

from that day, and we ask ourselves: Why? How could this happen in America? We grope for answers and I hope we will find them.

Today I join, first with every American, in expressing our deep and abiding grief as a Nation and our deepest, most heartfelt condolences to the families of the victims. I am the father of two. As a father of two, this strikes painfully close to my heart, and painfully close to the heart of every parent. There is no greater sorrow, no deeper pain than the enormous grief these families are suffering for those 20 innocent children, 6 teachers, and school employees and their families; and no parent—no parent—should ever have to bear the unspeakable pain of losing a child, especially to this type of tragedy.

All too often I have come to this floor having to say those same words—one tragedy after another, time and time again, having to stand here and say that our thoughts and prayers are with the victims of another tragedy involving gun violence, semiautomatic weapons, high-capacity clips, and the families of those victims who have lost loved ones to senseless, sick gun violence.

But this time we are talking about children—elementary schoolchildren—the youngest, most innocent among us taken away. Enough is enough.

Matthew 18 says:

At that time the disciples came to Jesus, saying “Who is the greatest in the Kingdom of Heaven?” And calling to him a child, he put him in the midst of them and said, “Truly, I say to you, unless you turn and become like the children, you will never enter the kingdom of heaven . . .”

The children have entered the kingdom of heaven today. I hope we honor them and their memory in what we do now to end the violence. Let Newton finally be the turning point when we are all willing to come together and do what is right. As we pray for the victims, let us commit ourselves as a Nation to a long overdue debate about violence and guns and how we deal with those who suffer mental illnesses in our society, and let us finally pass commonsense gun laws. No more politics; no more excuses. We cannot allow this sort of senseless violence to continue. We need a national debate about the role of firearms in our society, we need to address mental health issues, and we need to act immediately.

This shooter had hundreds of rounds of ammunition—reportedly enough to kill everyone in the school—and had it not been for the brave first responders, there could have been even more tragic killings on Friday. These high-capacity clips must be outlawed. I don't believe there is any reason why a law-abiding citizen would need the capability to shoot multiple rounds like a street sweeper.

Words cannot express my sadness that another shooter used a weapon that has no legitimate purpose, from my perspective, in a civilized society,

using high-capacity 30-round clips that defy any reasonable use. And there are even greater capacity clips than this.

I don't understand why the same type of weapon used by the DC sniper is still readily available, and I don't understand how we can see the same high-capacity clips used over and over by maniacal murderers during these strategies and not act.

After Tucson, Aurora, and now Newtown, we need to finally do something about these dangerous clips. We need to make sure nobody with a criminal record or mental illness can purchase a firearm, and that means we need a comprehensive, mandatory background check system. It is no use that my State of New Jersey has some of the toughest laws but then over a third of the guns that come into our State and commit an act are from outside our State.

I have cosponsored legislation to outlaw high-capacity clips, improve our background checks, and I have supported and helped pass the original assault weapons ban, and I will support an assault weapons ban this next year as I have in the past.

This doesn't need to be a political debate. This is about keeping little children safe in their first-grade classroom. I am for reasonable use of guns, but first and foremost I am for protecting our children, our teachers, our families. That is our No. 1 responsibility. If we can't do that, shame on us.

Mr. President, with that, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. LEAHY. I thank the Senator from New Jersey for his comments.

The Presiding Officer and I and others have discussed how we felt this weekend. I can't think of anything that has more emotionally roiled the Nation. There have been few such events in my lifetime. All of us feel the senseless killings last Friday in Newtown, CT, made no sense—just hit everybody. If we feel so deeply, we can't begin to imagine how the families must feel—the families, the parents of the children, the siblings or spouses of the adults killed. We pick up the paper, turn on the radio, listen to the television, and there is one more wrenching story after another.

In my family, and I know in families from coast to coast, parents called their children. Brothers called sisters. Neighbors reached out to neighbors. We huddled with two of our three children, soon to be with a third one in Vermont, hugged our grandchildren. Over the weekend and again today, in discussions in churches, synagogues, houses of worship, on the sidewalk, in the grocery line, at the worksite and in our offices, we have all struggled for words to describe our feelings of shock and our feelings of immeasurable sadness.

I think we can all agree no matter what our political background, no matter what part of the country we come from, that last night President Obama

gave voice—our voice, 325 million Americans gave voice to let these stricken families know how deeply we wanted to help relieve their suffering as we share their grief. It was a time when the President can and should and did speak for the whole Nation.

But there are so many questions about this unspeakable tragedy that have yet to be answered. The President has pointed out it is unlikely any single step or package of steps or this move or that move can erase the chance of such a tragedy happening again. We know it could have even been worse if the brave first responders hadn't rushed into the school even though they knew they might be facing death themselves. We know that sometimes things are beyond our understanding. We know situations vary widely from State to State and community to community. But whether it is in the State of Connecticut or, God forbid, in the State of the Presiding Officer or my State, we all share the responsibility of searching for an answer not just for the people of Connecticut but for people throughout the United States, and some can honestly say the people throughout the world who look to the United States as a bastion of freedom, of democracy.

I think Congress can and should be part of this national discussion in the search for answers. We will come back into a new session in a few weeks. The Judiciary Committee will be holding a hearing very early in the next congressional session to help in the search for understanding and answers. I know all of us will take part in that no matter what our feelings might be.

There are other committees also that have different types of jurisdiction and will have to take part in this national discussion. It isn't a matter of just guns—which is a significant part of this, of course—it is the matter of mental illness; it is a matter of how we run our educational facilities. All of these things should be talked about. If there are practical and sensible and workable answers to prevent such unspeakable tragedy, we should make the effort to find them and then we should have the courage, each and every one of us, to vote for those steps.

Mr. President, I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

#### DEPARTMENT OF DEFENSE APPROPRIATIONS ACT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to the consideration of H.R. 1, which the clerk will now report by title.

The legislative 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.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

AMENDMENT NO. 3338

(Purpose: In the nature of a substitute)

Mr. LEAHY. Mr. President, on behalf of Senator INOUE, the chairman of the Senate Appropriations Committee, I have a substitute amendment at the desk.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Vermont [Mr. LEAHY], for Mr. INOUE, proposes an amendment numbered 3338.

(The amendment is printed in today's RECORD under "Text of Amendments.")

AMENDMENT NO. 3339 TO AMENDMENT NO. 3338

Mr. LEAHY. Mr. President, on behalf of the Senator from Hawaii, Mr. INOUE, I have an amendment to the substitute, which is at the desk. I ask for its consideration.

The ACTING PRESIDENT pro tempore. Without objection, the clerk will report.

The legislative clerk read as follows:

The Senator from Vermont [Mr. LEAHY], for Mr. INOUE, proposes an amendment numbered 3339 to amendment No. 3338.

The amendment is as follows:

(Purpose: To make a technical correction)

On Page 16, line 8, strike "was", and insert "were" in lieu thereof.

Mr. LEAHY. Mr. President, I am going to speak briefly in just a moment, but in the meantime I will suggest the absence of a quorum. I will call it off very quickly.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. LEAHY. Mr. President, on behalf of the distinguished chairman of the Senate Appropriations Committee, Senator INOUE, I have introduced an emergency supplemental and disaster aid bill. This is to respond to the devastation wrought by Hurricane Sandy.

The eyes, ears, and hopes of tens of millions of our fellow Americans who were in this storm's path are now trained upon the U.S. Senate. And with us in this effort, as well, is the good will of the entire Nation.

I say that because in my almost 38 years here, I have been on this floor time and time again—different Presidents, sometimes in the majority, sometimes in the minority—where there has been devastation in different parts of this country, and in every single instance—every single instance—the Senate has come together to provide relief to those hit by hurricanes, tornadoes, fires, earthquakes, or anything else.

Superstorm Sandy was remarkable, and I use that in the broadest sense of the word. It hit the east coast 7 weeks ago. What it did is it swelled to become the largest Atlantic hurricane in history. It was hundreds of miles wide, much wider than my own State of Vermont. Its reach was greater than even that of Hurricane Katrina along the gulf coast.

Sandy claimed the lives of more than 120 of our fellow Americans. It destroyed more than 340,000 homes and 200,000 businesses. More than 8.5 million families were without power in 15 States and the District of Columbia.

The scale of the damage is almost hard to fathom. I remember seeing the damage caused by Irene last year, including the devastation from which my home State of Vermont is still recovering. Because of my involvement in that, I am acutely aware of the need for a rapid and unified response from Federal, State, and local authorities to meet the needs of so many of our fellow American citizens.

As of last week, the Homeland Security Subcommittee reports that the Federal Government has already provided over \$2.7 billion in relief through FEMA, the Small Business Administration, the Department of Agriculture, the Department of Transportation, the Department of Health and Human Services, and other agencies. As of today, 12 States have active major disaster or emergency declarations as a result of Sandy, and there is no question it is going to cost billions to rebuild these devastated communities.

Anybody who has seen them knows they are devastated. It is a word that we sometimes use too easily but appropriate when you have a whole downtown, block after block, homes that people have lived in sometimes for generations—it was their parents' home or their grandparents' home—and now it is kindling wood.

The Obama administration has requested money for recovery and repairs—just as every administration in the past has, Republican and Democratic alike—they have requested \$60.4 billion for recovery and repairs, and the amendment we consider today meets that request. But we have not simply rubberstamped the request. The Appropriations Committee, working with the Senators from all the States that have been hit so hard, has made numerous changes to ensure that the dollars put into this response are used as effectively and efficiently as can be.

As a member of the Appropriations Committee, I know the budget constraints we are facing, and the Appropriations Committee has done its best to allocate the funds in such a way that States will have the flexibility required to respond to the individual needs of their citizens, while at the same time reducing the possibility for waste, fraud, or abuse.

Senator LANDRIEU, who is on the floor, is the chair of the Homeland Security Subcommittee. Well, this is a

Senator who is no stranger to tackling the incredible challenges of responding to and recovering from natural disasters of this scale. I know she is going to speak in a short while. We all know Louisiana is still rebuilding from the catastrophes of Hurricanes Katrina and Rita, and Senator LANDRIEU—both as an individual Senator and from her position as chair—has worked tirelessly ever since to help her State and others recovering from storms and other calamities. I know how hard she works because she stepped in to help Vermont when we were in a similar situation last year. It is an example, I might say, of how even States that are not hurt help those that are. It has always been our tradition in the Senate. In this supplemental, she has worked to incorporate that experience into vital emergency funding for FEMA and other disaster relief programs.

Since the supplemental we reconsider today contains funding that will help millions of Americans recover from this terrible storm, I want to highlight a few specifics.

We include \$10.8 billion in emergency relief for public transportation systems. This is not a rural area. It is not like rural Vermont. We understand that public transportation, especially in this area, is necessary for millions of Americans—millions—to function day by day. It is especially vital around New York City. The subway and bus systems in New York and New Jersey allow people to get to work and students to go to school. The resources in this supplemental will help pay for the repair and restoration of some of the most heavily used public transportation systems in the country. Just as importantly, it is going to help fund projects to help public transportation prepare for and resist future storms. Because as much as we like to think there will be no future storms, every one of us knows there will be future storms.

The supplemental recommends \$812 million for the Small Business Administration. Every one of us knows small businesses are essential to the American economy. They are responsible for employing about half of all workers in America. So this amount will help fund the SBA's disaster loan program, helping small local businesses in recovering from physical damage to their storefront operations, as well as in recovering from economic losses suffered when they had to close their doors during Hurricane Sandy.

We have seen the devastation to iconic neighborhoods and places such as the Jersey shore or Staten Island or Long Island—neighborhoods that were destroyed by the storm or by the fires that followed. So many of the businesses destroyed in these communities are mom-and-pop operations—small businesses like the one my mother and father ran—and they simply cannot afford to reopen without Federal disaster assistance. They need the loans, but, more importantly, they need the loans

now—not 6 months from now. I point out especially, a number of these are shops that make their living during the summer beach season. They want to be able to open by Memorial Day. I can tell you, as one who has seen how long it takes to reopen after a disaster like this, Memorial Day is tomorrow for these people. They need the loans today.

We have recommended \$500 million for the Administration for Children and Families Social Services Block Grant to be used primarily for childcare services, for reopening damaged childcare facilities, but also—and we have to understand how important this is—for mental health services for both children and adults who have gone through this disaster and probably have seen members of their family lose their lives.

Another \$100 million will pay for repairs to Head Start facilities affected by Hurricane Sandy. These provide essential education and health services to low-income, prekindergarten children. And we all know that interruptions in programs such as these are detrimental to the development of the children but also the families they serve. So we cannot wait to rebuild these centers, and we cannot wait to provide essential health care services to those who have lost so much. If you have a health need, we cannot say: Well, we will get back to you in a few months. Your health need is today.

I have heard two arguments against moving to the emergency supplemental as quickly as possible. I have found them surprising. The first is that the cost of this bill should be offset with cuts to other programs. This is the same argument we heard last year when we needed emergency funding to respond to Hurricane Irene. Well, it made no sense a year ago. It makes no sense today. It will make no sense tomorrow. The suggestion that we should cut funding from base budgets of departments and agencies that are carrying out the essential functions of our government in order to pay for an unanticipated natural disaster—that is absurd. Mandating offsets means cutting funding from law enforcement to pay for replacing a vital roadway destroyed by Sandy. It means cutting funding for education through Head Start in order to provide clean drinking water to those who have been left with nothing in the wake of Sandy. The point is obvious: These are emergencies. That is why they are called emergencies. We do not do offsets to pay for emergencies.

I think of what Chairman INOUE has said. He has said it so many times, whether with Republican or Democratic administrations: “It has long been the tradition of the Congress to approve disaster assistance without need for offset.”

And then he continued:

Others will likely come to the Senate floor to challenge that remark . . . However, in the case of disaster assistance, I challenge

my colleagues to review all Appropriations bills for the past decade and find a single instance where the Committee paid for disasters by rescinding funds from other programs.

Then Chairman INOUE concluded with the obvious:

No one would find an example, because quite simply there aren't any.

Well, he is right. The President requested and the committee is recommending \$60.4 billion to respond to this storm. The total budget authority for nondefense spending is about \$500 billion a year. Using the logic that all emergency spending should be offset would cut the discretionary spending needs—if we see seven more disasters, well then I guess we eliminate every single agency, department, and program except the Pentagon. Come on. Is that what this country is about? Some may think that is a good idea—eliminate all government. We would not have any road to drive on to go state our beliefs. The rest of America disagrees.

I have also heard discussion of taking a downpayment approach to the supplemental—do a little and come back next year. Well, that sounds familiar. I remember hearing a lot of it last year. Talk to the person whose house has been destroyed. It is a week before the Christmas season. It is getting cold. Tell them that we Senators—it is true, we all live in comfortable homes. We work in a place that has not been touched—think you should wait and come back later next year.

I would defy any Member of this body to say that directly to one of the firefighters who saw their home destroyed or the senior citizen who saw their home destroyed or the person who has worked all their life to build up their business and saw it destroyed. No. They want to recover now, not when a Congress that has not been known to move very rapidly of late gets around to doing something for them.

After all, we are asking homeowners to rebuild, saying go back and provide their own place to live. We are asking businesses to reinvest so they can hire people who are out of work. They need the assurance that we are going to do our part. You cannot just say: Put your money up now, and maybe, just maybe when we start talking about all of these things that have no bearing on what you are facing, we might come through 6 months from now and we might not.

Come on. That is not how we want to encourage rebuilding. Homeowners and businesses in New York, New Jersey, Connecticut, Rhode Island, and elsewhere need to know that the funding will be there to complete the rebuilding of public infrastructure. Only the Federal Government has the resources to make this happen.

The President's request is comprehensive. And we know the needs to recover from Superstorm Sandy. Now, we stood up, Democrats and Republicans together, to respond to disasters

in the past. We have to do the same now.

When Irene—then a tropical storm—hit Vermont last year, no one could have anticipated the devastation we saw: roads washed away, bridges collapsed, communities cut off because all entrances and exits for the community were destroyed, bridges that had been there from the time I was born—I remember them as a child, had always been there, were there when my parents were living there, were there when my grandparents were living there—gone in a matter of minutes. Vermonters know that when one of us is hurting, all of us are hurting. Vermont appreciated the assistance from other States near and far and from the Federal Government.

New Jersey, New York, and other States hit by this superstorm are now depending on us. So let's do what is right. There is no need for delay. Christmas is coming. Thousands of families have lost everything. Their hope, their future is in our hands. They need our help. They deserve our help. We are Americans. We come together to help. So let's do it.

I will speak further, but I see the distinguished senior Senator from New York. He and I have discussed this. He has seen more. As bad as Irene was in Vermont, the number of businesses and homes destroyed pales in comparison to what he has seen in his State and the neighboring States.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New York.

Mr. SCHUMER. Mr. President, first, I wish to thank our chairman of the Judiciary Committee and ranking Democrat on the Appropriations Committee for his leadership, his caring, his concern, and his expertise. The people of New York are very grateful to the Senator from Vermont for his concern and caring. We thank him for that very much.

Today we begin debate on one of the most momentous proposals to effect New York's future that we have ever debated, a proposal equal in magnitude and importance to the debate about aid to New York after the horrible attacks on our city on 9/11. I must say the debate is off to a good start. Our colleagues on both sides of the aisle have shown tremendous concern. Leader REID has agreed to allow amendments so that those in this Chamber, particularly those on the other side, can make modifications. Leader MCCONNELL and the Republican minority have not insisted on a motion to proceed. So we are beginning this bill in very auspicious way, in a way that people think the Senate should work, not one side blocking amendments and not the other side blocking the bill. I hope it can lead to an equally auspicious result.

I rise today to discuss the greatest natural disaster in the history of my State and the importance of passing

the President's request—the President's full request for supplemental disaster aid.

As you know, Mr. President, Superstorm Sandy was a catastrophic shock to the coastline of the Northeastern United States. In the blink of an eye, the Atlantic Ocean turned from our greatest natural resource into a nightmarish monster, swallowing whole communities in its path. The beating heart for many parts of the Nation's economy, New York City, was paralyzed for days, and parts are paralyzed to this moment. Whole neighborhoods, from Long Beach, NY, to Long Beach Island, NJ, were ripped from their foundations and washed away. I saw whole communities where almost every house suffered severe damage, where the water came in, because of the geography, from the north and south and sometimes from the north, the south, and the west. I saw the devastation. It was incredible. You know that when God's hand strikes, those who are affected are usually severely hurt—a tornado, a forest fire, a flood, a hurricane.

What was incredible about this disaster was not the depth of it—we have always seen the depth of tragedies from natural disasters with our constituents—but it was the combination of the depth and the breadth. It was not just one small area in which a tornado, say, lighted down and then left; it was a huge swath of territory, all flooded by a perfect storm, a huge nor'easter that combined with a tropical storm, a full Moon, and a high tide.

Experts had said the East River, the Hudson River, Great South Bay would never rise—never—more than 11 feet above its previous record, and in place after place that record was exceeded, unfortunately, with terrible, tragic consequences to that occurrence.

The tragic storm was an unfortunate wake-up call for New York and the rest of the country that we need to do much more at the Federal level, the State level, and the local level to prepare, protect, and fortify our vulnerable infrastructure from future storm surge activity. Our region suffered, according to mainstream estimates, nearly \$100 billion worth of damage. That is just the damage that has been measured up to now. We are going to see future damage that has not yet been uncovered, estimated, or even found.

Governors Cuomo and Christie requested about \$80 billion of recovery and mitigation funds. President Obama called for approximately \$60 billion. He scrubbed the proposals of our Governors. OMB was very careful. They spent about a week looking over the proposals and tried to narrow it down to the most essential and most immediate needs. Our delegation—Democrats and Republicans from the New York-New Jersey area—believes that \$60 billion is a fair starting point.

The damage numbers are mind-blowing. Here are a few examples. This is from New York alone. New Jersey re-

ceived almost as much damage as New York. Transportation: \$7.3 billion. Our subway system, which is an amazing system—it brings 3½ million people on and off Manhattan every day—the subway and railroad system was devastated. Much of it was built over 100 years ago. There was no thought of such floods, and the system was unprotected. Housing: \$9.6 billion. Mr. President, 305,000 homes, according to the Governor's estimate, have already applied for insurance in New York alone.

My good colleague from Louisiana is here. She has been invaluable in guiding us, helping us, and being at our side. She has been through this. She knows better than any other Member of this Chamber, I daresay, what this kind of disaster can do, but more importantly for us, she knows how to deal with these problems because she has been through it. She is recommending to us to keep the places where the Federal response worked and modify the responses in places where the Federal response did not. That has been invaluable. I take off my hat. I speak on behalf of all of us in the northeast area to the Senator, the chair of the Homeland Security Subcommittee of the Appropriations Committee.

Anyway, in Katrina about 270,000 homes received that type of damage, so we have many more homes damaged, gone, flooded.

This is a picture, by the way, of the 86th Street subway, way up in Manhattan, far away from the points of New York Harbor. But there was so much flooding—look at it. Remember, this water is saltwater. It corrodes every signal, every light. If it were freshwater, the damage from this storm would have been a lot less. There it is, 86th Street.

I mentioned that homes were destroyed. Here are two examples. This is a house on Staten Island. Whole communities like Midland Beach were totally upended. Water was 6, 7, 8, 10 feet high. It did not just go in 1 street but 10 streets, the powers of the ocean were such. Home after home looked like this. It is incredible. I have held these homeowners in my arms—children, women, grown men who were distraught about the future. Who can blame them?

Here is another. In some places, because the saltwater created fire in the electrical systems of the houses, whole communities were knocked out. In Breezy Point, 101 homes burned to the ground amidst the rain and the wind because the water systems—when the electricity failed, the firefighters could not pump, and the fires spread from house to house to house.

There is a shrine here. It is a statue of the Virgin Mary. It is the only thing left in this whole area. Now people come and place flowers and pray and meditate by that statue.

Incidentally, one of the homes that was destroyed was that of our Congress Member, Congressman TURNER of Brooklyn and Queens, Republican of

Brooklyn and Queens, whose home was destroyed out in Breezy Point.

Utilities were \$1.5 billion. Many of our utilities were outdated, no question. They had no way to communicate. But even if they weren't, because their power lines are above ground, not below, they suffered huge damage, as did people.

Four major hospitals are still closed—thousands of beds. They range from Long Beach Hospital, a hospital that serves a local community that is right on the waterfront, to NYU, New York University Hospital, which is one of the great research and teaching facilities in America. It alone lost over \$1 billion of equipment.

They were told by the companies that make their machinery—the radio coaxial tomography, the MRIs—to put them in the basement because these machines have to be carefully calibrated given the sea level and the slight slant of the floor. They were all washed away, \$1 billion of machinery, not to mention decades of research.

I visited—I think they call it the vivarium. It is where the animals are that they have done genetic experiments on. The white mice that they test for generation after generation were wiped out.

Government and schools were \$2 billion. Government buildings were destroyed. I think we have over 40 schools in New York City that were destroyed, mostly by the water. Roads, bridges, you name it—the devastation is everywhere. It is wide, and it is deep.

So with this kind of devastation, even a large area such as New York cannot handle it on its own. Fortunately, we have had a wisdom here in this government for close to a century; that is, when nature strikes, when the hand of God comes down on Earth and creates the kind of damage that man can't comprehend, no locality can handle it on its own, then the Federal Government steps in, which means the country as a whole steps in. When there were hurricanes in Louisiana and Mississippi, the whole country stepped in. We said: We know this is too much for you to handle alone. When there were forest fires out west, the whole country stepped in, saying: We know you can't handle this kind of devastation on your own. When there was flooding in the Missouri and Mississippi valleys, the Federal Government came in.

We in New York—hundreds of millions—over the decades, probably billions of our tax dollars went to help these regions, and I never heard any complaints about it. We are one Nation. When one part of our Nation suffers, we all suffer, particularly in these days of an interrelated economy. New York buys billions of dollars of products from New Jersey and the rest of the country, and so people did it.

Now, of course, the devastation has hit us, and we know our colleagues will stand by us as we have stood by them. We know they will give a careful look

to our proposal, but they will not deliberately put barriers in the way because they don't want to treat New York differently. They don't want to treat New Jersey differently than they treated the others.

We have heard three questions about this package, and the questions are these:

First, should we have offsets to the monies that are proposed here?

Now, we have not done that in the long history of disasters, for a good reason. You will never get the disaster money if you have to pit an existing Federal program against disaster money. We have always said that disaster is treated separately, and we would hope that would continue. It would not be fair or right to do this now. I would say to my colleagues, if we begin a pattern of offsetting now—there was some attempt to do it with Irene, but in a bipartisan way we rejected that in this body. If your whole area is hit next and you have to sit there and wait while Congress fights over offsets, what are you going to do? It would be an awful precedent to start that.

Second, we have heard: Why—what is this mitigation?

Some people have used the word “stimulus” to be equal to “mitigation.” The two words are totally different. As I understand stimulus, in the stimulus bill there was a percentage of programs that were put in that had nothing do with the stimulus, and that was probably a mistake. I don't think it was a large percentage of the stimulus, but it sure stuck in people's minds.

Any proposal that has nothing to do with a storm, a natural disaster, shouldn't be in this proposal. We agree to that. We believe OMB has scrubbed it, so there is no stimulus-type money here. There is mitigation money. What does mitigation mean? Mitigation means, quite frankly, that you rebuild but you rebuild in such a way that if, God forbid, there is another storm, you don't suffer the same damage. You don't put all those machines in the basement of NYU again; you move them up to the third floor even if it costs a little more. You don't simply rebuild the South Street subway station the exact same way; you put in either steel doors or those air bag-type things so that if, God forbid, another flood comes, the station won't be flooded and we won't have to spend the money all over again. Mitigation means that if the dunes are wiped out across the Rockaways and Long Beach, you build them up. You probably build them up a little higher so the damage—God forbid another storm comes—won't be as great and the expense won't be as great. We have always done mitigation. It has always been part of our bill.

I am glad to see my good friend from Mississippi here, who has been of such help and encouragement to us. All of us in New York and New Jersey so appreciate his wise, quiet, kind, and intelligent counsel.

I remember there was a proposal on the floor after Katrina. There was a railroad that was very close to the shore. Yes, it would have cost more money to rebuild the railroad a distance inland. I don't remember how much. I think it was about a mile inland, and it cost about \$700 million more to do. Senator COCHRAN and Senator Lott made the argument on the floor, and it made sense to me, and I voted for it. I think all of us in the Northeast did. So mitigation makes sense.

The third argument we have heard, which is probably the one gaining the most weight now, is let's just spend a year of this money now, and we will see what happens later.

That would be nice, but there are three things wrong with that. First, sort of esoteric—it is the way we budget. We have outlays, and we have budget authority. While the outlays may not be great for this year because not all the money will be spent, we have always had budget authority that recognizes that things take more than a year to build. To cut back on the budget authority, not the outlays, would be against the way we budget around here and a new double standard, I would think, that would tie us up in knots in the future.

The second argument: How can you build a year at a time when many of these projects take more than a year to design, plan, and construct?

We have to redo the Brooklyn-Battery Tunnel—the largest underwater tunnel in the world, certainly in the country. Are we going to say: We will give you enough money to build a quarter of it today, and then come back next year and see if we should build a second quarter. No business would work that way. No government should work that way. Most of these projects need to begin now but may take more than a year. To say we are only giving money for the year doesn't make much sense. That is the second argument against this 1-year policy.

Third is the way FEMA and many of these agencies work. They don't reimburse you ahead of time. You don't submit a proposal and say: My house has \$80,000 worth of damage. Send me the money, FEMA, and then I will hire a contractor and pay for it.

No, no. What FEMA tells the government, individuals, small businesses—it says: You go contract it. We will approve that that is actually the money that was needed due to the storm, and then we will pay you.

So if we don't have the money there now, how can we expect businesses and homeowners and governments to outlay billions of dollars that are needed and hope that maybe next year, we might allocate some money? It will at best dramatically slow down the growth or the rebuilding we desperately need, and it could halt it in its tracks.

There has been a CBO study that says that only a small amount of the money

will be paid for now. But the CBO study, like many things CBO does—we all know this—was based on very narrow assumptions that don't apply. Let me give an example. There is \$17 billion of CDBG money requested. That is where most of the help is. Senator COCHRAN and Senator LANDRIEU learned this when they had their problems. It goes for the housing and some of the other things, and it gives a little flexibility to the governments that they need—not a wide berth but a little more flexibility.

CBO said that only \$75 million of it would be spent this year. Well, that was based on an old program that existed during Katrina. It was based on the fact that many of those who were hurt in the area, particularly in New Orleans, fled, and it took them months and months to even come back, let alone begin building homes. It was based not on the new legislation that has been proposed—which allows building to occur quickly and more easily based on some of the recommendations of my colleague from Louisiana, Senator LANDRIEU—but on the old stuff.

CBO said we will only spend, I believe it is \$1.8 billion on transportation this year. The MTA has already bonded for \$4.6 billion in repairs they need to make over the next 2 years.

It makes no sense, and I think there is a chart here—it says “point to chart,” but there is none, so I would point to the atmosphere. It just didn't match up to what the MTA's needs were. When I told the MTA what the CBO said, they said, “What planet are they on?” The FTA is now going to be the spend-out program. That was a recommendation made by the folks from the Gulf States after Katrina.

The FTA said it is much better to have a transit agency deal with rebuilding transit than to have FEMA do it; payout would be much quicker. But CBO based its estimates on the old FEMA model because they don't work on new models. We have learned that in the health care and other debates.

So the CBO study is wrong. It is just wrong. Those are the three arguments made against it, and none of them really hold up.

I say to my colleagues, if you can find stuff that is not disaster related in here, that is a legitimate argument, and we will work with you and scour the package more. But on offsets, on mitigation, and on this idea, let's just give the money needed for 1 year and wait and see what happens in the second year. You just can't rebuild an area if you do those things, most of which are counterintuitive.

There are a few more points I wish to make. New York has to do several things at once. We have to simultaneously rebuild, but we also have to protect against future storms, and to rebuild now makes sense and to protect makes sense. We can either invest in protections now or we will pay later. That is vital to know.

Second, I would make the point that within about 2 weeks after Katrina,

Congress passed \$61 billion in aid. This idea we are moving much too quickly is belied by what happened there.

Third, on the issue of mitigation, the Stafford Act says there is a need and an ability to do mitigation. And in fact, it has shown that \$1 invested in mitigation saves \$4 down the road. So we have lots of things here that are brought up legitimately but don't make sense.

In conclusion—and after this I want to say a brief word about what happened at Sandy Hook, so close to my area—I hope we can come together in a bipartisan way and pass this legislation. I appreciate so much that we are off to a good start—no blocking the motion to proceed and allowance of amendments—and I look forward to working with my colleagues on both sides of the aisle to solve this serious problem.

#### NEWTOWN, CONNECTICUT TRAGEDY

I will be very brief, Mr. President, but I wanted to say a few words about Sandy Hook.

I rise this afternoon to join our Nation in grieving for the 28 lives that were lost at Sandy Hook Elementary School in Connecticut on Friday. Words are not sufficient to describe the horror we feel as a Nation as the days go by and the events of last week gradually sink in. I see the pictures in the newspapers of these beautiful young children and, like others, I don't know what to do. There is a lump in the throat, and I wish I could make it go away. I wish this man who did the shooting didn't exist or didn't do what he did. It is horrible.

I read about the parents of the 300 or 400 children in the school who were brought to a firehouse, and as they found their child had survived, the names of the parents were called out so they could reunite with their kids. As the numbers grew less and less and less, imagine being in the group that remained. Horrible, just horrible.

Today the conversation turns to what do we do about this and what do we do about gun violence. I believe we need a new way forward on guns that breaks through the gridlock that has paralyzed us on this issue. We cannot have each side just yelling at each other and accomplishing nothing. We cannot be gridlocked on this issue as we are on others. Both sides need to recognize something. Those of us who are pro gun control have to realize there are large parts of the country where guns are a way of life.

I know a little bit. When I was a kid, I got instructions on how to shoot a .22 rifle from an NRA-trained supervisor at my camp—summer camp—and I wasn't a bad shot. I won a couple of those merit badges for marksmanship and sharpshooter. A few years ago, I had the opportunity to visit with our colleague BEN NELSON. He took me out pheasant hunting. I enjoyed the experience. So we have to acknowledge that guns are a way of life and that the second amendment has a rightful place in

the Constitution. We cannot interpret the first, third, fourth, fifth, and sixth amendments as broadly as possible and then say the second amendment should be seen through a pinhole of militias, that it only affects militias. That is only fair. But then our colleagues on the other side must acknowledge that, yes, there is a second amendment right—and by the way, the Heller decision now makes that the law of the land, so I hope our folks who are pro gun realize no one is going to take their guns away. Before the Heller decision there was a view every bit of gun control is a way to eventually confiscate the hunting rifle your Uncle Tommy gave you when you were 12 years old. But there is a Heller decision and that is a bulwark against it.

I think those of us on the gun control side should accept it, that it is only fair, only right the second amendment to the Constitution is there just as the others are and deserves respect and not an endless effort to chip away at it. But then our colleagues on the pro gun side should admit another thing, and that is that no amendment is absolute. As important as it is, as constitutional, as enshrined as it is, no amendment is absolute.

Take the first amendment. We can't falsely scream fire in a crowded theater. That creates such danger. That is an impingement on someone's first amendment rights. We have anti-child pornography laws. We should have them, but that too is a limitation on the first amendment. Even libel laws, in a pure first amendment world, you could say and defame anything about anybody you wanted. We say no. That is a limitation on the first amendment. Well, just as there can be limitations on the first amendment, and yet the essence of the first amendment is preserved, the same should be true of the second amendment.

I was the author of the Brady law. I don't think it has interfered with a legitimate owner's right to have a gun in all the years it has been around, while at the same time it has saved tens of thousands of lives. There are some on the extreme side of the right who say: Oh, no, get rid of the Brady law. They believe the second amendment should be absolute. But they are wrong.

I would argue that other changes—making it harder for mentally ill people to get guns or saying assault weapons are weapons of war and don't belong on our streets but belong on the battlefield—do not interfere with the enjoyment I experienced when I went hunting with BEN NELSON, nor with the right of a small shopowner in a bad neighborhood who feels he needs a gun or she needs a gun to protect themselves.

We can come together. There can be a way of moving forward in the middle, with the left admitting the second amendment is important and as much a part of the Constitution as the others, and with the right admitting that limitations on that amendment—as

there are limitations on the first, third, fourth, fifth, and sixth—do not interfere with the fundamental right and, in fact, that no amendment can be absolute.

I believe you can be both pro gun and pro gun safety just as you can be in favor of free speech but also against child pornography.

We need to start this conversation now, without delay. We owe it to ourselves as a Nation but in particular to our children.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. MENENDEZ. Mr. President, I rise today for the people of New Jersey whose lives have been turned upside down by Superstorm Sandy. I rise for families and small businesses still trying to recover, for homeowners in Little Ferry, shopkeepers in Moonachie, and for every family who lost property, possessions, and homes in Union Beach and Seaside Heights, and all along the Jersey shore.

I rise, for example, for this resident in Pleasantville who, you can see from this photograph, pretty much lost everything. This is the side of his house, totally ripped out. It looks like a dollhouse. But he was optimistic and hopeful for the future despite his challenges. This Sandy relief package is for him. By the way, he is a veteran.

I rise today for the 40 New Jerseyans who lost their lives in this powerful, devastating, and destructive storm.

As we come to the floor in the face of that tragic loss of life, I know all of my colleagues join me in offering our thoughts and prayers to the loved ones of the victims of Superstorm Sandy. I hope all of my colleagues will join me in casting a vote that tells those families they are not alone, that we are all in this together; a vote that says we are ready as a Nation to help families and businesses and communities recover when there is disaster.

I join with Senators LAUTENBERG, GILLIBRAND, and SCHUMER, and every Senator from the affected States, to thank the President for the request of \$60 billion in aid to help our States begin the rebuilding process. This package is certainly a very good start.

The damage we saw after Hurricane or Superstorm Sandy is difficult to describe, in part because this was not only a powerful storm but it was an incredibly massive storm. We felt the greatest impact in New Jersey and New York, but as you can see from this NASA photo, the storm obscures almost all of the Northeast in this satellite photo.

The numbers are staggering across the region. We lost 40 people in the

storm. Based on preliminary estimates, over 300,000 homes in New Jersey were severely damaged, over 20,000 homes were absolutely destroyed or made uninhabitable. But we fear the numbers will be even much higher as reporting continues. The preliminary damage estimate provided by the State of New Jersey is now up to \$36.9 billion in damage, and everyone expects that number will rise.

These are numbers. They may be a way to quantify the damage, but they fail to paint a picture of what we have seen throughout the State: the level of destruction, the faces of many thousands of displaced people who find themselves homeless and basically nothing left from their homes—their possessions, their keepsakes, their memories, all gone. Entire neighborhoods, where several generations of families lived in close-knit communities, gone, thousands of decades-old small businesses ruined, their owners unsure if they will have the ability or the means to rebuild. We are getting more damage numbers, but the human toll is truly incalculable.

The sheer scope of the damage is also difficult to fathom, but to get a better sense of that, we have compiled some pictures that I hope to show our colleagues. Let me thank the Star-Ledger, New Jersey's largest newspaper, for helping me compile these images from their photo gallery to tell the story of the devastation Sandy caused to our great State.

This is the Mantoloking Bridge which crossed Barnegat Bay and connected Brick with Mantoloking before the storm, and here it is after the storm. As you can see in this picture, the storm surge ripped a gash right through Mantoloking. These homes were largely all destroyed. As a matter of fact, the nature of the New Jersey coastline has now changed and there are inlets where there were none before, and it has totally rewritten the geography of the New Jersey shoreline.

The relief package we are debating today will help us repair, yes, this bridge, as well as some of the surrounding homes that were clearly lost and part of the highway that will need to be rebuilt, and it will help us defend this community from the fear of this happening again, of part of the community totally being ripped out.

While much of the damage was on the Jersey shore, northern New Jersey communities such as Little Ferry, as seen on this photo, and Moonachie saw extensive river flooding when a berm failed. I was actually by this location and saw FEMA emergency management teams, as well as local police and firefighters, getting people out of their homes in rafts in order to be able to get to dry land. Private property damage to both towns has been estimated to exceed \$15 million. This bill will help these people rebuild and provide the State the resources it needs to build the berm back stronger.

In Sayerville, this is the third time in 3 years they have experienced severe

flooding. In this picture, Mei Zhu surveys the damage inside her home. And that look of absolute fear and terror of what is before them is a look I have seen far too many times on the faces of New Jerseyans.

The foundations of some homes were ripped away, causing fear of physical collapse. Other homes were condemned and residents were told to leave. According to construction officials, in this borough alone a list of 39 homes with collapsed foundations and 246 other homes were severely damaged.

After these repeated floods, many are now asking for their homes to be bought out, but an additional \$55 million is needed to allow these residents to move on. This bill has the resources needed to allow the State to fund these buyouts and allow Sayerville to deal with its new realities.

Here now are two pictures of Union Beach, NJ, a working-class town that could not afford the local \$30 million to \$40 million match for an Army Corps beach engineering project.

In this photo, you can see the storm devastated entire neighborhoods. Rebuilding defenses only to the standard that existed before the storm will give us more of the same in the next storm. If we don't do things differently, we shouldn't expect a different result.

In this next photo, you can see houses that were crushed by the storm's surge. Yes, we can help these homeowners rebuild, but if we don't rebuild smarter, better, and with stronger coastal protections, we will be back here again after the next storm paying the same price both in terms of human suffering and Federal funds.

I appreciate that colleagues came to see the devastation, the many administration officials, and the Vice President. We saw the difference between an Army Corps-engineered beach and one that is not. Where there was an Army Corps-engineered beach, you had very little destruction. Where you did not, you had massive destruction. The storm proves what the Army Corps of Engineers, academic studies, and local communities have been telling us for years: Beach engineering works. It protects lives, it protects property, and it saves us money in the long run from repetitive loss.

This next image is what you can see by helicopter all up and down the Jersey shore. This is one part, Ortley Beach, where many homes were destroyed and totally encased in sand. Many communities going back blocks and blocks off the beach will be found in very similar sets of circumstances.

Just to give you a sense of the magnitude, this is one community. Multiply that by a whole host of communities along the Jersey shore going back literally blocks and blocks of this picture.

In a different context, hundreds of thousands of New Jerseyans have had their commutes disrupted because of the storm. Every single New Jersey Transit rail line was affected. Most

service has been restored, but even today the Port Authority's PATH terminal at Hoboken, which brings thousands of riders back and forth between New York and New Jersey and the major financial markets of this Nation, is inoperable and it still won't be back on line for some time, affecting the commutes, the lives, and pocketbooks of 30,000 passengers who use that station every weekday. This closure has hurt many local small businesses and is forcing some workers to take a 6:30 a.m. bus every morning instead of an 8 a.m. train. Others are taking ferries, of course far more costly than their PATH ride, meaning that their personal budgets are hit dramatically each and every week that they are going to work. Superstorm Sandy caused an estimated \$7 billion in damage to transit systems across the region, disrupting not only people's commutes but taking time from them to spend with their families and money out of their pockets.

Here is a picture from a security camera showing the rushing corrosive seawater into the station of Hoboken, NJ. The saltwater has been pumped out and the silt that had accumulated has been dug out, but electrical equipment will need to be replaced and rebuilt before we see the tens of thousands of riders who rely on this station traveling again.

Other than the destruction wrought by the storm surge itself, arguably the biggest impact of the storm was the loss of power. At the outage peak, approximately two-thirds of the entire State was without power. Ten days after the storm, 10 percent of the State was still without power. Without power, these customers did not have heat, despite temperatures in the low 40s. Of the 40 New Jersey deaths, about half were directly related to the loss of power, including oxygen machines shutting off, people falling in the dark, carbon monoxide poisoning from generators, and hypothermia. Fully restoring power was a Herculean task, requiring utility crews from as far away as Oklahoma and Quebec to help local line workers.

At this moment our defenses are so low. It is like your immune system; when your immune system is depleted and at its lowest, you are most susceptible to getting ill. Up and down the New Jersey shoreline, we are totally defenseless. All we need is a northeaster—God forbid—and we will be in critical shape, unless we get this money to rebuild.

The Jersey shore was the epicenter of the destruction caused by Superstorm Sandy, as the storm made landfall near Atlantic City. From Sandy Hook to Cape May, tens of millions of people visit the shore every year. It generates \$38 billion in revenue to thousands of businesses annually. Here you can see the tremendous damage at the iconic Casino Pier at Seaside Heights. This photo shows more than just a mangled roller coaster; it symbolizes the destruction of an entire community—the

small businesses that rely on this and other attractions and fuel this shore community.

New Jersey small businesses have suffered a combined \$8.3 billion in damages, according to preliminary analyses. Here in Seaside Heights, many shore businesses were devastated. Here in Bay Head, a salon has its flood-damaged furniture piled out front awaiting removal. When we went to Long Beach Island with about four of our Senate colleagues, they saw block after block of businesses totally closed. This isn't about seasonal businesses. These are businesses that actually would be open but for Superstorm Sandy.

Here is a business owner cleaning up after flooding at Elsy Auto Repair in Newark. It gives you a sense of the breadth and scope of the shore, Newark and all types of communities affected.

I wanted to walk through these photos to give my colleagues and fellow Americans a sense of the damage we have seen throughout my home State. But what I have shown you still does not do justice to the full impact of the storm or the devastation people went through. Every part of New Jersey was affected by the storm and we need your help to recover.

Unfortunately, there are those voices saying the cost to help families rebuild and recover is too much, that it should be reduced; that in this emergency, unlike many other similar emergencies in the past, we should do something smaller and wait to do the rest later.

Those who make such arguments could not, respectfully, be more wrong. We cannot rebuild half a PATH station, a little now and more sometime in the future; we cannot permanently repair half the Mantoloking Bridge; half a bridge is not a bridge at all. We cannot hire a contractor to rebuild half a house or restore half of a community. 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 tens of thousands of small business owners trying to decide—their life is on hold—whether I will have some assistance by the government that will help me reopen or I will pack it in. They need to see a full Federal commitment right now to know they have the resources and the customers they need to make it. Half a loaf or a wait-and-see commitment is simply not good enough.

I do not want our small businesses to pack and move on. I do not want multigenerational businesses to end because of a superstorm. I know Governor Christie doesn't want them to move on either. We want them to recover and stay in New Jersey. Disaster reimbursement from FEMA and agencies such as the Department of Transportation only flows when a project is completed. That makes the spending seem slow but actually the rebuilding happens much more quickly. Local communities are able to budget and contract for a project, knowing the

money will be there at the end. If we wait, if we do not put up the money, then some of the rebuilding will also wait and a piecemeal recovery is a stalled recovery and, in all likelihood, a failed recovery.

The need is clear for passage of the Sandy relief package for my State and for the entire region devastated by the storm and the ruin it left in its wake. We have just gone through an election at the heart of which we debated the role of government in our lives. I submit we need to focus on what government does to help build the spirit of community we have seen in action in the aftermath of this devastating storm. Americans across the country were riveted by the stories of the immediate aftermath of the storm: the pictures of entire communities underwater, homes moved blocks down the road, homes and train cars blocking Federal highways, hospitals closed, gas lines miles long, people waiting hours for fuel to run generators to keep their homes heated and families warm, weeks of fuel rationing and no transit or Amtrak service for the entire region for people to get to work or visit their families.

Without a doubt, these were trying times for New Jersey. But now, just because those scenes are no longer showing in living rooms across the country, does not mean the pain is not there. It does not mean the recovery is over. Thousands of families are still displaced from their homes and will be for months to come.

We face this at the beginning of a winter. Many of these superstorms and hurricanes come in tropical times. We are in the midst of winter. The bite is even worse. Transit lines are still out. Community infrastructure still has to be rebuilt. Now is not the time for the Federal Government to walk away. It is more crucial now than ever for the Federal Government to help devastated communities rebuild, to help families get the assistance they need to repair their homes and put their lives back together. I, for one, will not rest until the rebuilding is done.

Whether in the Senate or before in my role in the House of Representatives, I have never said no to disaster funding—whether that was a result of Hurricane Katrina, for the people of Louisiana, Alabama, Mississippi; whether there was flooding along the Mississippi; in another context, whether it was tornado disasters in the Midwest; whether it was crop destruction for our farm States, I have not said no because I believe that is the essence of why we call this country the United States of America.

The only difference is the location and extent of the destruction. Now it is time for my fellow Americans to stand with New Jersey. We have been battered, but we are not broken. We are stronger and more united in our efforts to work to recover, rebuild, and recommit ourselves to uniting around common concerns and shared values rather

than being divided by our differences. This is the lesson we learn and together we will rebuild and the Garden State will bloom once again.

I look forward to my colleagues supporting us in this effort as I have supported our fellow Americans, their people in their State and their challenges. This is one in which we need them to join hand in hand with us and to remember that but for the grace of God there go I.

This will happen someplace, sometime in another part of the Nation, and I will be proud at that time to once again say, yes; this is the United States of America.

Mr. LAUTENBERG. Mr. President, on October 29, one of the largest Atlantic hurricanes on record slammed into the Jersey shore. At the same time, a winter storm system hit New Jersey from the west, creating a superstorm that did unprecedented damage to my State.

When the sun came up the next day, parts of New Jersey looked like a war zone.

Reports indicate that more than 30 people in New Jersey were killed, and at least 100 in the U.S. lost their lives as a result of this storm.

Across New Jersey, 350,000 housing units were damaged or destroyed.

Imagine how all of those families felt. Imagine having to evacuate, and coming home to find nothing there. The place where you raised your children and created so many memories—gone.

Across our State, 75 percent of small businesses were affected; big parts of our transportation system were shut down; and our electrical grid was crippled. There were approximately 2,400,000 power outages in New Jersey, affecting roughly two-thirds of all power customers in the State.

In response to this devastation, I was proud to see New Jersey Governor Chris Christie and President Obama put aside their political differences and join together to help people in a desperate situation. This bipartisan leadership made the whole country proud.

We have an opportunity with the bill we are considering this week to show that kind of leadership here in the Senate.

The Superstorm Sandy supplemental appropriations bill will help New Jerseyans recover from this storm and rebuild our State so we are stronger for the next storm.

The bill extends \$60,000,000,000 of aid to New Jersey and the region.

That's about \$20,000,000,000 less than New Jersey and New York estimated the States would need—and those State estimates took weeks to compile and were done with help from third party analysts.

Simply put, the bill before us is a reasonable down payment on the basics of our recovery and rebuilding effort.

Where private insurance wasn't enough, this bill will help residents and small businesses pick up the pieces and begin to restore their lives.

It helps fund the repair of our devastated transportation network, our damaged electrical grid, and other public infrastructure.

And the bill provides for proven Federal programs that will help reduce flood risk along New Jersey's shore and protect the investment we are making in rebuilding coastal communities.

The situation in New Jersey is still desperate.

Tens of thousands of New Jerseyans face unemployment because of the storm.

And 7 weeks after Sandy, more than 40,000 people in New Jersey are still out of their homes. Their suffering will only increase as we enter the coldest months of the year.

And the Hoboken PATH station remains closed as well, causing local businesses to shut their doors.

How long are we going to make people wait for relief?

When other States have suffered overwhelming disasters, Congress has helped them rebuild and restore. That is what we do as Americans—we help each other in times of need.

We saw the worst of Mother Nature in Superstorm Sandy. But we saw the best of the American people. Neighbors helped neighbors, and leaders put politics aside.

Now it is our turn in the Senate to join together across party lines and help rebuild New Jersey, New York, and the other States that were devastated by Superstorm Sandy.

Let's pass the Sandy supplemental appropriations bill this week.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. MIKULSKI. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. CANTWELL). Without objection, it is so ordered.

#### NEWTOWN, CONNECTICUT TRAGEDY

Ms. MIKULSKI. Madam President, I rise to speak as the chair of the Subcommittee on Commerce, Justice, and Science, to talk about the aspects of my bill, the parts of my bill that are in the supplemental. But before I do, I want to join with other Americans in extending my deepest condolences to the families in Connecticut, those 26 families who faced a tragedy of such enormity that it is impossible for the mind to comprehend and the heart to endure—the murder of 20 sweet, innocent children and 6 teachers who died protecting their children.

When we look at the photos of the children, we see in many of them the faces of our own families. We can only imagine the agony they are facing right now. I wish to extend my heartfelt support to them and also to all those who responded to the tragedy: those on the scene, the school principal who literally put herself in the line of

fire to protect her students and tried to alert them through the intercom system; to teachers in the classrooms and a teacher's assistant who literally shielded them with their own bodies and their own know-how. Then there were the police and other law enforcement who went into the school, not knowing what danger and horror they would face or how they could rescue the children. There were the ambulance drivers who raced to the scene, paramedics, and even grief counselors needed counseling at one point.

In this situation, the families bear this incredible grief, but we all do too. Whether for those people on the scene, for those who have the permanent wounds of the bullet or those in Connecticut or those families who will bear the permanent impact of this tragedy, we lift our hearts in prayer for these victims and we lift our voices to end violence in America. We must look at ending violence in our country. We need to be able to look at the issues around gun control and ammo control, but that is only one aspect of it. We also have to look at issues related to mental illness because for those who suffer mental illness—whether it is those who have the illness themselves or their families who try to cope with it—they are often alone and helpless.

That is not by way of explanation or excuse for what happened in Connecticut or Colorado—what happens now all too frequently in our society. But there is a pattern, particularly of young men over the age of 18 and below 30 who seem to fall between the cracks, missing the help they need to be able to deal with those demons inside themselves. We need to be able to focus on that.

I agree with the President who said last night:

No single law—no set of laws can eliminate evil from the world, or prevent every senseless act of violence in our society. But that can't be an excuse for inaction. Surely, we can do better than this.

We must do more to protect our children and our communities, not only with words, prayers and vigils but actually with the deeds here.

So know I will join with my colleagues to reinstate the assault weapons ban. I plan to work with Senator FEINSTEIN to introduce a bill that will deal with military-style weapons and high-capacity bullet clips. Weapons of war have no place on our streets, in our schools or in our homes.

For those who cry: Oh, it is regulation—we regulate food for our safety. We regulate cars for our safety. We need to now look at regulating guns. But know that, as I also said, we must also look at the issue of mental illness, particularly in young adults.

Our colleague Senator LIEBERMAN is proposing a commission on violence. I am often skeptical of commissions, but I believe if JOE LIEBERMAN headed up that commission and we looked at it, it would come out with an action plan. If there was a pledge to support the rec-

ommendations of that commission, I would also be able to support it.

We need to look at guns, mental health, and those things that glorify violence in our society or glorify that somehow or another guns are a solution to every problem we have.

Today, the funerals in Newtown begin. Our mourning will go on for a long time, but our work as well must continue over the days and the weeks ahead. I intend to work with my colleagues to change the law and change the culture of violence.

I also rise to speak on my commerce and justice bill. I want to focus on my national responsibilities as the chairperson of the Appropriations Committee on Commerce, Justice, and Science. I also wish to point out that Maryland was hard hit too, especially the communities in the lower shore and in particular the community of Crisfield. I will speak more about Maryland and what we faced during Hurricane Sandy tomorrow.

It was ironic that when the hurricane hit, we faced hurricane winds in one part of our State and a blizzard and nor'easter in another part of our State. So we had State troopers on snowmobiles trying to go in to rescue vulnerable populations in Garrett County. We also had our State troopers and guards on rafts and on swiftboats going in to rescue vulnerable populations being hit by the flooding waters and the horrific hurricane winds. Although we were not hit in Maryland the way New York and New Jersey were, we face damages too.

Up and down the Atlantic coast, there was tremendous damage. I am here to talk about the CJS portion of this urgent supplemental. It provides \$513 million to repair, replace, restore, and rebuild our communities and our critical assets. In our case, the CJS bill is about restoring critical assets for Federal law enforcement, our weather prediction and weather facilities, NOAA, and what was damaged in our fisheries program. Even NASA's spaceport Wallops facility was damaged by Hurricane Sandy.

When a storm such as Sandy hits, it devastates everything in its path, including Federal facilities, such as the offices and equipment of our law enforcement agencies. Our Federal law enforcement agencies—the FBI, the Drug Enforcement Administration, the Bureau of Alcohol, Tobacco, and Firearms—were also hit. We need to make sure we maintain support for these law enforcement agencies, and therefore we have in this appropriation \$15 million for the Department of Justice to repair these facilities by replacing equipment and operational tools damaged by Hurricane Sandy.

This will also help FBI facilities in New York and New Jersey that were hit. The New York field office, resident agencies, and even labs and case record storage facilities were damaged. They are all important in dealing with fighting crime, whether it is terrorism, organized crime, or financial fraud. Sewage and mud destroyed the New York

field office mobile command center, specialized laboratory trucks, and evidence response team vehicles.

This appropriation also has \$1 million to restore the tools the Drug Enforcement Agency needs to go after drug traffickers. Radio communications and the antennas to stay connected were damaged. The New York division's information technology system needs all the help it can get to be able to replace those 15 vehicles used for important kinds of forensic detection and wiretap that were lost to flooding or crushed by falling trees.

Also included in the appropriations is the Bureau of Alcohol, Tobacco, and Firearms, which will get \$25 million. Flooding swept through the ATF offices in Brooklyn and Manhattan. It damaged communication, security systems, and other tools Federal agents need to detect crime, fight crime, identify the perpetrators of crime, and gather the evidence.

We have \$10 million in here for the Bureau of Federal Prisons. Ten Federal prisons were affected by Hurricane Sandy, located in four States: New York, New Jersey, Pennsylvania, and West Virginia. We need these repairs to meet safety and security requirements to make sure the inmates are kept secure and the prisons are fit for duty. They will need \$10 million to be able to do that.

Let's talk about the science side. Our Federal science facilities along our coast were also damaged. Repairs are needed in Federal laboratories, research facilities, and monitoring equipment.

NOAA needs \$15 million for ocean and coastal equipment damaged by Hurricane Sandy. For example, 45 tide stations and data buoys were damaged. What does that mean? It is absolutely crucial for these buoys to give us the navigational information for safe navigation into and out of affected ports. The Presiding Officer knows, as the Senator who represents Washington State, how important access to a port is and how important the NOAA facilities are to help our ship captains and our port pilots have accurate and reliable data. They were damaged up and down the coast. They will need \$63 million to repair and improve weather forecasting equipment and capabilities. Nine NOAA weather radio sites were damaged, including broken transmitters and antennas. Repairs are needed so they can be able to give us the right weather forecast even during a storm, to be able to give us the right information to protect our communities. For every mile we can be accurate, we will save \$1 million in evacuation costs by the State, local, and private sector. Every dollar we spend that can provide accurate forecasting saves lives and saves money. In addition, even the NOAA hurricane hunter planes were damaged. We have three of them. Only one plane was able to work during the 2012 hurricane season. Two other planes desperately need repairs, and we are going to do it.

Also, we need to repair NASA facilities that were damaged along the coast. Beaches were washed away near the NASA launch pad at Wallop's Island. The launch pad sits steps from the beach, and workers had to stop testing the rocket that will be used to take cargo to the space station. After Hurricane Sandy, they said they had not seen this much damage in over 6 years. This is a very important facility. There were other NASA facilities that were damaged because of the impact and their closeness to the beach.

We also need cleanup. Entire coastal communities were washed away. The magnitude was amazing. Right now we have debris from storm damage that can be dangerous to fishing vessels, public health and safety, and to marine life. This funding is important for the communities hit by Hurricane Sandy and also for the west coast communities that are still struggling with debris. I understand in Oregon, Washington State, and in California they are still dealing with debris from the Japanese tsunami. I know the Senator from Washington State as well as Senator MURRAY have spoken to me about it.

We need to clean up what was washed up. It is important not only for the safety of our beaches but also so that ships have clear navigation. We are also going to be looking at coastal habitat.

Due to the hurricane, not only were people displaced but fisheries were destroyed as well. I am not equating the two, but for many of us who are coastal Senators, we know that the fisheries are an important part of our identity, an important part of the economy, and an important part of jobs in our communities. We call them watermen in Maryland. Our colleagues from New England call them lobstermen or fishermen. I know the Presiding Officer calls them fishermen. Whatever name we use, those men and women who work and harvest the sea depend on their fisheries.

There were several fisheries which were damaged because the storm created such an aquatic and habitat upheaval. Assistance is needed for our fishermen and our fishing communities which depend on this for their livelihoods to get help. We will be focusing in this bill on New England groundfish; Mississippi's—which was hit by another hurricane—oysters and blue crabs; as well as Alaska and its salmon. Those who were affected at the salmon fisheries will benefit from this bill as will New York and New Jersey.

At the same time we will provide assistance to legal aid for mobile resources and disaster coordinators. There is a tremendous demand for their services to help people sort out many of the aspects of this. They help them with their benefits and their insurance. They need help just sorting things out when they don't have the documents they need.

We are going to have lawyers on the ground to work with the community.

Legal aid will be doing this, and they will be also coordinate pro bono orders.

We see this bill not just as spending on these items, we see this as helping the communities get back on their feet and ensuring they have vital Federal services in law enforcement and the safety and protection of their community. We need to maintain the safety of our Federal prisons and make sure there is safety and access to our ports in order that safe navigation will be provided.

For every dollar we spend, we are going to be creating jobs. It is going to take jobs and human beings to replace and replenish our beaches. This is important. It is a jobs bill. When we talk about going in and stabilizing our prisons or helping with the New York field office, and so on, these are going to be jobs in construction, in office space restoration, and mold mitigation.

Item after item will help provide an opportunity that even men and women whose jobs were displaced because of this storm will have the opportunity to be able to participate in these Federal contracts to rebuild the very communities that they are from. I know we hope that happens.

After all of this, we are going to have safer beaches and safer navigation. We are also going to continue the excellent work that has been done by NOAA and weather forecasts. They gave us plenty of warning so that we were able to save as many lives as we could, but unfortunately we could not save those homes and we could not save those livelihoods.

This supplemental helps people get back in their homes, get those communities back, and hopefully we will restore those livelihoods. I look forward to ensuring that my aspect of the bill moves in an expeditious, speedy, and smooth way.

I thank the the ranking member, Senator KAY BAILEY HUTCHISON. She worked with me on a bipartisan basis to put together my part of the supplemental. This will probably be the last bill she will help move. I appreciate her help.

I hope my colleagues, as they look at the overall aspects of this bill, will move it. Tomorrow I will be talking more about the FEMA and HUD aspects, particularly as they affect Maryland. I hope that as the lameduck moves along, we move in a bipartisan way to get our people back into their homes, back to work, and get back the faith that the Federal Government is on their side and responds to them.

The Senator and I thank President Obama for his leadership and giving us the right framework. We have it all lined up here, and we are ready to go.

I yield the floor.

THE PRESIDING OFFICER. The Senate majority whip.

NEWTOWN, CONNECTICUT TRAGEDY

Mr. DURBIN. Madam President, as I was coming to work today, I drove past St. Peter's grade school which is on the House side of the Hill, and there was a

group of students—little kids—who were being escorted by their teacher down the sidewalk. As they walked along I couldn't help but flash back to that image all America remembers from last Friday—the children at the Sandy Hook school in Newtown, CT, filing out, heading for safety at the firehouse.

I don't know that I can look at the faces of these children as their names have been reported and not think of my own kids when they were that age, and especially of my own grandchildren now, who are just a little over a year old. But I saw in the eyes of those children what all of us see: innocence, happiness, an interest in the future, and the greatest dreams in the world.

Well, in one brutal, depraved moment, those dreams ended when that gunman forced his way into Sandy Hook school and shot those poor innocent children. At that moment, some people stepped forward who really became heroes of the day: Four teachers, including Rachel Davino, Anne Marie Murphy, Lauren Rousseau, and Victoria Soto, and the school psychologist, Mary Sherlach, and Dawn Hochsprung, the beloved school principal who apparently walked right into the face of this gunman to try to stop him from harming any of the children in the school. These school employees lost their lives because they were trying to stop the gunman or shield their students from him.

We would like to think all of us called into a moment such as that would rise to the standard of courage they showed. I hope we would. They did, and in so doing reminded us that even those who just go to work every single day can be called on to show bravery. These teachers did, the school psychologist and the principal, and we owe them a great debt of gratitude, as I am sure the families of all of the students in the school feel.

We pray for all the children were lost on Friday, for the six school employees, and for all their families and loved ones. We also pray for the first victim that morning, the shooter's own mother, Nancy Lanza. And we thank the first responders who responded so bravely in the face of such horror.

We reflect now on our responsibility. I thought about it over the weekend, and I wrote an article for the Chicago Tribune this morning and here is what it said:

What will it take? What will it take for a majority of Americans to speak out for sensible firearms policy in our nation? It will take more than a Congresswoman being shot point-blank in the face as she gathers for a town meeting in Arizona. It will take more than a deranged gunman with a 100-round magazine spraying bullets into a crowded movie theater in Aurora, CO. It will take more than the kids who die playing with guns carelessly stored. It will take more than killings on the university campuses in my home State of Illinois and in Texas and Alabama

and Virginia; and it will take more than the shootings on the streets of Chicago, my hometown of East St. Louis, and so many other cities across the country. Sadly, it will take more than 27 victims, including 20 children, at Sandy Hook grade school.

What it will take is for a majority of Americans and a majority of thoughtful gun owners and hunters to agree that there must be reasonable limits on gun ownership and weapons. The U.S. Supreme Court acknowledged that our second amendment rights are not absolute. So can we come together and agree that Americans have the right to own and use firearms for sport and self-defense, but with certain limits?

We must institute reasonable, commonsense limits, such as barring those with a history of mental instability, those with a history of violent crime or who are adjudged dangerous and subject to restraining orders, and those whose names have already been placed on a terrorist watch list from owning guns. Those "straw purchasers" who are literally fencing for drug gangs and other criminal thugs, and the gun dealers who look the other way when they come to buy those weapons? We have to deal with them realistically and firmly.

There are certain classes of weapons that are strictly military. They have no useful purpose in sport, hunting, or self-defense. They should not be legally sold in America. The gun used at Sandy Hook grade school in Newtown, CT, was just such a gun, an AR-15, originally an M-16, developed for military purposes. Then, with clips attached that held countless numbers of bullets, he turned it on those little babies, these infants, and killed them with that assault weapon. Magazine clips with more than 10 rounds should be prohibited from civilian use.

No one should be allowed to purchase more than two firearms—maybe only one firearm per month. And those who own firearms that are within the reach of children should have protective locks on their weapons.

What holds us back are political organizations that are well-funded and organized and determined to resist even the most reasonable limitations. There is a close political parallel between the gridlock in Washington on dealing with our economy and national debt and the eerie silence in Congress as the list of horrific gun crimes grows by the day.

I am encouraged by several of my colleagues who have spoken out today. Traditionally they have been on the side of those who have opposed any type of limitation on firearms, but they believe, after Newtown, CT, we have to reopen that conversation in a good-faith effort to find common ground.

But too many of my colleagues just shrug their shoulders when gun issues come to the floor for a vote. They have made Grover Norquist-like pledges and feel dutybound to vote "right" on every scorecard issue.

My wife and I grew up in families of hunters. We know the rite of passage when a father can take his son or daughter out hunting for the first time. I know the fun of watching the Sun come up from a duck blind and hearing a seasoned hunter calling them in over the water. The hunters I know are good people who love their sport and hate those who misuse firearms, terrorize, and kill. We need for these hunters to join with many Americans, some of whom have never owned a gun or used a gun, to establish a reasonable standard for gun use and ownership in this great Nation.

I was thinking over the weekend how much we have focused on texting and driving, and I looked up the numbers. Last year it is estimated that 6,000 Americans died because they foolishly were texting while they were driving. We now have a national campaign to stop texting and driving, and we should: 6,000 American lives lost. Last year we lost 30,000 American lives to gun deaths, to put it in perspective. It is time for us to view safety and ownership of guns as seriously as we do when it comes to the safety of operation of automobiles. Until we do—until we come together as a Nation and come forward with reasonable limits on guns that can be sold, magazines and cartridges that can be sold, even the body armor which I can't even understand the purpose for in this country—until we do that, the number of victims of gun tragedies will continue to grow and the silence of the funerals that follow will be matched by the silence of those in Congress who have the power to change it.

It is time for us to step forward in memory of these poor children in Newtown, CT, their grieving families, these heroic teachers, and so many others who reminded us last Friday that we are all part of the same American family.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, before the Senator from Illinois leaves the floor, I commend him for his statements, first on his nominee for the Illinois judgeship that has been delayed for far too long, through no fault of the Senator from Illinois.

This weekend was a very difficult and trying weekend for our families and so many other families, although nothing compared to the families in Newtown, of course. I pretty much stayed off the phone and spent time with children and grandchildren. I made an exception for a couple of phone calls with the distinguished senior Senator from Illinois. I told him that when we come back in in a couple of weeks for the new Congress, I will work with him to make sure the Senate Judiciary Committee has full and thorough hearings on the subjects he has just spoken about, as he stated here so eloquently and as he did in his television interviews this weekend.

The President was absolutely right when he said there is a number of

issues. Obviously the issue of guns is one of them. Mental health is another. There are several issues. Several committees will look at these issues, and should. But I think the Senate Judiciary Committee has a very particular role to play, and I pledge to the Senator from Illinois he will have my complete cooperation in that regard. He was one of the rare phone calls I made this weekend, as well as to a couple national law enforcement officials.

I thought I had seen some of the most horrific crime scenes in my career, but they don't even begin to compare to what the first responders and others, including school officials and parents, saw in that elementary school. The memory is fresh for us, but can we imagine the memories for the families of both the adults and the children who died? It is a memory that will never, ever fade. I think we ought to show our responsibility and step forward to find out what can be done not as Democrats, Republicans, conservatives, liberals, but as Americans. I believe it can be done.

I see the time of 5 o'clock has nearly arrived, but I also see the distinguished Senator from Maryland on the floor. He wishes to speak on the supplemental. I ask unanimous consent Senator CARDIN be permitted to speak on the supplemental and that if he goes past the time of 5 o'clock he be allowed to continue using my time on the judicial nominations.

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

The Senator from Maryland.

Mr. CARDIN. Madam President, first let me thank Chairman LEAHY for those words in his exchange with Senator DURBIN. I wish to offer my deepest condolences on behalf of all of the people of Maryland to the 20 students who lost their lives, and the 6 adults, at the hands of a single shooter at Sandy Hook Elementary School in Newtown, CT.

It is heart-breaking to listen to the stories of innocent lives cut cruelly short. The pain and grief of the families and friends of these students and teachers is unimaginable.

I want to echo some of the comments Senator DURBIN and Senator LEAHY made. We know the teachers and the aides put their lives on the line in order to try to save the children, as well as the unbelievable task of the first responders coming to the scene and not knowing what they would find. We send our prayers to all.

This is a tragedy beyond words. I think President Obama said it best last night that our hearts are broken. But as Senator DURBIN has said—and I say to Senator LEAHY, I particularly want to thank the Senator—we need to take action. Congress needs to come together and take action to protect the safety of our children. We must do better. There have been too many episodes in which children's lives—and others—have been lost that we must figure out ways to prevent these types of tragedies.

This conversation must include a discussion about the culture of violence that permeates our culture today, including the glorification of violence to our children and young adults. We see too much of this violence, and it has to have an impact on young children. We need to know how we can responsibly deal with this circumstance.

It must include a discussion of the mental health services provided to Americans, including our students. Many of us have talked about this in the past. We have to be more aggressive in dealing with the mental health needs of all the people in our community.

As Chairman LEAHY pointed out, we must discuss the issue about the ready access of individuals to weapons. I know there are different views in this Congress. I must tell you, I do not understand why we need to allow access to military-style assault weapons and ammunition.

I strongly support Senator FEINSTEIN's efforts to reinstate the expired 1994 ban on assault weapons, including a ban on ammunition magazines that hold more than 10 rounds.

Senator DURBIN has raised a very valid point: We regulate automobiles. We regulate consumer products. We regulate a lot, as we should, for public safety, and we should regulate firearms for public safety reasons.

There is no need for assault weapons to be held by the public. In my view, there is no legitimate reason for a civilian to possess a military-style weapon or to have large capacity ammunition clips. Congress should also examine whether we can strengthen our background check system for gun buyers, along with criminal penalties for those who illegally purchase or transfer guns.

We need to take a look at safety locks for children. We need to look at those who make multiple purchases. We need to look at the gun show purchases. I think we should examine all those to see whether we can make our communities safer, without infringing upon the legitimate right of individuals to possess guns, sportsmen to be able to use guns for hunting. I think all that, obviously, will be protected. But we can do a much better job of protecting public safety.

We have talked about this before, and we need to act. We need to act in a comprehensive way to make our society safer. I pledge to the chairman of the Judiciary Committee—I have had the honor of serving on that committee for 4 years. He is an extremely fair leader who believes in letting all sides be heard, and I very much appreciate his commitment in so many different areas that have dealt with public safety. We have great confidence in his leadership on that committee, and other committees of the Senate need to act as it relates to the safety of our children.

(Mr. BEGICH assumed the chair.)

Mr. CARDIN. Mr. President, I know we have pending the supplemental ap-

propriations bill. I urge my colleagues to act on this as quickly as we can. Sandy was a devastating storm. Eight million people were without power. There were over 100 deaths, including 7 in the State of Maryland.

Maryland was hit hard, not as hard as New Jersey or New York—and our prayers go out to all the communities that have been affected—but Maryland was hit pretty hard. We had sustained winds for hour after hour after hour after hour. We had rainfall records—9 inches. We had storm surges with 7 foot waves. We had flooding of the Eastern Shore of Maryland. We had a storm in the western part of our State that dropped 30 inches of wet snow.

So we suffered from the flooding on the Eastern Shore and the storms in western Maryland. In many of the communities, people who live below the poverty line are elderly. Senator MIKULSKI was just on the floor and talked about the circumstances in the city of Crisfield. In that city, 32 percent of the population lives below the poverty line. Mr. President, 585 homes were severely damaged, 71 sustained major damage. The watermen, which is one of the major industries for that community, found that they were literally unable to work, and they are still unclear as to what is going to happen to their crops.

We have a serious problem. I will give you just two examples of people who have lived through this storm.

In Crisfield, Mary lived in an apartment with Cody, her trained medical dog. Mary suffers from epileptic seizures, and Cody serves as her lifeline when these seizures occur.

Mary has no family in the area. She cannot work due to her disability. Her only source of income is a small Social Security check.

When Hurricane Sandy hit Crisfield, the water rose rapidly in her apartment. Mary was forced to grab Cody—and nothing else—jump out the window and swim to safety. She lost all her belongings, including all her records, which might be helpful for her to be able to get the benefits she is entitled to.

She is now in temporary housing at a local motel, paying \$60 a night, which she cannot afford, until she can qualify for the assistance. In an area that has a high number of low-income elderly persons, Federal assistance is needed to help deserving senior citizens severely impacted by this storm.

Then there is Diane, who also lives in Crisfield with her family in her childhood home. According to Diane, she has weathered many storms over the years but never in her lifetime has she ever seen the water rise so high and so quickly, inundating the first floor of her home and creating huge whitecaps around her neighborhood. Diane decided to ride out the storm in her home, fearing the possibility of drowning if she left.

The family lost all their possessions. With housing vouchers, they are now

living in temporary housing. A church group gutted her home, but she still needs building materials in order to be able to rebuild her home. She does not have the resources to do that. She needs Federal assistance in order to get her life back in order.

They are just two stories, and I could give you numerous others in the State of Maryland. In the western part of our State, in Garrett County—Garrett County is a community of 30,000—15,000 homes were without power. That is just about every home. Trees fell everywhere. This is a remote Appalachian community, where people were isolated because of the storm. They need help. They need partners.

I wish to congratulate Governor O'Malley and our State leaders and our county leaders. FEMA did a great job. I want to thank the Red Cross and other private sector groups.

But now it is time for the Federal Government to act as a true partner.

I thank President Obama for the disaster declaration for our State, including individual relief for the County of Somerset. This legislation strengthens the Federal partnership. It provides the resources so we can help people such as Mary and Diane who have been devastated by the storm. It will provide the resources necessary so they can put their lives back together. I particularly note the \$17 billion in CDBG funds. Those are flexible funds that will help people such as Mary and Diane so they can get their lives back together.

I also wish to point out how important the mitigation funds are that are in the supplemental appropriations bill. That will allow us to build to prevent this type of damage in the future. For those who may question the feasibility of this type of investment, let me point to one in Maryland: Assateague Island. We widened and put more beach down on Assateague Island. It was kind of pricey, many people thought, but it acted as a buffer for Sandy coming in and causing more damage in Ocean City. Literally millions of dollars were saved because of Assateague Island acting as a bumper to the storm. Mitigation is important, and we should invest in mitigation.

The next step should be the passage of the supplemental appropriations bill. I have heard many of my colleagues come to the floor who represent States that are directly affected. I have listened as my colleagues around the Nation have talked about disasters in their communities, and we have always come together as a nation. I know we are in the last days of this legislative session. I just urge my colleagues to let us move this bill forward now. Let's get it done so the Federal Government can be there to help the communities that have been affected by this storm. It is the right thing to do, and I hope my colleagues will support that effort.

I yield the floor.

## EXECUTIVE SESSION

NOMINATIONS OF FERNANDO M. OLGUIN TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA AND THOMAS M. DURKIN TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The assistant legislative clerk read the nominations of Fernando M. Olguin, of California, to be United States District Judge for the Central District of California and Thomas M. Durkin, of Illinois, to be United States District Judge for the Northern District of Illinois.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate, equally divided in the usual form.

The Senator from Vermont.

Mr. LEAHY. Mr. President, originally we were planning to vote at 5:30 p.m. The distinguished ranking member has no objection. I ask unanimous consent that the time be divided between now and 5:30 p.m. in the normal fashion and the votes be at 5:30 p.m.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LEAHY. Mr. President, so Senators will know, it is my understanding that the first vote, on the confirmation of Fernando Olguin, of California, will be a voice vote, and the second one for Mr. Durkin will be a rollcall vote, which is what I understand from the Senator from Iowa, which, of course, is perfectly acceptable to the Democratic side.

Mr. LEAHY. Mr. President, today the Senate is finally being allowed to vote to confirm two consensus judicial nominees who should have been voted on months ago. Both Judge Fernando Olguin and Thomas Durkin were voted out of the Judiciary Committee before the August recess. Both will finally fill judicial emergency vacancies in the Central District of California and the Northern District of Illinois that were needlessly held vacant since this summer by partisan delay tactics. Their service to the American people has been unnecessarily delayed by over four months.

In the Central District of California, there are over 12,000 cases pending before its judges, and in the Northern District of Illinois there are close to 11,000 cases pending before its judges. Every single judge in each district has approximately 450 or more cases pending on their dockets. This enormous backlog of cases exists in many of our Federal courts in this country and it means that the American people are not able to receive speedy justice.

More than twice the number of judicial vacancies exists compared to the

vacancies left at the end of President Bush's first term. The Senate should be voting on all 16 of the judicial nominees reported to the Senate by the Judiciary Committee. I have also been urging Republicans to expedite consideration of the four judicial nominees who participated in hearings last Wednesday. That would lead to 20 more confirmations before the Senate adjourns later this month.

Historically, the Senate has confirmed hundreds of judicial nominees within 14 days of their Judiciary Committee hearings, including more than 600 confirmed since World War II within just one week of their hearings. In contrast, obstruction by Senate Republicans has caused President Obama's district court nominees to wait an average of 103 days for a Senate vote after being reported by the Judiciary Committee, which Committee consideration has itself often been delayed 30 days or more after their hearings. This destructive practice of delaying for no good reason should be abandoned.

Republican filibusters and pocket filibusters are also preventing votes on circuit court nominees who should be confirmed by consensus before the Senate adjourns for the year. For example, one of the nominations Senate Republicans are holding up is that of Judge Robert Bacharach of Oklahoma to the Tenth Circuit, who they filibustered earlier this year. Senator COBURN, one of his home state Senators, said: "He has no opposition in the Senate. . . . There's no reason why he shouldn't be confirmed." That also applies to Richard Taranto, who was reported more than eight months ago to a vacancy on the Federal Circuit. That applies to William Kayatta of Maine, who was reported nearly eight months ago and has the support of his two home state Republican Senators.

After today's votes, there will still be nine judicial nominees stalled on the Senate Executive Calendar who were reported before the August recess, and who should have been confirmed months ago. Most are consensus nominees. All have the support of both their home state Senators, including their home state Republican Senators. The Senate should be voting to confirm all these nominees before the Senate adjourns for the year.

When George W. Bush was President, Senate Democrats cooperated in moving judicial nominees quickly through the Committee and to a confirmation vote at the end of the year. I did so whether I was Chairman or the ranking member. By way of example, in 2008 we confirmed five of President Bush's nominees just three days after their hearing. We have often been able to do this at the end of a Congress, and this year should be no exception especially given the high level of judicial vacancies plaguing our Federal courts.

Judge Fernando Olguin is nominated to fill a judicial emergency vacancy on the U.S. District Court for the Central District of California, where he has