to the Committee on Agriculture and the Committee on Ways and Means of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry and the Committee on Finance of the Senate a report that includes—

(i) the most recent citrus research and development agenda and budget of the Secretary;

(ii) an analysis of how, why, and to what extent the agenda and budget finalized by the Secretary differs from the proposal of the Board;

(iii) an examination of new developments in the spread and control of citrus diseases and pests;

(iv) a discussion of projected research needs; and

(v) a review of the effectiveness of the Trust Fund in achieving the purpose described in subsection (a).

(6) CONTRACTS AND AGREEMENTS.—To ensure the efficient use of funds, the Secretary may enter into contracts or agreements with public or private entities for the implementation of a plan or project for citrus research.

(d) ADMINISTRATIVE COSTS.—Each fiscal year, the Secretary may transfer up to $2,000,000 of amounts in the Trust Fund to the Board for expenses incurred by the Board in carrying out the duties of the Board.

(e) TERMINATION OF BOARD.—The Board shall terminate on December 31 of the fifth calendar year that begins after the date of the enactment of this Act.

SEC. 1205. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.

Notwithstanding section 6655 of the Internal Revenue Code of 1986—

(1) in the case of a corporation with assets of not less than $1,000,000,000 (determined as of the end of the preceding taxable year), the amount of any required installment of corporate estimated tax which is otherwise due in July, August, or September of 2017 shall be increased by 0.25 percent of such amount (determined without regard to any increase in such amount not contained in such Code); and

(2) the amount of the next required installment after an installment referred to in paragraph (1) shall be appropriately reduced to reflect the amount of the increase by reason of such paragraph.

SEC. 1206. EXTENSION OF CUSTOMS USER FEES.

Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)) is amended by adding at the end the following:

''(C)(i) Notwithstanding subparagraph (A), fees may be charged under paragraphs (9) and (10) of subsection (a) during the period beginning on October 23, 2021, and ending on November 6, 2021.

''(ii) Notwithstanding subparagraph (B)(i), fees may be charged under paragraphs (1) through (8) of subsection (a) during the period beginning on October 30, 2021, and ending on November 13, 2021.''.

SA 3375. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. BUDGET OFFSET.

(a) OFFSETTING AMOUNTS.—

(1) IN GENERAL.—There is rescinded for fiscal year 2013 any unobligated balances in an amount equal to $60,407,000,000 of the budget authority provided for fiscal year 2013 of any discretionary account in title II—United States Agency for International Development, title III—Bilateral economic assistance, and title IV—International security assistance as provided by the continuing appropriations resolution of 2013 for the Department of State, Foreign Operations and Related Appropriations Act, 2012 (Public Law 112-175).

(2) LIMITATION.—Of the accounts and programs included in paragraph (1), the rescissions amounts shall not reduce the combined aggregate budget authority of those accounts and programs below $5,000,000,000 for all of fiscal year 2013.

(3) EXCESS RECOVERED.—The amount of rescission of budget authority in paragraphs (1) and (2) that exceeds the level of unobligated balances in that section shall be rescinded, on a pro rata basis, from the budget authority provided for fiscal year 2013 from any remaining discretionary accounts in any fiscal year 2013 appropriations Act (except the accounts and programs included as provided by the continuing appropriations resolution of 2013 for the Military Construction and Veterans Affairs and Related Appropriations Act, 2012).

(b) APPLICATION OF RESCISSIONS.—Of the total amount rescinded subject to including subsection (a)(2), the allocation of rescissions from the accounts or programs as specified in subsection (a)(1), shall be determined by the Director of the Office of Management and Budget.

SA 3376. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. NONAPPLICATION OF DAVIS-BACON.

None of the funds made available under this Act (or an amendment made by this Act) may be used to administer or enforce the wage-rate requirements of subchapter IV of chapter 31 of part A of subtitle II of title 40, United States Code (commonly referred to as the ''Davis-Bacon Act'') with respect to any project or program funded, in whole or in part, under this Act (or amendment).

SA 3377. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. BUDGET OFFSET.

(a) IN GENERAL.—

(1) FINDING.—Congress finds that the Congressional Budget Office estimates that—

(A) this Act, the Disaster Relief Appropriations Act, 2013, will spend only 15 percent of the budget authority provided in this Act in fiscal year 2013; and

(B) total outlays flowing from this Act will equal $8,974,000,000 for fiscal year 2013.

(2) BUDGET AUTHORITY LIMIT.—The total amount provided to chapters 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 of this Act shall be provided based on the Congressional Budget Office's cost estimate findings, such that—

(A) total budget authority for the Act shall not exceed $8,974,000,000;

(B) total budget authority provided for Chapter 1 shall not exceed $81,000,000;

(C) total budget authority provided for Chapter 2 shall not exceed $192,000,000;

(D) total budget authority provided for Chapter 3 shall not exceed $42,000,000;

(E) total budget authority provided for Chapter 4 shall not exceed $673,000,000;

(F) total budget authority provided for Chapter 5 shall not exceed $437,000,000;

(G) total budget authority provided for Chapter 6 shall not exceed $6,681,000,000;

(H) total budget authority provided for Chapter 7 shall not exceed $147,000,000;

(I) total budget authority provided for Chapter 8 shall not exceed $85,000,000;

(J) total budget authority provided for Chapter 9 shall not exceed $23,000,000; and

(K) total budget authority provided for Chapter 10 shall not exceed $613,000,000.

(3) APPLICATION OF BUDGET AUTHORITY REDUCTION.—Of the total amount reduced in this Act as subject to paragraph (2), the allocation of such reductions among the accounts and programs shall be determined by the Director of Office of Management and Budget.

(b) OFFSETTING AMOUNTS.—

(1) IN GENERAL.—There is rescinded for fiscal year 2013 any unobligated balances in an amount equal to $8,974,000,000 of the budget authority provided for fiscal year 2013 of any discretionary account in title II—United States Agency for International Development, title III—Bilateral economic assistance, and title IV—International security assistance accounts and programs as provided by the continuing appropriations resolution of 2013 for the Department of State, Foreign Operations and Related Appropriations Act, 2012 (Public Law 112-175).

(2) LIMIT.—Of the accounts and programs included in paragraph (1), the rescission amounts shall not reduce the combined aggregate budget authority of those accounts and programs below $5,000,000,000 for all of fiscal year 2013.

(3) EXCESS RECOVERED.—The amount of rescission of budget authority in paragraphs (1) and (2) that exceeds the level of unobligated balances in those paragraphs shall be rescinded, on a pro rata basis, from the budget authority provided for fiscal year 2013 from any remaining discretionary accounts in any fiscal year 2013 appropriations Act (except the accounts and programs as provided by the continuing appropriations resolution of 2013 for the Military Construction and Veterans Affairs and Related Appropriations Act, 2012).

(c) APPLICATION OF RESCISSIONS.—Of the total amount rescinded subject to subsection (b), including paragraph (2) the allocation of such rescissions among the accounts or programs as specified in subsection (b)(1), shall be determined by the Director of the Office of Management and Budget.

SA 3378. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. Section 406(b)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(b)(1)) is amended—

(1) in the paragraph heading, by striking ''MINIMUM''; and

(2) by striking ''not less than'' and inserting ''not more than 75 percent''.

SA 3379. Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

On page 45, strike lines 9 through 20 and insert the following:

''(f) WAIVER AUTHORITY.—Until such time as the Administrator promulgates regulations to implement this section, the Administrator may—

''(1) waive notice and comment rule making requirements if the Administrator determines the waiver to be necessary to expeditiously implement this section; and

''(2) may carry out the alternative procedures under this section as a pilot program during the 3-year period beginning on the date of enactment of the Disaster Recovery Act of 2012.

''(g) REIMBURSEMENT.—The guidelines for reimbursement for costs under subsection (e)(2)(D) shall assure that no State, tribal, or local government is denied reimbursement for overtime payments that are required pursuant to the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.).

''(h) SUNSET OF REPAIR, RESTORATION, AND REPLACEMENT PROCEDURES.—The authority of the Administrator to administer assistance under the procedures described in subsection (e)(1) shall terminate 5 years after the date of enactment of this Act.

''(i) REPORT.—Not earlier than 3 years, and not later than 5 years, after the date of enactment of this section, the Inspector General of the Department of Homeland Security shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the alternative procedures for the repair, restoration, and replacement of damaged facilities under section 406 authorized under this section, which shall assess the effectiveness of the alternative procedures, including—

''(1) whether the alternative procedures helped to improve the general speed of disaster recovery;

''(2) the accuracy of the estimates relied upon;

''(3) whether the financial incentives and disincentives were effective;

''(4) whether the alternative procedures were cost-effective;

''(5) whether the independent expert panel described in subsection (e)(1)(E) was effective; and

''(6) recommendations for whether the alternative procedures should be continued and any recommendations for changes to the alternative procedures.''.

SA 3380. Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

On page 62, between lines 23 and 24, insert the following:

(l) ENHANCING RESPONSE AND RECOVERY OPERATIONS AND PROGRAMS.—

(1) IN GENERAL.—Title V of the Homeland Security Act of 2002 (6 U.S.C. 311 et seq.) is amended by adding at the end the following:

''SEC. 526. ADMINISTRATION OF RESPONSE AND RECOVERY OPERATIONS AND PROGRAMS.

''(a) DEFINITIONS.—In this section—

''(1) the term 'annuitant' means an annuitant under a Government retirement system;

''(2) the terms 'deployed' and 'deployment' mean the performance of services under the response and recovery operations and programs of the Agency, including exercises and training for such operations and programs;

''(3) the term 'disaster reserve workforce' means the disaster reserve workforce established under subsection (b);

''(4) the term 'employee' has the meaning given under section 2105 of title 5, United States Code;

''(5) the term 'employee designated for short term deployments' means an employee hired under section 306(b)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5149(b)(1)) designated only for short-term deployments;

''(6) the term 'Government retirement system' means a retirement system established by law for employees of the Government of the United States;

''(7) the term 'major project' means any project for which the total costs are greater than $400,000;

''(8) the term 'permanent seasonal employee' means an employee, including an employee hired under section 306(b)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5149(b)(1)), working under seasonal employment as defined under section 340.401 of title 5 of the Code of Federal Regulations or any successor regulation;

''(9) the term 'reservist' means an employee who is a member of the disaster reserve workforce;

''(10) the term 'response and recovery operations and programs' means response operations and programs and recovery operations and programs;

''(11) the term 'response operations and programs' means operations and programs that involve taking immediate actions to save lives, protect property or the environment, or meet basic human needs;

''(12) the term 'recovery operations and programs' means operations and programs to support and enable recovery, as defined in section 501 of the Homeland Security Act of 2002; and

''(13) the term 'term employee' means an employee, including an employee hired under section 306(b)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5149(b)(1)), who is appointed to a term of 1 or more years.

''(b) DISASTER RESERVE WORKFORCE.—In order to provide efficiency, continuity, quality, and accuracy in services performed under response and recovery operations and programs there is within the Agency a disaster reserve workforce, which shall be used to supplement the work of permanent full-time employees of the Agency on response and recovery operations and programs.

''(c) PROVISION OF SERVICES PERFORMED UNDER RESPONSE AND RECOVERY OPERATIONS AND PROGRAMS.—

''(1) IN GENERAL.—The Administrator shall ensure that the disaster reserve workforce can rapidly and efficiently deploy qualified, skilled, and trained reservists for a sufficiently long period to provide continuity in response and recovery operations and programs.

''(2) MANAGEMENT AND IMPLEMENTATION.—

''(A) IN GENERAL.—Sufficient numbers of qualified permanent full-time employees of

the Agency shall lead and manage the disaster reserve workforce and implement response and recovery operations and programs, including leading individual major projects under sections 404, 406, and 407 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c, 5172, and 5173).

''(B) DISASTER RESERVE WORKFORCE.—The disaster reserve workforce shall include—

''(i) term employees;

''(ii) permanent seasonal employees;

''(iii) employees designated for short-term deployments;

''(iv) employees of the Department who are not employees of the Agency; and

''(v) employees of other Federal agencies.

''(C) RELIANCE ON CERTAIN EMPLOYEES.—In supporting the work of permanent full-time employees, the Administrator—

''(i) shall rely to the greatest extent possible on term employees and permanent seasonal employees deployed for long periods of time in order to help ensure greater efficiency, continuity, quality, and accuracy in services performed under recovery operations and programs; and

''(ii) may use discretion to deploy the reservists most able to ensure the greatest efficiency, continuity, quality, and accuracy in services performed under response and recovery operations and programs.

''(3) POLICIES AND PROCEDURES.—In order to ensure that efficient, continuous, and accurate services are provided under response and recovery operations and programs, not later than 180 days after the date of enactment of this section, the Administrator shall develop—

''(A) staffing policies and procedures that provide for the management of response and recovery operations and programs by sufficient numbers of permanent full-time senior-level officials;

''(B) plans to recruit individuals who reside in the area affected by a major disaster when long-term recovery efforts are needed; and

''(C) policies and procedures relating to sections 403, 404, 406, 407, and 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b, 5170c, 5172, 5173, and 5192).

''(4) MINIMUM STANDARDS AND GUIDELINES FOR THE DISASTER RESERVE WORKFORCE.—

''(A) STANDARDS AND GUIDELINES.—Not later than 180 days after the date of enactment of this section, the Administrator shall develop standards and guidelines for the disaster reserve workforce, including—

''(i) setting appropriate mandatory before and after disaster training requirements;

''(ii) establishing the minimum number of days annually an individual is required to deploy in a year during which there is sufficient work for members of the disaster reserve workforce;

''(iii) providing for a reasonably long time period for deployment to ensure continuity in operations; and

''(iv) establishing performance requirements, including for the timely and accurate resolution of issues and projects.

''(B) MAINTAINING MEMBERSHIP IN THE DISASTER RESERVE WORKFORCE.—In order to maintain membership in the disaster reserve workforce, a reservist shall—

''(i) be credentialed in accordance with section 510; and

''(ii) meet all minimum standards and guidelines established under subparagraph (A)—

''(I) for term employees, before being appointed to a term in the disaster reserve workforce; and

''(II) annually for all other reservists.

''(C) EVALUATION SYSTEM.—In consultation with the Director of the Office of Personnel Management, the Administrator shall develop and implement a system to continuously evaluate reservists to ensure that all minimum standards and guidelines under this paragraph are satisfied annually by all reservists. Chapter 43 of title 5, United States Code, shall not apply to reservists covered under the system developed and implemented under this subparagraph.

''(5) CONTRACTORS.—Not later than 180 days after the date of enactment of this section, the Administrator, in conjunction with the Chief Human Capital Officer of the Agency, shall establish policies and procedures for contractors that support response and recovery operations and programs, which shall ensure that the contractors have appropriate skills, training, knowledge, and experience for assigned tasks, including by ensuring that the contractors meet training, credentialing, and performance requirements similar to the requirements for reservists.

''(6) REEMPLOYED ANNUITANTS.—

''(A) IN GENERAL.—In appointing reservists to the disaster reserve workforce, the application of sections 8344 and 8468 of title 5, United States Code, (relating to annuities and pay on reemployment) or any other similar provision of law under a Government retirement system may be waived by the Administrator for annuitants reemployed on deployments involving a direct threat to life or property or other unusual circumstances for the entirety of the deployment.

''(B) LIMITATIONS.—The authority under subparagraph (A)—

''(i) is granted to assist the Administrator in establishing and effectively operating the disaster reserve workforce if—

''(I) no other qualified applicant is available for a reservist position; or

''(II) if the employment of an annuitant would serve the mission of the Agency by gaining the benefit of the institutional knowledge and experience of the annuitant; and

''(ii) may be exercised only—

''(I) with respect to natural disasters, acts of terrorism, or other man-made disasters, including catastrophic incidents; and

''(II) if the applicant will not accept the position without a waiver.

''(C) GUIDELINES AND LIMITATIONS.—Before the Administrator may exercise the authority under subparagraph (A), the Administrator shall establish guidelines and limitations on the appointment of annuitants under that subparagraph in order to manage the need for annuitant experience with workforce growth, succession planning, and fiscal responsibilities.

''(D) NOT EMPLOYEE FOR RETIREMENT PURPOSES.—An annuitant to whom a waiver under subparagraph (A) is in effect shall not be considered an employee for purposes of any Government retirement system.

''(7) PERMANENT EMPLOYMENT POSITIONS.—

''(A) IN GENERAL.—An employee hired under section 306(b)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5149(b)(1)) and a member of the FEMA corps of the National Civilian Community Corps who completes the terms of service of the member pursuant to the interagency agreement between the Federal Emergency Management Agency and the Corporation for National and Community Service may compete for permanent positions in the Agency under merit promotion procedures. The actual time deployed as an employee or member shall be considered creditable service for purposes of such competition and shall be calculated, for purposes of section 8411 of title 5, United States Code, by dividing the total number of days of service as a reservist by 365 to obtain the number of years of service and dividing any remainder by 30 to obtain the number of additional months of service and excluding from the aggregate the fractional part of a month, if any.

''(B) CONSIDERATION.—In evaluating a reservist hired under section 306(b)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5149(b)(1)) for a potential permanent employment position, the Administrator shall consider the qualifications of, and performance as a reservist by, the reservist, including the ability of the reservist to timely, accurately, and creatively resolve issues and projects when deployed.

''(C) EFFECTIVE DATE AND APPLICATION.—This paragraph shall—

''(i) take effect on the date on which the Administrator implements the evaluation system under paragraph (4)(C); and

''(ii) apply to periods of service performed after that date.

''(8) NO IMPACT ON AGENCY PERSONNEL CEILING.—Reservists shall not be counted against any personnel ceiling limitation applicable to the Agency.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by inserting after the item relating to section 525 the following:

''Sec. 526. Administration of response and recovery operations and programs.''.

(3) PERMANENT SEASONAL EMPLOYEES.—Section 306(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5149(b)) is amended—

(A) in paragraph (1), by inserting ''or permanent seasonal employees (as that term is defined under section 526(a)(8) of the Homeland Security Act of 2002)'' after ''temporary personnel''; and

(B) in paragraph (3), by inserting ''or the employment of permanent seasonal employees (as that term is defined under section 526(a)(8) of the Homeland Security Act of 2002)'' after ''additional personnel''.

SA 3381. Mr. CONRAD submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table.

On page 85, line 9, strike ''That, of'' and all that follows through ''2012:'' on line 15 and insert the following: ''That, of the amount provided under this heading, $500,000,000 shall be used to address the unmet needs of impacted areas resulting from a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) or for small, economically distressed areas with a disaster declared in 2011 or 2012: *Provided further*, That the amounts provided under the preceding proviso are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985:''.

NOTICE OF INTENT TO OBJECT TO PROCEEDING

I, Senator TOM COBURN, intend to object to proceeding to S. 2215, a bill to create jobs in the United States by increasing United States exports to Africa by at least 200 percent in real dollar value within 10 years, and for other purposes; dated December 18, 2012.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on December 18, 2012, at 9:30 a.m., to conduct a hearing entitled ''Computerized Trading Venues: What Should the Rules of the Road Be?''

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on December 18, 2012.

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

COMMITTEE ON FINANCE

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on December 18, 2012.

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

SELECT COMMITTEE ON INTELLIGENCE

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on December 18, 2012, at 2:30 p.m.

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

Mr. MENENDEZ. Mr. President, I see the Senator from Alaska is ready to speak. I have been asked to do some wrapup items, if she would indulge us.

CORRECTING THE ENROLLMENT OF S. 2367

Mr. MENENDEZ. I ask unanimous consent that the Senate proceed to the consideration of S. Con. Res. 63 submitted earlier today.

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

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 63) correcting the enrollment of S. 2367.

The PRESIDING OFFICER. There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. MENENDEZ. I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the measure be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 63) was agreed to, as follows:

S. CON. RES. 63

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate is requested to return to the House of Representatives the enrolled bill (S. 2367, an Act to strike the word ''lunatic'' from Federal law, and for other purposes). Upon the return of such bill, the action of the Speaker of the House of Representatives in signing it shall be rescinded. The Secretary of the Senate shall reenroll the bill with the following correction: In section 2(b)(1)(B), strike ''in subsection (b)'' and insert ''in subsection (j)''.

AUTHORIZING THE USE OF THE ROTUNDA

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Con. Res. 64 submitted earlier today.

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

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 64) authorizing the use of the rotunda of the Capitol for the lying in state of the remains of the late Honorable DANIEL K. INOUYE.

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

Mr. MENENDEZ. I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table, with no intervening action or debate.

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

The concurrent resolution (S. Con. Res. 64) was agreed to, as follows:

S. CON. RES. 64

Resolved by the Senate (the House of Representatives concurring), That in recognition of the long and distinguished service rendered to the Nation by Daniel K. Inouye, a Senator from the State of Hawaii and formerly a Representative from that State, his remains be permitted to lie in state in the rotunda of the Capitol on December 20, 2012, and the Architect of the Capitol, under the direction of the Speaker of the House of Representatives and the President pro tempore of the Senate, shall take all necessary steps for the accomplishment of that purpose.

RELATIVE TO THE DEATH OF THE HONORABLE DANIEL KEN INOUYE, SENATOR FROM THE STATE OF HAWAII

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 624 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. 624) relative to the death of the Honorable DANIEL KEN INOUYE, Senator from the State of Hawaii.

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

Mr. MENENDEZ. I ask unanimous consent that 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 relating to the measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered

The resolution (S. Res. 624) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 624

Whereas Senator Daniel K. Inouye served the people of the State of Hawaii for over 58 years in the Territorial House of Representatives, the Territorial Senate, the United States House of Representatives, and the United States Senate;

Whereas Senator Daniel K. Inouye became the first Japanese American to serve in both the United States House of Representatives and the United States Senate;

Whereas Senator Daniel K. Inouye represented the State of Hawaii in Congress from before the time that Hawaii became a State in 1959 until 2012;

Whereas Senator Daniel K. Inouye served as the President Pro Tempore of the United States Senate, Chairman of the Committee on Appropriations, Chairman of the Subcommittee on Defense, the first Chairman of the Senate Select Committee on Intelligence, Chairman of the Committee on Indian Affairs, Chairman of the Democratic Steering Committee, Chairman of the Committee on Commerce, Science, and Transportation, Chairman of the Rules Committee, Chairman of the Senate Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition, and Secretary of the Democratic Conference;

Whereas Senator Daniel K. Inouye delivered the keynote address at the 1968 Democratic National Convention in Chicago, Illinois, in which he expressed a vision for a more inclusionary Nation and famously declared ''this is our country'';

Whereas Senator Daniel K. Inouye served as a medical volunteer at the Pearl Harbor attack on December 7, 1941, and volunteered to be part of the all Nisei 442nd Regimental Combat Team during World War II at a time when Japanese Americans were being systematically discriminated against by the Nation he volunteered to defend;

Whereas Senator Daniel K. Inouye was wounded in battle and honorably discharged as a Captain with a Distinguished Service Cross, Bronze Star, Purple Heart with cluster, and 12 other medals and citations; and

Whereas Senator Daniel K. Inouye was awarded the Medal of Honor by President William J. Clinton in June 2000, along with 21 other Asian-American veterans of World War II for their actions during the war: Now, therefore, be it

Resolved, That—

(1) the Senate has heard with profound sorrow and deep regret of the death of the Honorable Daniel K. Inouye, Senator from the State of Hawaii;

(2) the Secretary of the Senate shall transmit this resolution to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased; and

(3) when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the deceased Senator.

ORDERS FOR WEDNESDAY, DECEMBER 19, 2012

Mr. MENENDEZ. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., on Wednesday, December 19, 2012; that following the

prayer and 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 be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; and that following morning business, the Senate resume consideration of H.R. 1, the legislative vehicle for the emergency supplemental appropriations bill; further, that Senator HUTCHISON be recognized at 11:30 a.m. for up to 30 minutes and that Senator KYL be recognized at 2 p.m. for up to 30 minutes, each for the purpose of delivering retirement speeches.

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

ORDER FOR ADJOURNMENT

Mr. MENENDEZ. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the provisions of S. Res. 624, as a further mark of respect to the late Senator DANIEL K. INOUYE of Hawaii, following the remarks of Senator MURKOWSKI.

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

The Senator from Alaska.

REMEMBERING DANIEL K. INOUYE

Ms. MURKOWSKI. Mr. President, it is only fitting that I be allowed to speak for a few minutes recognizing that on this floor we have just advanced these resolutions in honor of our friend, our colleague, and truly an incredible gentleman and statesman, Senator DANIEL K. INOUYE.

In Alaska, we regarded former Senator Ted Stevens as ''Uncle Ted.'' What follows, then, is that the people of Alaska would regard his brother, our beloved DANIEL INOUYE, as our uncle as well.

Today, the people of Alaska are mourning the loss of Senator INOUYE in the same way we would mourn the loss of one of our own; that is, because Senator INOUYE is one of our own. Regardless of whether he wanted that burden—I know that perhaps at times he did not want that—we would think of him as Alaska's third Senator. A great many Alaskans came to know, to love, and to rely on Senator INOUYE to watch Alaska's back, and he never let us down.

Senator INOUYE delivered a very touching, a very tender eulogy at Ted Stevens' funeral in August of 2010. In that address, he mentioned that millions and millions of words had been written of Ted's accomplishments. Yet as I was thinking about how I might frame my remarks about Senator INOUYE's life, it dawned on me that millions and millions of words had also been written already about Senator INOUYE. That is because I think so many of Ted's accomplishments came with DAN INOUYE at his side and, not coincidentally, many of DAN's accomplishments occurred in the presence of Ted. So where do we begin? There is so much that must be said and that should be said.

I was present at the Anchorage Baptist Temple when Senator INOUYE delivered his eulogy, and I had the opportunity last evening, after we learned word of Senator INOUYE's passing, to view that video clip again. As I listened to that eulogy, it came to me that everything Senator INOUYE said about Ted told us as much about Dan as it did about Ted. There was so much that these two men shared.

Senator INOUYE related that he knew from the very beginning of the relationship that the two would have a great deal in common. Both represented former territories at the very edge of our great Nation—territories that at times were treated as appendages to our Nation. He characterized Alaska and Hawaii as the forgotten people. In those early years, he reminded us it cost more to make a telephone call from Honolulu to here in Washington, DC, than it did Honolulu to Tokyo. It was cheaper to call Beijing from Washington than Anchorage. DAN and Ted set out to do something about that, and they did.

They traveled to each other's States. They came to understand the unique challenges each faced.

Senator INOUYE related on one trip to an Alaska Native village that he met a nurse. It actually was not a nurse. It was our community health aide, an individual from the village who had been trained to provide basic medical care. It occurred to both of them at that time that the new technology could enable a doctor at a major hospital, hundreds or perhaps even thousands of miles away, to observe and diagnose a patient via a video link.

So was born the Alaska telemedicine network, one of the first of its kind in the world and truly a remarkable advancement and achievement in Alaska. It was born from their very conversations on that CODEL. This is just one small example of the many collaborations that improved life for the Native peoples of Alaska and Hawaii. These collaborations created models by which Senator INOUYE improved conditions for the Native peoples of the 48 States as well.

Another thing that Ted and DAN shared in common was, of course, that they were both veterans. One of our colleagues described them as World War II soulmates—men who loved the military, absolutely loved the military, with every ounce of their being. They traveled together across the globe to zones of conflict to visit Americans in uniform.

The tragedy of Vietnam veterans returning home unappreciated was not lost on either of these veterans, and they devoted their lives to ensuring that our veterans would never again be disrespected.

Following Ted's death, Senator INOUYE came to this floor, and he said the following of his fallen brother:

> When it came to policy, we disagreed more often than we agreed, but we were never disagreeable with one another. We were always positive and forthright.

This remark came as perhaps a little bit of a surprise to me because on the important issues that faced this country, they would most often arrive at significant agreements that would allow the issues to advance in the Senate. Not one of them viewed bipartisanship in a negative context. It was not a dirty word. Senator INOUYE said of Ted: ''We made the word bipartisan become real—real.''

It is no coincidence that each would be described in these terms:

> His word is his bond . . . . Good as gold.

DANIEL INOUYE brought depth to every debate and dignity to every room in which he entered. He was a model Senator and in these times of turbulence within the Senate I think a role model for so many of us. There was an elegance in this man that I think we should all strive to emulate. I wonder often if those of us who did not come of age in that ''greatest generation'' are up to this challenge. But we should certainly strive to be.

On behalf of the people of Alaska, I express our deepest appreciation and condolences to his wife Irene and to Ken for sharing this extraordinary statesman with us and with the Nation. For that, we owe them a very sincere and genuine thank you—mahalo. Irene, of course, is doing important work with the United States-Japan Council. I look forward to working closely with her in that important role.

When a significant figure in Alaska passes, we often say: ''A big tree has fallen.'' In the islands, DANIEL INOUYE was the biggest of the big trees. There is no way to minimize the loss the people of Hawaii are feeling. We could see it in the face of Governor Abercrombie yesterday. He could barely control his tears as he conducted a lengthy news conference following Senator INOUYE's passing. We saw our friend and colleague, Senator AKAKA, as he delivered very sad remarks as well. In Hawaii, as in Alaska, these things are personal. Losing a longtime Senator feels like losing a member of your own family. The Senate ohana is less today because Senator INOUYE is no longer with us. Let me simply say the people of Alaska and the people of this great Nation stand with the people of Hawaii. I offer my personal commitment to the people of Hawaii as the now senior-most Senator representing the decades' old alliance of our former territories: Your needs will not be forgotten.

With that, I thank you for the few extra minutes this evening to pay tribute to a good man, a good friend.

I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 9:30 a.m. on Wednesday, December 19, 2012, and does so under the provisions of S. Res. 624 as a further mark of respect to the late Senator DANIEL K. INOUYE of Hawaii.

Thereupon, the Senate, at 7:51 p.m., adjourned until Wednesday, December 19, 2012, at 9:30 a.m.