

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

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

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

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

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

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

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

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

I yield the floor.

I suggest the absence of a quorum.

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

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

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

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

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

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

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

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

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

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

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

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

He teaches all of us about answering the call to duty with determination and without hesitation, just as he did.

His example of selflessness and his elevation of common cause over individual interest are especially relevant in these trying times.

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

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

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

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

The PRESIDING OFFICER. The Senator from Vermont.

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

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

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

The PRESIDING OFFICER. The Senator from Louisiana.

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

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

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

The Senator from Arizona.

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

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

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

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

#### CONCLUSION OF MORNING BUSINESS

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

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

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

The PRESIDING OFFICER. Morning business is closed.

DEPARTMENT OF DEFENSE  
APPROPRIATIONS ACT

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

The bill clerk read as follows:

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

Pending:

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

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

The PRESIDING OFFICER. The Senator from Oregon.

AMENDMENT NO. 3367 TO AMENDMENT NO. 3338

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

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

The clerk will report.

The bill clerk read as follows:

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

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

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

The amendment is as follows:

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

At the end of title I, add the following:

GENERAL PROVISIONS—THIS CHAPTER

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

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

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

(3) in subsection (e)(1)—

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

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

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

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

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

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

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

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

(1) in subsection (a)—

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

“(1) IN GENERAL.—

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

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

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

“(B) ADMINISTRATION.—The Secretary shall carry out this section through the Farm Service Agency (referred to in this section as the ‘Agency’).”;

(B) in paragraph (2)—

(i) in subparagraph (A)—

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

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

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

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

(ii) in subparagraph (B)—

(I) by inserting “(except ferns)” after “floricultural”;

(II) by inserting “(except ferns)” after “ornamental nursery”;

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

(2) in subsection (d), by striking “The Secretary” and inserting “Subject to subsection (1), the Secretary”;

(3) in subsection (k)(1)—

(A) in subparagraph (A), by striking “\$250” and inserting “\$260”; and

(B) in subparagraph (B)—

(i) by striking “\$750” and inserting “\$780”; and

(ii) by striking “\$1,875” and inserting “\$1,950”; and

(4) by adding at the end the following:

“(1) PAYMENT EQUIVALENT TO ADDITIONAL COVERAGE.—

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

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

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

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

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

“(I) harvested;

“(II) planted but not harvested; or

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

“(ii) in the case of a crop that is produced without a significant and variable harvesting

expense, such rate as shall be determined by the Secretary.

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

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

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

“(i) the product obtained by multiplying—

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

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

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

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

“(ii) 5.25-percent premium fee.

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

“(4) ADDITIONAL AVAILABILITY.—

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

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

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

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

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

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

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

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

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

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

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

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

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